



Where Georgia comes together.

AGENDA  
REGULAR MEETING OF THE PERRY CITY COUNCIL  
October 1, 2019  
6:00 P.M.

1. Call to Order: Mayor Randall Walker, Presiding Officer.
2. Roll.
3. Invocation and Pledge of Allegiance to the Flag: Mayor Randall Walker
4. Presentation(s) / Recognition(s):
  - 4a. Introduction of Austin Williams and Dustin Hannula – Chief L. Parker.
5. Community Partner(s) Update(s):
6. Citizens with Input.
7. Public Hearings: Mayor Randall Walker

The purpose of these Public Hearings is to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. Sec. 36-67A-3 (c).

- 7a. SUSE-69-2019. Applicant, Sharon Darnell Tucker, requests a Special Exception to allow a Residential Business at 1428 Elizabeth Avenue; Tax Map No. 0PO230 072000 – Mr. B. Wood.
8. Review of Minutes: Mayor Randall Walker
  - 8a. Council's Consideration – Minutes of the September 16, 2019 work session, September 17, 2019 pre council meeting, September 17, 2019 council meeting, September 23, 2019 special called meeting, and September 24, 2019 special called meeting. *(Council Member Hunt was absent from September 16<sup>th</sup> work session, September 23<sup>rd</sup> special called meeting and September 24<sup>th</sup> special called meeting. Mayor Pro Tem Willie King was absent from September 24<sup>th</sup> special called meeting.)*
9. Old Business:
  - 9a. Ordinance(s) for Second Reading(s) and Adoption:

1. **Second Reading** of an of a text amendment addressing Brewpubs, Breweries, Distilleries, Truck Stops, and Conditional Uses - Mr. B. Wood.
10. **Any Other Old Business:**
  - 10a. Mayor Randall Walker
  - 10b. Council Members
  - 10c. City Manager Lee Gilmour
  - 10d. Assistant City Manager Robert Smith
  - 10e. City Attorney Brooke Newby
11. **New Business:** Mayor Randall Walker
  - 11a. **Matters referred from September 30, 2019 work session and October 1, 2019 pre council meeting.**
  - 11b. **SUSE-69-2019.** A special exception to allow a Residential Business at 1428 Elizabeth Avenue – Mr. B. Wood.
  - 11c. **Resolution(s) for Introduction and Adoption:**
    1. Resolution of Support for the Georgia Department of Community Affairs loan to the Downtown Development Authority of the City of Perry for the acquisition and renovation of a building in downtown for use as a restaurant – Ms. A. Hardin.
12. **Council Members Items:**
13. **Department Heads/Staff Items.**
14. **General Public Items:**
15. **Mayor Items:**
16. **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](http://www.perry-ga.gov).



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## **STAFF REPORT**

From the Department of Community Development  
September 5, 2019

**CASE NUMBER:** SUSE-69-2019  
**APPLICANT:** Sharon Darnell Tucker  
**REQUEST:** A Special Exception to allow a Residential Business  
**LOCATION:** 1428 Elizabeth Avenue; Tax Map No. 0P0230 072000  
**ADJACENT ZONING/LAND USES:**

Subject Parcel: R-1, Single-Family Residential District; Single-Family residence  
North: R-1; Single-Family residence  
South: R-1; Single-Family residence  
East: R-1; Single-Family residence  
West: R-1; Single-Family residence

**REQUEST ANALYSIS:** The applicant requests approval to operate a Residential Business for pet grooming. The business appears to have already been operating. The property is centrally located between Main Street and Tucker Road, an arterial street and a collector street, respectively.

The applicant has established a space within the primary structure for conducting business. Staggered appointments will be scheduled between 8:00 am and 4:00 pm on Wednesdays, Thursdays, and Fridays. Appointments may be scheduled on some Saturdays. The applicant indicates that dogs being groomed will be 20 pounds or smaller in size.

### **STANDARDS FOR SPECIAL EXCEPTIONS:**

- 1. *Does the Special Exception follow the existing land use pattern?*** The surrounding area consists of single-family residential uses. The conditions established for Home Occupations in general and Residential Businesses specifically are intended to maintain the residential use and character of the property.
- 2. *Will the Special Exception have an adverse effect on the Comprehensive Plan?*** The Character Areas Map of the 2017 Joint Comprehensive Plan identifies the property as 'Traditional Neighborhood'.
- 3. *Will adequate fire and police protection be available?*** The additional use of the property for a residential business has no impact on existing fire and police protection.
- 4. *Will the proposed use be of such location, size, and character that it is not detrimental to surrounding properties?*** The conditions established in Section 4-4.3 of the Land Management Ordinance (included below) for Home Occupations in general and Residential Businesses specifically are intended to maintain the residential use and character of the property.
- 5. *Will the use interfere with normal traffic, pedestrian or vehicular, in the neighborhood?*** The applicant indicates that appointments are staggered and clients park in the existing driveway. It appears that the business does not create traffic congestion.
- 6. *Will the use result in an increase in population density overtaxing public facilities?*** The principal use of the property will remain residential. There will be no impact on public facilities.

7. *Will the use create a health hazard or public nuisance?* The conditions established in Section 4-4.3 of the Land Management Ordinance for Home Occupations in general and Residential Businesses specifically are intended to maintain the residential use and character of the property.
8. *Will property values in adjacent areas be adversely affected?* Property values of adjacent areas should not be adversely impacted, provided the conditions of Section 4-4.3 of the Ordinance are adhered to.
9. *Are there substantial reasons a permitted use cannot be used at this property?* Residential use is permitted on the property.

**STAFF RECOMMENDATION:** Based on review of the criteria, Staff recommends approval of the special exception, with the following conditions:

1. The Special Exception shall be limited to a Residential Business conducted for pet grooming only;
2. The Special Exception shall be limited to the applicant, Sharon Darnell Tucker, and is not transferrable;
3. The applicant shall comply with the provisions of Section 4-4.3 of the Land Management Ordinance regarding Home Occupations and Residential Businesses, all applicable local, state and federal laws and regulations; and
4. No sign advertising the business shall be posted or displayed on the property.

**PLANNING COMMISSION RECOMMENDATION:** Following the Informational Hearing on September 9, 2019, Planning Commission recommends approval of the special exception, with the following conditions:

1. The Special Exception shall be limited to a Residential Business conducted for pet grooming only;
2. The Special Exception shall be limited to the applicant, Sharon Darnell Tucker, and is not transferrable;
3. The applicant shall comply with the provisions of Section 4-4.3 of the Land Management Ordinance regarding Home Occupations and Residential Businesses, all applicable local, state and federal laws and regulations; and
4. No sign advertising the business shall be posted or displayed on the property.

  
 \_\_\_\_\_  
 Lawrence Clarington, Vice-Chairperson

9/24/19  
 \_\_\_\_\_  
 Date

**REFERENCE:**

**Sec. 4-4. - Accessory uses and structures.**

**4-4.3. Standards for specific accessory uses and structures.**

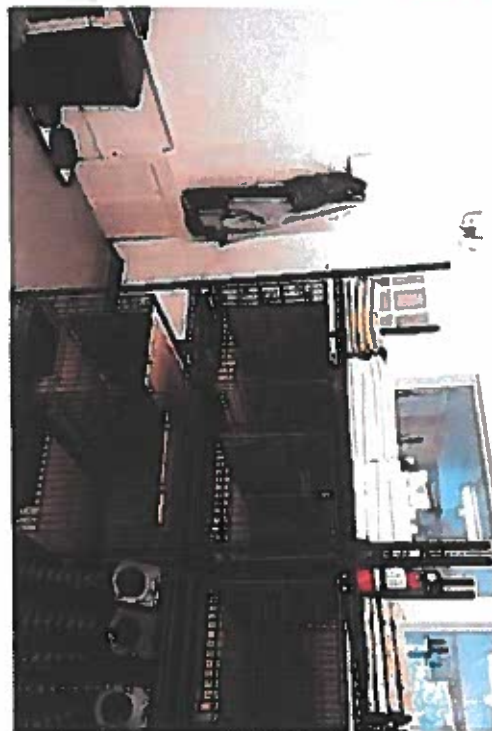
(C) *Home occupation.* A home occupation permit may be issued subject to the following standards:

- (1) *Where allowed.* The home occupation shall be operated entirely within the dwelling unit or a related accessory building.
- (2) *Who may operate.* Only by the persons maintaining residence on the lot may operate a home occupation. If the persons maintaining residence are not the owners, the property owner's permission must be provided.
- (3) *Area.* The combined floor area of a home occupation shall not exceed 25 percent of the floor area of the principal structure.
- (4) *Employees.* A home occupation may employ no more than one person who is not a resident in the applicant's home.
- (5) *Operational requirements.*
  - (a) The home occupation shall not involve the retail sale of merchandise except for products related directly to services performed.

- (b) No merchandise shall be displayed in such a manner as to be visible from off the premises.
  - (c) No outdoor storage shall be allowed in connection with any home occupation.
  - (d) No alteration of the residential character of the premises may be made and the hours and the manner in which the home occupation is conducted shall not be allowed to create a nuisance or disturbance.
- (6) **Business owner.** The business must be owned by the owner of the property on which the home occupation is located, or the business owner must have written approval of the owner of the property if the applicant is a tenant.
- (7) **Parking.** Off-street parking shall be provided in accordance with the requirements of section 6-1, off-street parking and loading.
- (8) **Prohibited home occupations.** The following uses are prohibited as home occupations:
- (a) Landscaping business, other than office use;
  - (b) Commercial greenhouse;
  - (c) Contractor's business, other than office use;
  - (d) Beauty salon or barber shop;
  - (e) Automotive repair;
  - (f) Furniture repair or cabinet shop;
  - (g) Physician's or chiropractor's clinic;
  - (h) Fortune telling.
- (D) **Residential business.** A residential business may only be allowed by special exception. Residential businesses are small offices or small-scale retail or service businesses which are clearly incidental and secondary to the use of the dwelling for residential dwelling purposes. In addition to , and which fully comply with the following standards:
- (1) Residential businesses may include but are not limited to beauty shops, barber shops, professional offices and minor repair shops.
  - (2) Residential businesses shall not include the repair and/or maintenance of motor vehicles, large scale manufacturing or any use, which will create noise, noxious odors, or any hazard that may endanger the health, safety or welfare of the neighborhood.
  - (3) The residential business shall not involve group instruction or group assembly of people on the premises.
  - (4) The business or profession must be conducted entirely within the dwelling.
  - (5) The dwelling must be the bona fide residence of the principal practitioner at the time of the application and, if approved, the residential business shall be valid only as long as the principal practitioner resides in the dwelling, is conducting business and has a current business certificate.
  - (6) Residential businesses shall be limited to no more than twenty-five (25) percent of the total heated floor area of the residence.
  - (7) There will be no changes, which would alter the character of the dwelling or reveal from the exterior that the dwelling is being used in part for other than residential purposes.
  - (8) The portion of the residence in which the business is conducted shall be completely enclosed in a manner that the business is not visible from the surrounding property.
  - (9) No outside storage is allowed.
  - (10) Property on which the residential business is proposed must have frontage on a public road.
  - (11) Off-street parking shall be provided in accordance with the requirements of section 6-1, off-street parking and loading.
  - (12) Access by customers and/or clients shall be 8:00 am through 6:00 pm, Monday through Saturday.
  - (13) One commercial vehicle may be parked in the approved parking area on the property.
  - (14) A utility trailer needed for the operation of the business must be specifically requested and approved by the Planning Commission.

SUSE-69-2019, 1428 Elizabeth Avenue







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### Application for Special Exception

Contact Community Development (478) 988-2720

Application # SUSE  
0069-2019

#### Applicant/Owner Information

\*Indicates Required Field

	Applicant	Property Owner
*Name	SHARON DARNELL TUCKER	SHARON DARNELL TUCKER
*Title	OWNER/GROOMER	
*Address	1428 ELIZABETH AVE	
*Phone	478-319-5361	
*Email	DownTownDogs@comsouth.net	

#### Property Information

*Street Address	1428 ELIZABETH AVE
*Tax Map #(s)	
*Zoning Designation	R-1

#### Request

\*Please describe the proposed use:

Canine Grooming Salon for small dogs, 20lbs & under.  
Clients drop off & pickup - Business hours are 8-4 W-T-F & some Saturdays

#### Instructions

1. The application and \$90.00 fee (made payable to the City of Perry) must be received by the Community Development Office no later than 4:30 pm on the date reflected on the attached schedule.
2. The applicant/owner must respond to the 'standards' on page 2 of this application (you must answer 'why' you believe the application meets the tests for granting the special exception). See Sections 2-2 and 2-3.5 of the Land Management Ordinance for more information. You may include additional pages when describing the use and addressing the standards.
3. For applications in which a new building, building addition and/or site modifications are required, you must submit a scaled drawing of the proposed site development plan.
4. The staff will review the application to verify that all required information has been submitted. The staff will contact the applicant with a list of any deficiencies which must be corrected prior to placing the application on the planning commission agenda.
5. Special Exception applications require an informational hearing before the planning commission and a public hearing before City Council. The property must be posted at least 15 days prior to the scheduled hearing dates.
6. Please verify all required information is reflected on the plan(s). Submit one (1) paper copy and one (1) electronic version of the plan(s).
7. An application for special exception affecting the same parcel shall not be submitted more often than once every six months.
8. The applicant must be present at the hearings to present the application and answer questions that may arise.
9. Campaign Notice required by O.C.G.A. Section 36-67A-3: Within the past two years, have you, the applicant, made either campaign contributions and/or gifts totaling \$250.00 or more to a local government official? Yes \_\_\_ No    
 If yes, please complete and submit the attached Disclosure Form.



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

11. Signatures:

*Applicant <i>Sharon Dainell Jackson</i>	*Date <i>06 AUG 19</i>
*Property Owner/Authorized Agent <i>Sharon Dainell Jackson</i>	*Date <i>06 AUG 19</i>

**Standards for Granting a Special Exception**

1. Are there covenants and restrictions pertaining to the property which would preclude the proposed use of the property?
2. Describe the existing land use pattern surrounding the subject property.
3. Describe how the proposed use will not have an adverse effect on the Comprehensive Plan.
4. Describe how any proposed structures, equipment or materials will be readily accessible for fire and police protection.
5. Describe how the proposed use will be of such size, location, and character that it will generally be in harmony with appropriate and orderly development of the surrounding area and adjacent properties, and will not be a detriment to uses permitted on adjacent properties. (Consider the location and height of buildings and other structures, and the extent of landscaping, screening and buffering.)
6. For uses to be located in or adjacent to a residential district, describe how the nature and intensity of the operations of the proposed use will not negatively impact pedestrian and vehicular traffic in the district.
7. Describe how the proposed use will not place an undue burden upon public facilities and services.
8. Describe how the proposed use will not create health and safety problems, and will not create a nuisance with regard to traffic congestion, drainage, noise, smoke, odor, electrical interference, or pollution.
9. Describe how the proposed use will not adversely impact the value of surrounding properties.
10. State the reasons why the subject property cannot be used for a use permitted in the zoning district in which it is located.

Revised 7/18/19

For Office Use (receipt code 204.2)

Date received <i>8/7/19</i>	Fee paid <i>\$9000</i>	Date deemed complete <i>8/7/19</i>	Public Notice Sign <i>by 8/23/19</i>	Legal Ad <i>place 9/4/19 to run 9/11/19</i>
Notice to Applicant <i>by 9/4</i>	Routed to PC <i>9/6/19</i>	Date of PC <i>9/9/19</i>	Date of Public Hearing <i>10/1/19</i>	Date of Council action  
Notice of action				

## **Application for Special Exception**

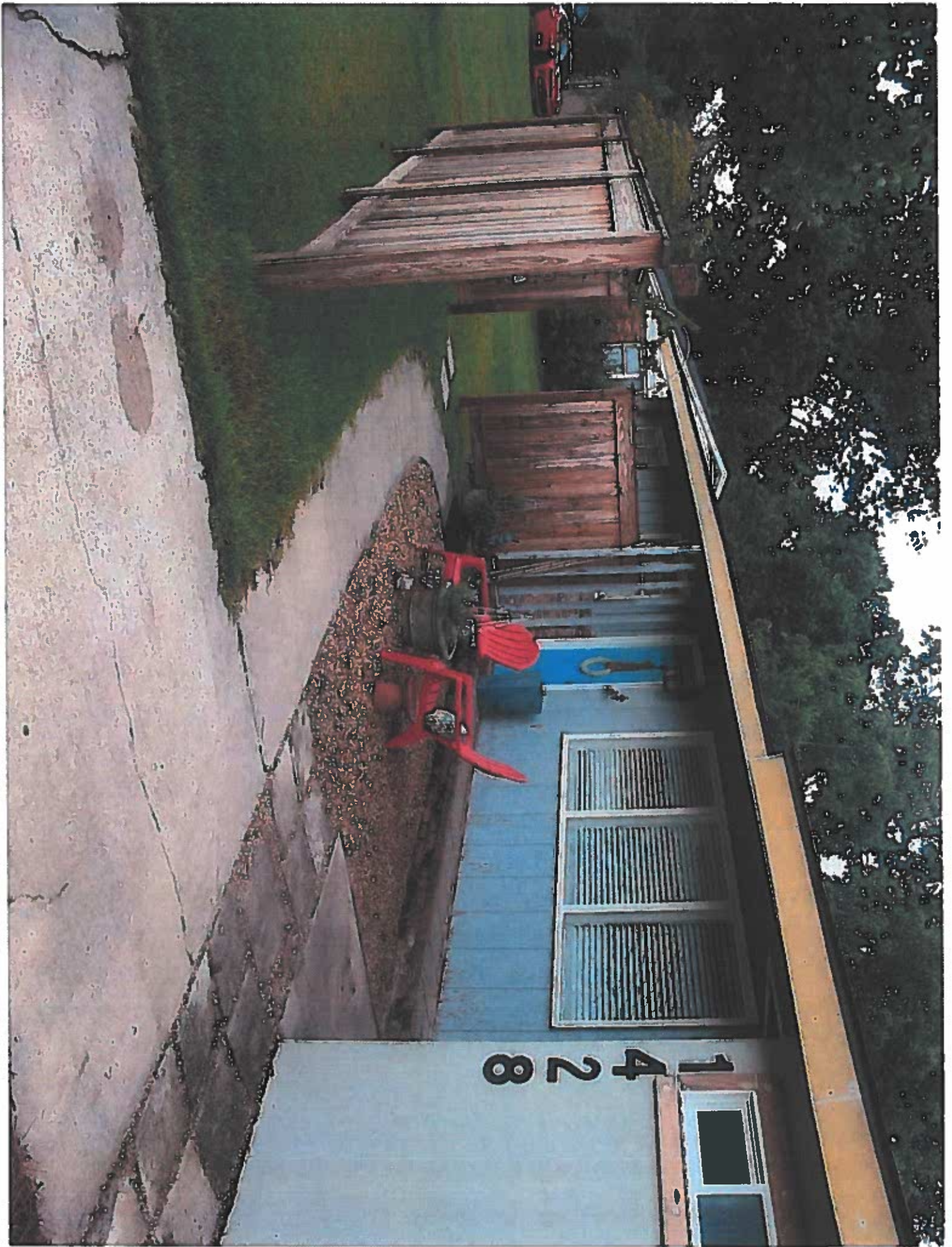
**Sharon Darnell Tucker  
1428 Elizabeth Ave  
Perry, Georgia 31069  
478-319-5361**

- 1. There are no covenants or restrictions pertaining to property, which would preclude the proposed use of the property.**
- 2. The land use pattern surrounding the subject property consists of rental homes and personally owned homes. Within a radius of ½ mile or less there is a large facility for dog boarding, a lumber mill, and the city maintenance facility. Also there is a lawn mover repair shop, a small auto repair shop and several in home beauty shops.**
- 3. The dog-grooming salon will not have an adverse effect on the Comprehensive plan, but rather a very positive and friendly effect; it will meet the needs of many citizens.**
- 4. The proposed dog-grooming salon will be readily accessible to the fire and police throughout the driveway.**
- 5. The proposed grooming salon will be in harmony with the surrounding area in the following ways. It is landscaped and blends in with the surrounding environment.**
- 6. The dog-grooming salon will not interfere with pedestrian traffic or vehicle traffic, as there will be off street parking on driveway and the traffic flow is limited to ensure this never creates a problem. All appointments times and pick up times will be staggered so that there is no back up of traffic.**
- 7. The proposed dog-grooming salon will not place undue burden on public facilities and services, as it does not create excessive waste.**
- 8. The proposed dog-grooming salon will not create any health or safety problems. My services, will only pertain to said pre scheduled clients, and not the general public. I do not use any hazardous or toxic chemicals and I only use human grade products.**
- 9. The proposed dog-grooming salon will not adversely impact the value of the surrounding properties because said property always has been and will continue to be properly maintained, as a homeowner I take pride in ownership.**
- 10. I do not believe there is any reason why the subject property cannot be used for a dog-grooming salon, as the surround properties, homeowners and renters: All are dog owners and lovers.**



Spring 1008







# Georgia Department of Agriculture

## Licensing Division

19 Martin Luther King Jr. Dr. SW, Rm. 604 Atlanta, Georgia 30334  
Phone: 404-586-1411 • Fax: 404-586-1126 • Toll free 855-424-5423  
Website: [www.agr.georgia.gov](http://www.agr.georgia.gov) Email: [GDALicensing@agr.georgia.gov](mailto:GDALicensing@agr.georgia.gov)

Gary W. Black  
Commissioner

**DOWNTOWN DOGS**  
**SHARON TUCKER**  
PO Box 1913  
Perry, GA 31069--1913

### Kennel License Renewal Invoice

For your convenience, we are now accepting online applications/renewals securely over the internet using credit card types such as Visa, MasterCard, and American Express, or by ACH (transfer from your bank account). Convenience fee is included in the license fee. Online submissions result in a more efficient approval process so you may receive your updated license more rapidly, while also helping to reduce errors that result in incomplete renewals. Please go to:

<http://www.kellysolutions.com/GA>

After logging in with your License Number and Password, you will be prompted to enter any additional required information, followed by your credit card information. After your renewal payment has been received, we will send your new license to the email you provide. If you renew online, you do not need to return this renewal form.

Username/License Number: 34101997  
Online Password: 3193116  
Amount Due By: 8/31/2019  
Amount Due: \$100.00  
Total Due: \$100.00

Payments post marked and received on or after ten (10) days of the expiration date of the license will be assessed a late fee.

If paying by check or money order, please detach the coupon below and include with your payment. Make payable to Georgia Department of Agriculture, and write your License Number on your check

License Number	Due Date	Amount Due
34101997	8/31/2019	\$100.00

AMOUNT OF PAYMENT  
ENCLOSED

\$

Program ID: 114



**DowntownDOGS**  
Sharon Darnell Tucker  
1488 Elizabeth Ave  
Perry, GA 31069

969  
64-464811

Pay to the  
Order of

GEORGIA DEPT AGRICULTURE \$100.00

ONE HUNDRED DOLLARS & 10/100 Dollars

The Bank Of Perry  
Perry • Kathleen, Georgia

FOR RENEW 34101997

*Sharon Darnell Tucker*

GEORGIA DEPA  
PO BOX 74254E  
ATLANTA GA 3

114 0000C

**MINUTES**  
**WORK SESSION**  
**OF THE PERRY CITY COUNCIL**  
**September 16, 2019**  
**5:00 P.M.**

1. **Call to Order:** Mayor Pro Tempore Willie King, Presiding Officer, called to order the work session meeting held September 16, 2019 at 5:00 p.m.

2. **Roll:**

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

**Elected Official Absent:** Council Member Riley Hunt

**Staff:** City Manager Lee Gilmour, Assistant City Manager Robert Smith, City Attorney Brooke Newby, and Recording Clerk Joni Ary.

**City Departmental Staffing:** Chief Steve Lynn– Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Mitchell Worthington – Assistant Finance Director, Ashley Hardin – Economic Development Director, Bryan Wood – Director of Community Development, Brenda King – Director of Finance, Chad McMurrian – Engineering Services Manager, Haley Myers – Main Street Coordinator and Sedrick Swan – Director of Leisure Services.

**Guest(s)/Speaker(s):** None

**Press:** Jada Dukes – Houston Home Journal

3. **Items of Review/Discussion:** Mayor Pro Tempore Willie King

- 3a. **Department of Economic Development.**

1. **Presentation of the City's economic development website and Houston County Development Authority website.**

Ms. Hardin reviewed the City's current economic development website and Houston County Development Authority website. The City economic development website should work in conjunction with the County to give more precise information on what the City has to offer and stay competitive to attract new businesses. Administration recommendation is to proceed with City's economic website and work in conjunction with Houston County Development Authority. Council concurred with recommendation.

3b. Community Development Department:

1. Follow up relative to Main Street Logo.

Ms. Myers presented to Council the proposed Main Street Logo. The new logo has three downtown business drawing rendering with the City's brand color and map point. Council suggested adding some landscape to logo to incorporate our historic downtown. Ms. Myers stated she would have the landscape added and bring back to Council to review.

2. Fall tram tour schedule.

Ms. Myers reviewed the fall tram tour schedule for October 1<sup>st</sup>, 24<sup>th</sup> and 29, 2019 at 5:30 p.m. The tours will be guided by the Historical Society, Ms. Ellie Loudermilk. Administration recommends proceeding if Council concurs with dates. Council concurred to proceed.

3. Proposed 2020 CDBG grant area.

Mr. Wood reviewed with Council the proposed 2020 CDBG grant area. The City was awarded nearly \$1 million CDBG grant. The recommended area is the Creekwood community area for housing rehabilitation. Administration recommendation is to proceed with 2020 CDBG grant application for Creekwood community area for housing rehabilitation. Council concurred to proceed.

3c. Office of the City Manager:

1. Consider authorizing an additional meter reader to ESG Operations, Inc agreement.

Mr. Gilmour reviewed request to approve adding an additional meter reader to ESG Operations, Inc. agreement. This position is necessary due to the increase of new locations each year. Administration recommended proceeding with the agreement to authorize an additional meter reader to ESG Operations, Inc. Council concurred to proceed with the agreement.

4. Other Business/Supplemental Agenda:

4a. Sewer Extension:

Mr. McMurrian stated that he was contacted by the County about two parcels of land located along Hwy 127 and Talton Place. The owner inquired about attaining sewer services to the area. Mr. McMurrian stated it would cost an estimated \$319,000 also stated that the pump stations would also need to be updated at an estimated cost of \$3.5 million. The Administration recommendation approve request for sewer services subject to annexation into the City. The Administration also recommended addressing the pump station



upgrades to proceed. Council concurred to proceed.

5. Council Member items:

Council Member Bynum-Grace thanked the City staff for all their hard work during the Food Truck Friday events and the Perry Music Festival.

Council Members Jackson and Jones had no items.

6. Department Heads/Staff items:

No reports from Mr. Gilmour, Ms. Newby, Mr. Worthington, Chief Lynn, Chief Parker, Mr. Smith, Ms. Hardin, Mr. Swan and Mr. Wood.

Ms. King stated that the auditors will be at the City until the September 27, 2019. Ms. King requested to close our current accounts with Cadence Bank and open new bank accounts due to fraudulent activities. Council concurred to proceed.

Mr. McMurrian updated Council on the Exit 136 Beautification project with GDOT. The recommendation of Administration is to get all cost estimates for engineering and landscaping before proceeding. Council concurred with recommendation.

Ms. Myers stated that during the City's next four events five different Main Street offices will be visiting the events, Main Street Americus visited during Food Truck Friday this past weekend.

Mr. Wood received notification from the Middle Georgia Regional Commission that our Plan First designation expires next year. Mr. Wood recommended to move forward working with the Middle Georgia Regional Commission to renew the Plan First designation. Council concurred to proceed with renewal.

7. Adjournment: There being no further business to come before Council for the work session held September 16, 2019, Council Member Jackson motioned to adjourn the meeting at 5:50 p.m. Council Member Bynum-Grace seconded the motion and it carried unanimously.

**MINUTES**  
**PRE COUNCIL MEETING**  
**OF THE PERRY CITY COUNCIL**  
September 17, 2019  
**5:00 P.M.**

1. Call to Order: Mayor Pro Tempore Willie King, Presiding Officer, called to order the pre council meeting held September 17, 2019 at 5:00 p.m.

2. Roll:

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

Elected Official(s) Absent: None.

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

Departmental Staffing: Chief Steve Lynn – Perry Police Department, Mitchell Worthington – Assistant Finance Director, Bryan Wood – Director of Community Development, Ashley Hardin – Director of Economic Development, Anya Turpin – Special Events Coordinator, Chief Lee Parker – Perry Fire and Emergency Services Department, Sedrick Swan – Director of Leisure Services, and Brenda King – Director of Finance.

Guests: Gary Moulliet

Media: Jada Dukes – Houston Home Journal

3. Items of Review/Discussion: Mayor Pro Tempore Willie King

3a. Discussion of September 17, 2019 council meeting agenda.

7a. REZN-71-2019 Applicant, City of Perry, requests a text amendment addressing Brewpubs, Breweries, Distilleries, Truck Stops, and Condition Uses. Mr. Wood stated that the four changes in the proposed text amendment are aligned with the City's recent update to the alcohol ordinance.

9a (1). **Second Reading** of an ordinance relative to the rezoning of property from RAG, Residential-Agricultural District (county) to R-1, Single-family Residential District (city). The property is located at 333 Langston Road, Tax Map No. 000550 006000. Mr. Wood advised the Planning Commission and staff recommended approval of the application as submitted.

9a (2). **Second Reading** of an ordinance relative to the annexation of property from RAG, Residential-Agricultural District (county) to R-1, Single-family

Residential District (city) The property is located at 333 Langston Road, Tax Map No. 000550 006000. Mr. Wood advised the Planning Commission and staff recommended approval of the application as submitted.

9b. Authorize an independent agreement for election machine and monitoring. Mr. Gilmour advised that this is in line with the requirements of state law and the Board of Elections.

11a (1). Approval of the amendment to ESG Operations, Inc. contract. Mr. Gilmour advised that the contract would be amended to include an additional meter reader to accommodate the City's recent growth.

11b (1). First Reading of a text amendment addressing Brewpubs, Breweries, Distilleries, Truck Stops, and Conditional Uses. Mr. Wood stated that as this is a first reading, no action would be required by council.

11c (1). Resolution to approve the Policies and Procedures for the 2019 CDBG program. Mr. Wood advised that all changes to the policy and procedures could be approved subject to approval from the City Attorney and that it is the recommendation of staff to approve.

11c (2). Resolution for approval of a Language Access Plan for the 2019 CDBG program. Mr. Wood advised that staff recommends approval.

11c (3). Resolution authorizing Council to approve accepting 2019 GDBG grant and authorizing the Mayor to execute the documents. Mr. Wood advised that staff recommends approval.

11c (4). Resolution amending City of Perry Fee Schedule. Mr. Gilmour stated that the proposed changes include the elimination of the solicitation charges and the addition of a fee for damages to water meter boxes.

11d (1). Bid No. 2020-06 – Office Furniture for Community Development Suite. Mr. Worthington recommended awarding Bid No. 2020-06 to National Business Furniture in the amount of \$39,079.87.

11d (2). Bid No. 2020-07 – City-Wide HVAC Maintenance. Mr. Worthington recommended awarding Bid No. 2020-07 to Truman's Air Conditioning and Heating in the amount of \$14,371.00 per year.

11e. Approval of contract for Grant Specialists of Georgia to administer the CDBG grant. Mr. Wood stated that it is the recommendation of staff to approve the contract.

11f. Approval of professional services agreement between the City of Perry and GWES, LLC relative to Creekwood CDBG Storm Drainage Improvements. Mr. Wood stated that it is the recommendation of staff to approve the contract subject to funding.

11g. Approve agreement between the City of Perry and the Downtown Development Authority of the City of Perry for natural gas incentive program. Mr. Gilmour advised that the program aims to incentivize the use of gas appliances in restaurants and that approval is recommended by staff.

11h. Approve sale of surplus park land. Mr. Gilmour advised that it is the recommendation of staff to award the sale to the single bidder for purchase of surplus land.

11i (1). Special Events Application – Sweets & Treats on Downtown Streets, October 31, 2019 from 4:30 p.m. until 6:30 p.m. Ms. Turpin reviewed the application, request for support from Perry Police Department, Perry Fire Department, and Public Works and the request for downtown street closures.

4. Council Member items:

No items from Council Members Bynum-Grace, Hunt, Jackson, or Jones.

5. Department Head/Staff Items:

- Ms. Turpin advised Council that the previous weekend's events had been highly successful with excellent turnout for both Food Truck Friday and the Perry Music Festival. Ms. Turpin also reminded all that the next event would be Oktoberfest on October 19, 2019.
- Mr. Gilmour, Mr. Smith, Ms. Newby, Ms. King, Mr. Wood, Mr. Swan, Mr. Worthington, Ms. Hardin, Chief Lynn, and Chief Parker had no items.

6. Adjourn: There being no further business to come before Council in the pre council meeting held September 17, 2019, Council Member Jones motioned to adjourn the meeting at 5:16 p.m.; Council Member Jackson seconded the motion and it carried unanimously.

**MINUTES**  
**REGULAR MEETING OF THE PERRY CITY COUNCIL**  
**September 17, 2019**  
**6:00 P.M.**

1. Call to Order: Mayor Pro Tempore Willie King, Presiding Officer, called to order the regular meeting of the Perry City Council held September 17, 2019 at 6:00 p.m.

2. Roll.

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

Elected Officials Absent: None

Staff: City Manager Lee Gilmour, Assistant City Manager Robert Smith, City Attorney Brooke Newby, and Recording Clerk Regan Scott

City Departmental Staffing: Chief Steve Lynn – Perry Police Department, Mitchell Worthington – Assistant Finance Director, Bryan Wood – Director of Community Development, Ashley Hardin – Director of Economic Development, Anya Turpin – Special Events Coordinator, Chief Lee Parker – Perry Fire and Emergency Services Department, Sedrick Swan – Director of Leisure Services, and Brenda King – Director of Finance.

Guest(s): Gary Moulliet, Bob Cunningham, Scott Cox, Darlene McLendon, Doug Nation, and Sherry Kurtz.

Media: Jada Dukes - Houston Home Journal

3. Invocation and Pledge of Allegiance to the Flag: Mayor Pro Tempore Willie King

Council Member Robert Jones rendered the invocation and Council Member Riley Hunt led the pledge of allegiance to the flag.

4. Presentation(s) / Recognition(s): Mayor Pro Tempore Willie King

4a. Recognition of Lt. Gerald Michel for 10 years of Service. Chief Parker thanked Lt. Michel for ten years of service with Perry Fire Department. Lt Michel's wife, Alia, presented him with a commemorative pin. Mayor Pro Tempore thanked the Michels and their children, D'andre, Logan, and Mila on behalf of the City for their sacrifice.

5. Community Partners Update(s):

None

6. Citizens with Input:

None

7. PUBLIC HEARING CALLED TO ORDER AT 6:03 p.m.: Mayor Pro Tempore Willie King called to order a public hearing at 6:03 p.m. to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. Sec. 36-36-22.

- 8a. REZN-71-2019. Applicant, The City of Perry, requests a text amendment addressing Brewpubs, Breweries, Distilleries, Truck Stops, and Conditional Uses.

Staff Report: Mr. Wood reviewed the application and stated that the text amendment would include four new definitions aligned with the City's recent update of the alcohol ordinance. Staff recommended approval of the amendment.

Public Input: Mayor Pro Tempore King called for any public input for or against the amendment.

For: None

Against: None

Public Hearing Closed at 6:07 p.m. Mayor Pro Tempore King closed the hearing at 6:07 p.m.

8. Review of Minutes: Mayor Pro Tempore Willie King

- 8a. Council's Consideration – Minutes of the September 3, 2019 pre council meeting and September 3, 2019 council meeting.

Council Member Jones motioned to accept the minutes as submitted;  
Council Member Bynum-Grace seconded the motion and carried unanimously.

9. Old Business: Mayor Pro Tempore

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

1. **Second Reading** of an ordinance relative to the rezoning of property from RAG, Residential-Agricultural District (county) to R-1, Single-family Residential District (city). The property is located at 333 Langston Road, Tax Map No. 000550 006000. – Mr. B. Wood

Adopted Ordinance No. 2019-15 rezoning of property from RAG, Residential-Agricultural District (county) to R-1, Single-family Residential District (city). Council Member Jackson moved to adopt the ordinance; Council Member Hunt seconded the motion and the motion carried unanimously. (**Ordinance No. 2019-15 has been entered into the**

***City's official book of record.)***

2. **Second Reading** of an ordinance relative to the annexation of property from RAG, Residential-Agricultural District (county) to R-1, Single-family Residential District (city). The property is located at 333 Langston Road, Tax Map No. 000550 006000. – Mr. B. Wood

**Adopted Ordinance No. 2019-16 annexation of property from RAG, Residential-Agricultural District (county) to R-1, Single-family Residential District (city).** Council Member Hunt moved to adopt the ordinance; Council Member Jackson seconded the motion and the motion carried unanimously. ***(Ordinance No. 2019-16 has been entered into the City's official book of record.)***

- 9b. **Authorize an independent agreement for election machine and monitoring.** Mr. Gilmour advised that it is staff's recommendation to adopt the agreement as this is in line with requirements of state law and the Board of Elections. Council Member Jackson motioned to authorize the agreement; Council Member Jones seconded the motion and the motion carried unanimously.

10. **Any Other Old Business:** Mayor Pro Tempore Willie King

- 10a. Mayor Pro Tempore – none
- 10b. Council Members – none
- 10c. City Manager Lee Gilmour – none
- 10d. Assistant City Manager Robert Smith – none
- 10e. City Attorney Brooke Newby – none

11. **New Business:** Mayor Pro Tempore Willie King

- 11a. **Matters referred from September 16, 2019 work session and September 17, 2019 pre council meeting.**

1. Approval of the amendment to ESG Operations, Inc. contract – Mr. L. Gilmour

Mr. Gilmour advised staff recommends an amendment to the ESG Operations, Inc. contract to include an additional meter reader to accommodate the City's recent growth. Funding for the amendment would come from the Water and Sewer Fund. Council Member Hunt motioned at approve the amendment to the contract; Council Member Jones seconded the motion and the motion carried unanimously.

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

1. **First Reading** of a text amendment addressing Brewpubs, Breweries, Distilleries, Truck Stops, and Conditional Uses – Mr. B. Wood *(No action required by Council)*





2. Bid No. 2020-07            City-Wide HVAC Maintenance – Mr. M. Worthington

Mr. Worthington presented for Council’s consideration an award of bid for city-wide HVAC maintenance. Of the vendors contacted, two returned responsive bids. Staff recommended awarding the bid to Truman’s Air Conditioning and Heating for \$14,371.00. Council Member Hunt motioned to award the bid to Truman’s Air Conditioning and Heating in the amount of \$14,371.00; Council Member Jackson seconded the motion and it carried unanimously.

11e. Approval of contract for Grant Specialists of Georgia to administer the CDBG grant - Mr. B. Wood.

Mr. Wood advised that this agreement will allow the City to contract services of Grant Specialists of Georgia for administration of the CDBG grant. Council Member Hunt moved to approve the contract as submitted; Council Member Jones seconded the motion and it carried unanimously.

11f. Approval of professional services agreement between the City of Perry and GWES, LLC relative to Creekwood CDBG Storm Drainage Improvements – Mr. B. Wood.

Mr. Wood advised that this agreement will allow the City contract the services of GWES, LLC for CDBG storm drainage improvements in the Creekwood area. Council Member Jones moved to approve the agreement as submitted; Council Member Hunt seconded the motion and it carried unanimously.

11g. Approve agreement between the City of Perry and the Downtown Development Authority of the City of Perry for natural gas incentive program – Mr. L. Gilmour.

Mr. Gilmour stated that this agreement will allow the City to incentivize the use of natural gas appliances in restaurants. Council Member Hunt moved to approve the agreement as submitted; Council Member Jones seconded the motion and it carried unanimously.

11h. Approve sale of surplus land – Mr. L. Gilmour.

Mr. Gilmour advised that this agreement will allow the City to accept the bid of \$9,275.00 for sale of surplus land. Council Member Hunt moved to approve the agreement as submitted; Council Member Jones seconded the motion and it carried unanimously.

11i. Special Events Application(s): Ms. A. Turpin

1. The Perry Main Street Program and Promotions Committee is hosting the Sweets & Treats on Downtown Streets on Thursday, October 31, 2019 from 4:30 p.m. until 6:30 p.m.

Council Member Jackson motioned to approve the special events application as submitted; Council Member Hunt seconded the motion and the motion carried unanimously.

12. Council Member Items. None

13. Department Heads/Staff Items:

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

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

Chief Parker reported that Perry Fire Department has been awarded approximately \$180,000 in matching grant funds for self-contained breathing apparatuses.

Ms. Hardin announced that due to the success of Yoga in the Park events, Homegrown Yoga has leased space at the Perry Arts Center and will begin holding yoga classes in October. Ms. Hardin also announced the opening of a new downtown boutique, Massey Gordon and informed all that GWES would be expanding with a \$300,000.00 capital investment in downtown on the 700 block of Carroll Street. This would create 11 jobs. GWES is anticipated to open January 2, 2020.

Mr. Wood informed Council that a Neighborhood Cleanup is planned for November 9, 2019 from 9:00 a.m. to 12:30 p.m. in the Creekwood area and that volunteers are needed for this event. Mr. Wood also stated that as of last week, issuance of new residential permits has surpassed the prior record year which was 2017 with 350 permits.

14. General Public Items: None

15. Mayor Pro Tempore Items: None

16. Adjourn. There being no further business to come before Council in the regular meeting held September 17, 2019, Council Member Jones motioned to adjourn the meeting at 6:29 p.m; Council Member Bynum-Grace seconded the motion and it carried unanimously.

**MINUTES**  
**SPECIAL CALLED MEETING**  
**OF THE PERRY CITY COUNCIL**  
September 23, 2019  
5:30 P.M.

1. Call to Order: Mayor Pro Tempore Willie King, Presiding Officer, called to order the special called meeting held September 23, 2019, at 5:30 p.m.

2. Swearing In of Mayor Randall Walker: City Attorney Brooke Newby swore in Mayor Randall Walker.

3. Roll:

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

Elected Officials Absent: Council Member Riley Hunt.

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

City Departmental Staffing: Chief Steve Lynn – Perry Police Department, Bryan Wood – Director Community Development, Chief Lee Parker, Perry Fire and Emergency Services Department, Ashley Hardin – Economic Development Director, Brenda King – Director of Finance, Val Sanders – Customer Service Manager, Haley Myers – Main Street Coordinator, Major Bill Phelps – Perry Police Department, Captain James Buck – Perry Police Department, Mitchell Worthington – Assistant Director of Finance, Michael Paull – Fire Marshall, Tracy Hester – Chief Building Official, Ansley Fitzner – Landscape Manager, Chad McMurrian – Engineering Services Manager, Renia Davis – Building Maintenance Manager, Anya Turpin – Special Events Coordinator, and Anji Holley – Perry Fire and Emergency Services Department.

Guest(s)/Speaker(s): None

Media: Jada Dukes - The Houston Home Journal and Amber Lake Channel 41.

4. Items of Review /Discussion: Mayor Randall Walker.

3A. Ordinance(s) for First Reading(s) and Introduction:

1. **First Reading** of an ordinance to amend Section 25-179 of the Code of Ordinances to amend the industrial wastewater discharge limits – Mr. B. Wood. *(No action required by Council.)*

5. Council Member Items: None

6. Department Heads/Staff Items: None

7. Adjourn There being no further business to come before Council in the special called meeting held on September 23, 2019, Council Member Bynum-Grace motioned to adjourn the meeting at 5:36 pm. Council Member Jackson seconded the motion and it carried unanimously.

**MINUTES**  
**SPECIAL CALLED MEETING**  
**OF THE PERRY CITY COUNCIL**  
September 24, 2019  
**5:30 P.M.**

1. Call to Order: Mayor Randall Walker, Presiding Officer, called to order the special called meeting of the Perry City Council held September 24, 2019 at 5:30 p.m.
2. Elected Officials Present: Mayor Randall Walker; Council Members Robert Jones, William Jackson and Phyllis Bynum-Grace.

Elected Official Absent: Mayor Pro Tempore Willie King and Council Member Riley Hunt.

Staff: City Manager Lee Gilmour, City Attorney Brooke Newby and Recording Clerk, Joni Ary.

City Departmental Staffing: Chief Steve Lynn – Perry Police Department, Brenda King – Director of Administration and Mitchell Worthington – Assistant Finance Director.

Guests/Speakers: None.

Media: None.

3. Items for Review/Discussion.

- 3a. **Second Reading** of an ordinance adopting to amend Article I through IV of Chapter 25 Water, Sewers, Sewage Disposal, Natural Gas and Private Wells of the Code of Ordinances of the City of Perry, Georgia.

Adopted Ordinance 2019-17 adopting to amend Article I through IV of Chapter 25 Water, Sewers, Sewage Disposal, Natural Gas and Private Wells of the Code of Ordinances of the City of Perry, Georgia. Council Member Bynum-Grace moved to adopt the ordinance as presented; Council Member Jones seconded the motion and it carried unanimously. (*Ordinance 2019-17 has been entered in the City's official book of record*).

4. Adjournment: There being no further business to come before Council in the special called meeting held September 24, 2019, Council Member Bynum-Grace motioned to adjourn the meeting at 5:33 p.m. Council Member Jackson seconded the motion and it carried unanimously.



Where Georgia comes together.

## **STAFF REPORT**

From the Department of Community Development

August 7, 2019

**CASE NUMBER:** REZN-71-2019  
**APPLICANT:** The City of Perry  
**REQUEST:** Text Amendment addressing Brewpubs, Breweries, Distilleries,  
Truck Stops, and Conditional Uses

**STAFF ANALYSIS:** The City proposes amending the text of the Land Management Ordinance to address three items:

1. City Council recently adopted an update of its Alcoholic Beverage code. This includes new definitions and regulations for brewpubs, breweries and distilleries. This proposed amendment to the LMO adds definitions of these uses to Section 1-13, Definitions, and includes proposed modification of Section 4-1, Table of Uses. Based on the new definitions, "brewpub" is relocated from the "retail sales and services" category to the "eating establishments" category. Brewpub is proposed as a permitted use in C-1, C-2, C-3, IMU, MUC, and NMU districts. "Brewery and distillery" is added to the "manufacturing and production" category and is proposed as a permitted use in the C-2, M-1 and IMU districts; and as a use by special exception in the C-3 district.
2. Several uses are currently allowed by "conditional use" in the Table of Uses. Conditional uses are those uses that may be allowed administratively, subject to compliance with stated conditions. Conditions for these uses were anticipated to be developed for these uses, but have not. Some conditional uses included specific conditions with the original adoption of the LMO. This amendment seeks to redefine permission for those uses which do not currently have specific conditions associated with them. Staff is recommending the uses either be permitted by right or by special exception, depending on the potential impact in the zoning district.
3. Staff was recently asked to provide a zoning compliance letter for an existing "truck stop". This use type does not exist in the Table of Uses. Staff recommends adding a definition of "Truck stop or travel plaza" to Section 1-13, Definitions, and adding the use type in the category of "industrial services" permitted by right in the C-1, M-1 and M-2 district.

**STAFF RECOMMENDATION:** Approval of the proposed text amendment.

**PLANNING COMMISSION RECOMMENDATION:** Approval of the proposed amendment, as presented.

  
Lawrence Clarington, Vice-Chairperson

8/20/19  
Date

Add the following definitions to Section 1-13, Definitions, in the Land Management Ordinance (Appendix A of the Perry City Code):

***Brewery*** means an establishment that manufactures beer and malt beverages. This use type is regulated under the "manufacturing and production" use category in article 4, use regulations.

***Brewpub*** means any eating establishment in which malt beverages are manufactured, as further defined in Sec. 3-1 of the Perry City Code. This use type is regulated under the "eating establishments" use category in article 4, use regulations.

***Distillery*** means an establishment where alcoholic beverages are produced by the distillation. This use type is regulated under the "manufacturing and production" use category in article 4, use regulations.

***Truck stop or travel plaza*** means a use primarily engaged in the maintenance, servicing, storage, parking or repair of over-the-road trucks and similar commercial vehicles, including the sale of motor fuels or other petroleum products, and the sale of accessories or equipment for such vehicles. A truck stop or travel plaza may also include overnight accommodations, showers, vehicle scales, restaurant facilities, and/or other services intended mainly for use by truck drivers and interregional travelers. This use type is regulated under the "industrial services" use category in article 4, use regulations.

4-1.2. *Table of uses.*  
(Next Page)













<sup>1</sup> - These uses are not permitted in the Downtown Development Overlay District. For "Personal services, all other" and "Retail sales and services, all other", the limitation applies only to massage parlors that are not part of a "health club/spa" or "medical facility other than hospital" and tattoo establishments.

<sup>2</sup> - Uses in the Form Based Code districts are subject to standards of the Form Based Code in Appendix A of this chapter.

<sup>3</sup> - Massage parlors that are not part of a "health club/spa" or "medical facility other than hospital" and tattoo establishments are not permitted.

Ordinance No. 2018-08, 6/21/2018; Ordinance No. 2018- 18, 8/21/2018

**Resolution No. 2019-  
Adopted October 1, 2019**

**A RESOLUTION OF SUPPORT FOR THE PERRY DOWNTOWN DEVELOPMENT  
AUTHORITY**

**WHEREAS**, the Georgia Department of Community Affairs' Downtown Development Revolving Loan Fund (DDRLF) Program is designed to assist cities, counties and development authorities in their efforts to revitalize and enhance downtown areas by providing below-market rate financing to fund capital projects in core historic downtown areas;

**WHEREAS**, Ocmulgee Developments, LLC and Old Town Perry, LLC, plan to acquire and renovate certain real property and improvements located at 809 Carroll Street in downtown Perry, Georgia.

**WHEREAS**, upon completion of the project the renovated property will serve as a restaurant.

**WHEREAS**, the City has determined that the project will promote downtown development for the public good in the City; and

**WHEREAS**, in order to help Ocmulgee Developments, LLC and Old Town Perry, LLC finance the project, the Perry Downtown Development Authority of the City of Perry, Georgia will apply for a Downtown Development Revolving Loan Fund Loan from the Department of Community Affairs ("DCA"); and

**WHEREAS**, DCA requires evidence of municipal support for all projects that are the subject of a DD RLF application submitted by a downtown development authority.

**NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE CITY OF Perry, Georgia as follows:**

That the City of Perry, Georgia endorses the submission of the DD RLF application by the Downtown Development Authority of the City of Perry for the downtown project at 809 Carroll Street on behalf of Ocmulgee Developments, LLC and Old Town Perry, LLC and agrees to support the development of the project.

SO RESOLVED, this \_\_\_\_\_ day of \_\_\_\_\_, 2019\_\_.

CITY OF PERRY, GEORGIA

By: \_\_\_\_\_  
Printed Name: Randall Walker  
Title: Mayor

Attest: \_\_\_\_\_  
Printed Name: Annie Warren  
Title: City Clerk