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July 21, 2020

COUNCIL AGENDA

6:00 PM

PERRY ARTS CENTER

1121 MACON ROAD, PERRY, GA 31069

To join the meeting by Facebook: Use this URL - facebook.com/cityofperryga
This will allow you to view and hear the meeting.

1. Call to Order: Mayor Randall Walker, Presiding Officer.
2. Roll:
3. Invocation and Pledge of Allegiance to the Flag: Mayor Randall Walker
4. Introduction(s) / Recognition(s):
 - 4a. Introduction of new hire Martrez Scott – Chief S. Lynn.
5. Community Partner(s) Update(s):
6. Citizens with Input.
7. Review of Minutes: Mayor Randall Walker
 - 7a. Council's Consideration – Minutes of the July 6, 2020 work session, July 7, 2020 pre council meeting, and July 7, 2020 council meeting.
8. Old Business: Mayor Randall Walker
 - 8a. RZNE-62-2020. Applicant, The City of Perry, requests a text amendment to revise section regarding cul-de-sac dimensions and to remove references to the International Fire Code – Mr. L. Gilmour and Mr. B. Wood.
 - 8b. Ordinance(s) for Second Readings and Adoption:
 1. **Second Reading** of an ordinance for the rezoning of property from PUD, Planned Unit Development District, to R-2A, Single-family Residential District. The property is located at 138 Talton Road; Tax Map No. 0P0490 045000 – Mr. B. Wood.
 2. **Second Reading** of an ordinance for the rezoning of property from PUD, Planned Unit Development District, to R-3, Multi-family Residential District. The property is located at 138 Talton Road; Tax Map No. 0P0490 045000 –

Mr. B. Wood.

3. **Second Reading** of an ordinance for the rezoning of property from RAG (county) to R-2A (City). The property is located at 2162 Kings Chapel Road; Tax Map No. 000830 034000 – Mr. B. Wood.
 4. **Second Reading** of an ordinance for the annexation of property from RAG (county) to R-2A (City). The property is located at 2162 Kings Chapel Road; Tax Map No. 000830 034000 – Mr. B. Wood.
 5. **Second Reading** of a text amendment to revise the Procedures and Standards for Murals - Mr. B. Wood.
9. Any Other Old Business:
- 9a. Mayor Randall Walker
 - 9b. Council Members
 - 9c. City Attorney Brooke Newby
 - 9d. City Manager Lee Gilmour
 - 9e. Assistant City Manager Robert Smith
10. New Business: Mayor Randall Walker
- 10a. Matters referred from July 20, 2020 work session and July 21, 2020 pre council meeting.
 - 10b. Ordinance(s) for First Readings and Introduction:
 1. **First Reading** of an ordinance adopting the State Minimum Fire Safety Standards and other fire protection measures and repeal any provisions in conflict with the Land Management Ordinance– Mr. L. Gilmour. *(No action required by Council)*
 - 10c. Approval of Tax Authorizations with Ice Miller relative to IRS approval letter for the city's GMEBS plan – Mr. L. Gilmour.
11. Council Members Items:
12. Department Heads/Staff Items.
13. General Public Items:
14. Mayor Items:
15. 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.

MINUTES
WORK SESSION
OF THE PERRY CITY COUNCIL
July 6, 2020
5:00 P.M.

1. Call to Order: Mayor Randall Walker, Presiding Officer, called to order the work session meeting held July 6, 2020 at 5:00 p.m.

2. Roll:

Elected Officials Present: Mayor Randall Walker, Mayor Pro-Tempore Willie King and Council Members Phyllis Bynum-Grace, Robert Jones, Joy Peterson, Darryl Albritton and 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, Bryan Wood – Director of Community Development, Brenda King – Director of Administration, Chad McMurrian – Engineering Services Manager, Sedrick Swan – Director of Leisure Services, Anya Turpin – Special Events Coordinator, Tabitha Clark – Communications Manager, Fire Marshal Michael Paull – Fire and Emergency Services Department, Captain James Buck – Perry Police Department, Major Bill Phelps – Perry Police Department, Ansley Fitzner – Landscape Manager, and Nathalie Rumph – Executive Secretary.

Press: Lauren Harris and Cheri Adams – Houston Home Journal

3. Items of Review/Discussion: Mayor Randall Walker

3a. Fire and Emergency Services Department.

1. Discussion relative to safety requirements.

Mr. Paull reviewed with Council a power point presentation for revisions to the Land Management Ordinance. The revision to maintain the standard hydrant spacing at 500 feet residential and 300 feet for commercial; to maintain consistent language of 400 feet in accordance with the IFC (International Fire Code) 507.5.1.; Adopt IFC Appendix B – Fire-Flow requirements for buildings, Adopt IFC Appendix C- Fire Hydrant locations and distribution and Adopt IFC Appendix D – Fire Apparatus access roads. Council had questions about the presentation and would like to follow up information to be reported back. The recommendation of the Administration is to allow

Mr. Gilmour to gather more information and report back. Council concurred to have Administration's recommendation.

3b. Perry Police Department.

1. Presentation relative to funding for use of force simulator.

Chief Lynn presented to Council a short video showing how the Survivr virtual reality simulator system for use of force would work. You can customize the simulator system to show different scenarios to the officers and escalate and deescalate the real-life situations for them to act. The officers have a fraction of a second to decide what type of force they will use. The simulator has a playback feature, so that the officers can see what they are doing and suggest feedback and what could have been done different. This will be a great public education tool for the officers and students. Chief Lynn has a quote that is good for the next thirty days for \$47,500.00 for a two-user system with a free environmental setup i.e. design any building into the system to do active shooter training. The Administration recommendation is to proceed with the purchase of the simulator with the funding coming from General Fund reserve. Council concurred to proceed with purchase of the Survivr virtual reality simulator system for the Police Department.

3c. Community Development Department:

1. Main Street Concept Design.

Mr. McMurrian presented to Council three different concepts for the Main Street relocation. The City Hall will have a Main Street address and with the parade route, Concept 1 is the best option and the S curve is a better design for Main Street. After review of the different concepts the Administration recommendation is to go with Concept 1. Council concurred to proceed with Concept 1 for Main Street relocation as presented and outlined by Mr. McMurrian.

3d. Office of the City Manager:

1. Follow up discussion relative to Loaves and Fishes. Mr. Gilmour stated that after Council's June 1st work session it was requested that Staff go back and get information relative to Loaves and Fishes. Mr. Gilmour reviewed with Council that Loaves and Fishes is a corporation, their service area, funding sources, staffed by volunteers and how much it cost the City last fiscal year (\$5,857.00). Mr. Gilmour pointed out that the City does not provide any funding to Perry Volunteer Outreach, only let them use one of the City owned building which is part of our agreement with PVO. The recommendation of the Administration is to cease the services with Loaves and Fishes. Mr. Gilmour's concern as the City grows will get more request from outside agencies that would set an expectation and could be possible in the future put Council in the

position to have to choose between two groups. Council concurred to cease services with Loaves and Fishes.

2. Consider amending health insurance program to include telemedicine. Mr. Gilmour reviewed with Council for their consideration amending the health insurance program to include telemedicine. Due to COVID-19 employees regular doctors started utilizing telemedicine to see their patients. With the City's current health plan, telemedicine is not covered. The recommendation of the Administration is to amend the health insurance program to include telemedicine on a one (1) year trial basis. The date will be retro dated from the date of the Mayor's Executive Order on COVID-19, this will go back for claims that were previously denied. There will be an increase on the City side of the health insurance program, but no premium increase or increase to the employees. Council concurred to proceed with amending the health insurance program. Mr. Gilmour stated this item will be added to Council's regular agenda to be voted on.
3. We Speak Program proposal. Mrs. Turpin presented to Council the We Speak program. The program is used in conjunction with the business owners, Main Street, Downtown Development Authority, Chamber of Commerce, Convention and Visitors Bureau, Georgia National Fair and the City to help get the word out to visitors and local residents about the events that are going on in their City. The Administration recommendation is to proceed with proposal and add this item to Council's strategic planning session. Council concurred to add this item to their strategic planning session.

4. Council Member items:

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

Council Member Peterson asked about the mural ordinance and the traffic calming devices. Mr. Wood stated that the mural ordinance is on Council's agenda for tomorrow night and the traffic devices he is still working on.

Council Member Jones congratulated Ms. Tabitha Clark on her published article on Engaging Local Government Leaders National Organization.

5. Department Heads/Staff items:

No reports from Mr. Gilmour, Ms. Newby, Chief Lynn, Chief Parker, Mr. Smith, Ms. Fitzner, Mr. Swan, Mr. Wood, Ms. Turpin, Ms. Clark, and Mr. McMurrian.

Mayor Walker stated that he has spoken to Council during the Fourth of July holiday to discuss additional concerns due to COVID-19. To keep our employees and residents safe requested adoption of a ruling that if employees while on the clock can't social distance themselves, it is mandatory that they wear a mask. Council concurred to make is mandatory for City employees to wear a mask when they cannot social

distance themselves. Mr. Gilmour stated he would proceed with the policy.

Ms. King stated that the City fiscal year ended June 30th and the auditors should be here mid-September.

Mr. Hardin stated that Applebee's has closed but she is working with getting flyers out to get another restaurant back in the building.

Mr. Swan asked Council to come to their Council meeting on tomorrow night early. The virtual summer camp final week will highlight the City of Perry Council Members. And are asking each Council Member to talk about their district and who they are.

6. Adjournment: There being no further business to come before Council in the work session held July 6, 2020 Council Member Peterson motioned to adjourn the meeting at 7:04 p.m.; Council Member Bynum-Grace seconded the motion and it carried unanimously.

**MINUTES
PRE COUNCIL MEETING
OF THE PERRY CITY COUNCIL
July 7, 2020
5:00 P.M.**

1. **Call to Order:** Mayor Randall Walker, Presiding Officer, called to order the pre council meeting held July 7, 2020 at 5:00 p.m.

2. **Roll:**

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

Elected Official Absent: none

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

Departmental Staffing: Brenda King - Director of Administration, Bryan Wood – Director of Community Development, Mitchell Worthington – Finance Director – Sedrick Swan – Director of Leisure Services, Chief Steve Lynn – Perry Police Department, Chief Lee Parker - Fire and Emergency Services Department, Fire Marshal Michael Paull – Fire and Emergency Services Department, Ansley Fitzner – Landscape Manager, Anya Turpin – Special Events Coordinator, Maria Herrera – Executive Secretary and Tabitha Clark – Communications Manager.

Media: Lauren Harris – Houston Home Journal

3. **Items of Review/Discussion:** Mayor Randall Walker

3a. **Discussion of July 7, 2020 council meeting agenda.**

7a. RZNE-60-2020. Applicant, Bryant Engineering, LLC, requests the rezoning of property from PUD, Planned Unit Development District, to R-2A, Single-family Residential District and R-3, Multi-family Residential District. The property is located at 138 Talton Road; Tax Map No. 0P0490 045000. Mr. Wood advised this is a request to rezone 223.79-acre tract to R-2A, Single-family Residential District and R-3, Multi-family Residential District. Staff and the Planning Commission recommends approval of the application with the following conditions: 1) The development shall consist only of single-family detached residential uses, park/open space, and associated infrastructure improvements; 2) The final subdivision design shall substantially conform to the conceptual plan prepared by Bryant Engineering and dated 5/5/20; and 3) The Director of Community Development shall make the final determination of the location of the line separating the two zoning districts based on final layouts

of lots, and provided such line does not shift, generally, more than 50 feet in any direction from what is presented with this application.

7b. ANNEX-49-2020. Applicant, Lee Wingate for Wingate Custom Homes, request the rezoning and annexation of property from RAG (county) to R-2A (City). The property is located at 2162 Kings Chapel Road; Tax Map No. 000830 034000. Mr. Wood advised this is a request to rezone and annex 28.26 acres parcel to R-2A, Single-family Residential District. Staff and the Planning Commission recommends approval of the application to annex and rezone to R-2A, Single-family Residential District.

7c. RZNE-61-2020. Applicant, The City of Perry, requests a text amendment to revise the Procedures and Standards for Murals. Mr. Wood reported the proposed amendment removed murals from the sign regulations and established a separate Mural Permit. Murals are not considered signs. Staff proposes a process in which murals located in the downtown development overlay district be reviewed and acted on by the Main Street Advisory Board; murals located outside the downtown development overlay district be reviewed and acted on by staff. A set of criteria has been established for the artwork. If the permit is approved, it will be valid for three years; at the end of three years, the property owner/applicant can come back to the original decision-making body, and request the permit be extended up to an additional three years. The maintenance of the mural is the responsibility of the property owner. If the mural falls into disrepair, the City will provide written notice to the property owner and the property owner will have a 30-day period to make necessary repairs. If not repaired, the City has the authority to repair/remove the mural at the property owner's expense. Mr. Wood also reported appeals would be handled by Council. Staff and the Planning Commission recommends approval of the proposed text amendment.

7d. RZNE-62-2020. Applicant, The City of Perry, requests a text amendment to revise section regarding cul-de-sac dimensions and to remove references to the International Fire Code. Mayor Walker stated this item will be tabled for further review.

9a. Authorize issuance of business license. Administration recommended issuance of the business license because the owner has settled with the City.

** Not list on the agenda. Mayor Walker advised Council the appointment of Ms. Trish Cossart to the Downtown Development Authority at Council's June 16, 2020 meeting was not his appointee but Council Member's Albritton. Council Member Albritton concurred with the appointment of Ms. Trish Cossart to the Downtown Development Authority Board. Council concurred with the appointment.

11a. (1) Amending health insurance program to authorize telemedicine option. Administration recommended adoption of the amendment for one year.

11b. (6) First Reading of a text amendment to revise section regarding cul-de-sac dimensions and to remove references to the International Fire Code and 11b. (7) First Reading of an ordinance adopting the State Minimum Fire Safety Standards and other fire protection measures. Mayor Walker stated these items will be tabled at this evening's Council meeting.

11c. (1) Resolution appointing Ms. Ansley Fitzner Public Works Superintendent. Administration's recommendation to appoint Ms. Fitzner Public Work Superintendent.

11c. (2) Resolution amending the City of Perry Position Classification Plan. Administration inadvertently left the Fire Battalion Chiefs off the City of Perry Position Classification Plan; Administration recommends amending the City of Perry Position Classification Plan to include the Fire Battalion Chiefs.

11c. (3) Resolution amending the execution of the GEFA Modification of Promissory Note and Loan Agreement. Ms. Newby stated this is a new modification to the Promissory Note with GEFA and is being presented as part of the Governor's Executive Order related to Covid-19 that allows for an interest free period and payment free period.

11c. (4) Resolution amending the City of Perry Fee Schedule. Administration reported the resolution amends the City's fee schedule and recommends adoption of the resolution.

11c. (5) Resolution approving, and authorizing execution of the Municipal Court Collections Contract with Perdue, Brandon, Fielder, Collins and Mott, LLP. Ms. Newby stated Ms. Arrington, Chief Court Clerk, presented a contract for consideration for the City to contract for the collection of delinquent accounts. Georgia law requires before any court contract be entered into after it is recommended by the Court and approved by the local governing authority. This resolution is presented for Council's consideration to approve the agreement with the vendor and authorize the contract.

11d. Special Events Applications:

(1) Perry Presents and (3) PARKFEST events have been cancelled because of Covid-19.

4. **Council Member Items:**

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

5. **Adjournment:** There being no further business to come before Council in the pre council meeting held July 7, 2020, Council Member Albritton motioned to adjourn the meeting at 5:26 p.m. Council Member Hunt seconded the motion and it carried unanimously.

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
July 7, 2020
6:00 P.M.

1. Call to Order: Mayor Randall Walker, Presiding Officer, called to order the regular meeting of the Perry City Council held July 7, 2020 at 6:00 p.m.

2. Roll.

Elected Officials Present: Mayor Randall Walker; Mayor Pro Tempore Willie King and Council Members Phyllis Bynum-Grace, Darryl Albritton, Joy Peterson, Riley Hunt and Robert Jones.

Elected Official Absent: none

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

Departmental Staffing: Chief Steve Lynn – Perry Police Department, Chief Lee Parker – Fire and Emergency Services Department, Fire Marshal Michael Paull – Fire and Emergency Services Department, Bryan Wood – Director of Community Development, Brenda King – Director of Administration, Mitchell Worthington – Director of Finance, Sedrick Swan – Director of Leisure Services, Ansley Fitzner – Public Works Superintendent, Anya Turpin – Special Events Coordinator, Ashley Hardin – Economic Development Director, Maria Herrera – Executive Secretary and Tabitha Clark – Communications Manager.

Guest(s): Bill and Ellie Loudermilk, Rev. Dr. Rutha Jackson, Chad Bryant, Tammy Pilcher

Media: Lauren Harris - Houston Home Journal

3. Invocation and Pledge of Allegiance to the Flag:

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

4. Introduction(s) / Recognition(s):

- 4a. Introduction of new hire Martrez Scott – Chief S. Lynn.
Mayor Walker announced this item will be tabled until the next Council meeting.

- 4b. Recognition of Perry Police Department Camp Mystery as well as recognize Det. Sgt. Constance Paige, Ms. Janet Duffin, Det. Sgt. Maria Arnold, Officer Eddrica Gary, and Officer Jacquetta Newsome – Ms. T. Clark.

Ms. Clark recognized the participants who played a part in the Police Department Camp Mystery and shared a short video.

5. Community Partner(s) Update(s): none

6. Citizens with Input.

Rev. Dr. Rutha Jackson, 2022 Hiwassee Drive, invited everyone to the July 11, Peaceful March Protest, which will begin on General Courtney Hodges Boulevard and end at Church in the Park.

7. PUBLIC HEARING CALLED TO ORDER AT 6:11 P.M. Mayor Randall Walker called to order a public hearing at 6:11 p.m. to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. Sec. 36-66-4.

7a. RZNE-60-2020. Applicant, Bryant Engineering, LLC, requests the rezoning of property from PUD, Planned Unit Development District, to R-2A, Single-family Residential District and R-3, Multi-family Residential District. The property is located at 138 Talton Road; Tax Map No. 0P0490 045000.

Staff Report: Mr. Wood advised this is a request to rezone 223.79-acre tract to R-2A, Single-family Residential District and R-3, Multi-family Residential District. Staff and the Planning Commission recommends approval of the application with the following conditions: 1) The development shall consist only of single-family detached residential uses, park/open space, and associated infrastructure improvements; 2) The final subdivision design shall substantially conform to the conceptual plan prepared by Bryant Engineering and dated 5/5/20; and 3) The Director of Community Development shall make the final determination of the location of the line separating the two zoning districts based on final layouts of lots, and provided such line does not shift, generally, more than 50 feet in any direction from what is presented with this application.

Public Input: Mayor Walker called for any public input for or opposed to the application.

For: Chad Bryant, 906 Ball Street, representing the developer. Mr. Bryant spoke in favor of the application.

* Ms. Ellie Loudermilk, President of Perry Area Historical Society/Director of Perry Area Historical Museum, asked Mr. Bryant if he was aware of a family cemetery on the property. Mr. Bryant responded he was, and the cemetery will be preserved.

Opposed: Ms. Tammy Pilcher, 149 Lanier Loop, voiced her concerns relative to additional buildings possibly being built such as gas stations and schools and the increase of traffic on Talton Road.

- 7b. ANNX-49-2020. Applicant, Lee Wingate for Wingate Custom Homes, request the rezoning and annexation of property from RAG (county) to R-2A (City). The property is located at 2162 Kings Chapel Road; Tax Map No. 000830 034000.

Mr. Wood advised this is a request to annex and rezone 28.26 acres parcel from RAG (county) to R-2A, Single-family Residential District. Staff and the Planning Commission recommends approval of the application to annex and rezone to R-2A, Single-family Residential District.

Public Input: Mayor Walker called for any public input for or opposed to the application.

For: Chad Bryant, 906 Ball Street, spoke in favor of the application.

Opposed: none

- 7c. RZNE-61-2020. Applicant, The City of Perry, requests a text amendment to revise the Procedures and Standards for Murals.

Mr. Wood advised this is a request based on the City's first mural request this year. Staff proposed a process in which murals located in the downtown development overlay district be reviewed and acted on by the Main Street Advisory Board; murals located outside the downtown development overlay district be reviewed and acted on by staff. A set of criteria has been established for the artwork. If the permit is approved, it will be valid for three years; at the end of three years, the property owner/applicant can come back to the original decision-making body, and request the permit be extended up to an additional three years. The maintenance of the mural is the responsibility of the property owner. If the mural falls into disrepair, the City will provide written notice to the property owner and the property owner will have a 30-day period to make necessary repairs. If not repaired, the City has the authority to repair/remove the mural at the property owner's expense. Mr. Wood also reported appeals would be handled by Council. Staff and the Planning Commission recommends approval of the proposed text amendment.

Public Input: Mayor Walker called for any public input for or opposed to the application.

For: none

Opposed: none

- 7d. RZNE-62-2020. Applicant, The City of Perry, requests a text amendment to revise section regarding cul-de-sac dimensions and to remove references to the International Fire Code – Ms. B. Newby and Mr. B. Wood.

Mayor Walker entertained a motion to table this item until additional information is received from Administration. Council Member Bynum-Grace motioned to table a text amendment to revise section regarding cul-de-sac dimensions and to remove references to the International Fire Code; Council Member Jones seconded the motion and it carried unanimously.

PUBLIC HEARING CLOSED AT 6:50 P.M. Mayor Walker closed the public hearing at 6:50 p.m.

8. Review of Minutes: Mayor Randall Walker

- 8a. Council's Consideration – Minutes of the June 15, 2020 work session, June 16, 2020 pre council meeting, June 16, 2020 council meeting, June 25, 2020 special called meeting and June 29, 2020 special called meeting. *(Council Member Bynum-Grace was absent from the June 15 and 16 meetings.)*

Council Member Albritton motioned to accept the minutes as submitted; Mayor Pro Tempore King seconded the motion and it carried with Council Member Bynum-Grace abstaining from the June 15 and 16 meetings.

9. Old Business: Mayor Randall Walker

- 9a. Authorize issuance of business license. Administration advised Council the organization, The Conversation Piece & More, LLP have settled with the City and recommended Council authorize a business license to that business. Mayor Walker entertained a motion to approve the issuance of the business license as outlined. Council Member Jones motioned to approve as outlined; Council Member Bynum-Grace seconded the motion and it carried unanimously.

10. Any Other Old Business:

- 10a. Mayor Randall Walker announced at the Council's last meeting, he appointed Ms. Trish Cossart to an open seat on the Downtown Development Authority Board. Unfortunately, that seat was his previous seat as a council member. The seat is Council Member's Albritton appointment. Mayor Walker has spoken with Council Member Albritton he concurs with the appointment. Mayor Walker stated there would be a revote to affirm Ms. Cossart's serving in Council Member's Albritton seat. Mayor Walker entertained a motion to appointing Ms. Cossart to the Downtown Development Authority Board. Council Member Albritton motioned to appointment Ms. Cossart to the Downtown Development Authority Board; Mayor Pro Tempore King seconded the motion and it carried unanimously.

10b. Council Members - none

10c. City Attorney Brooke Newby - none

- 10d. City Manager Lee Gilmour- none
- 10e. Assistant City Manager Robert Smith -none

11. New Business: Mayor Randall Walker

11a. Matters referred from July 6, 2020 work session and July 7, 2020 pre council meeting.

- 1. Amending health insurance program to authorize telemedicine option – Mr. L. Gilmour.

Administration recommended amending the health insurance program to authorize telemedicine for a period of one year. Council Member Hunt motioned to amend the health insurance program to authorize telemedicine for a period of one year; Mayor Pro Tempore King seconded the motion and it carried unanimously.

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

- 1. **First Reading** of an ordinance for the rezoning of property from PUD, Planned Unit Development District, to R-2A, Single-family Residential District. The property is located at 138 Talton Road; Tax Map No. 0P0490 045000 – Mr. B. Wood. *(No action required by Council)*
- 2. **First Reading** of an ordinance for the rezoning of property from PUD, Planned Unit Development District, to R-3, Multi-family Residential District. The property is located at 138 Talton Road; Tax Map No. 0P0490 045000 – Mr. B. Wood. *(No action required by Council)*
- 3. **First Reading** of an ordinance for the rezoning of property from RAG (county) to R-2A (City). The property is located at 2162 Kings Chapel Road; Tax Map No. 000830 034000 – Mr. B. Wood. *(No action required by Council)*
- 4. **First Reading** of an ordinance for the annexation of property from RAG (county) to R-2A (City). The property is located at 2162 Kings Chapel Road; Tax Map No. 000830 034000 – Mr. B. Wood. *(No action required by Council)*
- 5. **First Reading** of a text amendment to revise the Procedures and Standards for Murals - Mr. B. Wood. *(No action required by Council)*
- 6. **First Reading** of a text amendment to revise section regarding cul-de-sac dimensions and to remove references to the International Fire Code – Ms. B. Newby and Mr. B. Wood. *(No action required by Council)*

Mayor Walker tabled this item until a later meeting and discussion.

- 7. **First Reading** of an ordinance adopting the State Minimum Fire Safety

Standards and other fire protection measures – Ms. B. Newby. *(No action required by Council)*

Mayor Walker tabled this item until a later meeting and discussion.

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

1. Adopted Resolution 2020-38 appointing Ms. Ansley Fitzner Public Works Superintendent.

Administration recommended adoption of the resolution appoint Ms. Ashley Fitzner Public Works Superintendent. Mayor Walker entertained a motion appointing Ms. Ansley Fitzner Public Works Superintendent as presented by Administration. Council Member Jones motioned to adopt the resolution as presented; Council Member Albritton seconded the motion and it carried unanimously. *(Resolution 2020-38 has been entered into the City's official book of record.)*

2. Adopted Resolution 2020-39 amending the City of Perry Position Classification Plan.

Administration inadvertently left the Fire Battalion Chiefs career track off the City of Perry Position Classification Plan; Administration recommends amending the City of Perry Position Classification Plan to include the Fire Battalion Chiefs. Council Member Jones motioned to adopt the resolution as presented; Council Member Bynum-Grace seconded the motion and it carried unanimously. *(Resolution 2020-39 has been entered into the City's official book of record.)*

3. Adopted Resolution 2020-40 amending the execution of the GEFA Modification of Promissory Note and Loan Agreement.

Ms. Newby stated this is a modification to the Promissory Note with GEFA and is being presented as part of the Governor's Executive Order related to Covid-19 there is an allowance for an extension of an interest free period and payment free period. Mayor Walker entertained a motion to adopt the resolution as presented by Ms. Newby. Mayor Pro Tempore King motioned to adopt the resolution as presented; Council Member Hunt seconded the motion and it carried unanimously. *(Resolution 2020-40 has been entered into the City's official book of record.)*

4. Adopted Resolution 2020-41 amending the City of Perry's Fee Schedule.

Administration stated this is a resolution adjusting some of the City of Perry's fees in accordance the adopted FY21 Operating budget and recommends adoptions. Mayor Pro Tempore King motioned to adopt as

presented; Council Member Albritton seconded the motion and it carried unanimously. (*Resolution 2020-41 has been entered into the City's official book of record.*)

5. Adopted Resolution 2020-42 approving, and authorizing execution of the Municipal Court Collections Contract with Perdue, Brandon, Fielder, Collins and Mott, LLP.

Ms. Newby stated Ms. Arrington, Court Clerk, presented a contract for consideration for the City to contract for the collection of delinquent accounts. Georgia law requires before any court contract be entered into after it is recommended by the Court and approved by the local governing authority. This resolution is approving entering into the contract and authorizing the contract. Mayor Pro Tempore King motioned to adopt as presented; Council Member Bynum-Grace seconded the motion and it carried unanimously. (*Resolution 2020-42 has been entered into the City's official book of record.*)

11d. Special Events Application(s):

1. The City of Perry is hosting Perry Presents on Fridays, July 17 and August 21, from 7 pm until 10 pm – Ms. A. Turpin.

Mayor Walker stated the event has been cancelled due to Covid-19.

2. The City of Perry is hosting Yoga in the Park on Saturdays, July 25, August 29 and September 25, from 9 am until 10 am - Ms. A. Turpin.

Ms. Turpin requested permission to host Yoga in the Park on Saturdays, July 25, August 29, and September 25, from 9 am until 10 am. Ms. Turpin stated the event will be available on-site and virtually for the participants. For those attending in person, social distancing will be practiced. Mayor Walker entertained a motion to approve the special event application as outlined by Ms. Turpin. Council Member Albritton motioned to approved at outlined; Mayor Pro Tempore King seconded the motion and it carried unanimously.

3. The City of Perry is hosting PARKFEST on Saturday, July 25, from 10 am until 2 pm – Ms. A. Turpin.

Mayor Walker stated the event has been cancelled due to Covid-19.

12. Council Members Items:

Council Members Bynum-Grace and Peterson thanked Chief Lynn for the RITE Training.

13. Department Heads/Staff Items.

Ms. Fitzner thanked Mayor and Council for the new role, Public Works Superintendent

Ms. Hardin provided an update on the new business guide.

14. General Public Items: none

15. Mayor Items:

- July 20, Work Session
- July 21, Pre Council and Council

16. Adjournment: There being no further business to come before Council in the council meeting held July 7, 2020, Council Member Peterson motioned to adjourn the meeting at 7:00 p.m. Council Member Bynum-Grace seconded the motion and it carried unanimously.



Where Georgia comes together.

STAFF REPORT

From the Department of Community Development
May 12, 2020 revised June 22, 2020

CASE NUMBER: RZNE-62-2020
APPLICANT: The City of Perry
REQUEST: Text Amendment to Revise Section regarding cul-de-sac Dimensions and to Remove References to the International Fire Code

STAFF ANALYSIS: Following a legal review, City Council directed Staff to revise any City standards which exceed the standards in the minimum codes required by the Georgia Department of Community Affairs. This proposed amendment responds to that directive.

Appendix D of the International Fire Code (IFC) is now part of the minimum requirements per Georgia Amendments listed below. Therefore, no modification of the current standards regarding cul-de-sac diameter is proposed – the minimum diameter of cul-de-sac bulbs will remain at 97 feet; right-of-way diameter at cul-de-sac bulbs will remain at 120 feet. For the purpose of cleaning up existing language, however, Subsections 6-10.2(E), and 6-11.2(A)(2)(c) of the Land Management Ordinance have been revised to reference Subsection 6-10.10(C) which references Appendix D of the IFC. This provides only one reference to a separate code which may be revised in the future.

The proposed amendment also removes Section 6-10.13 in its entirety. This section, regarding fire protection standards, is comprised of certain sections copied from the IFC. Some are minimum standards and some exceed minimum standards. In either case, the Land Management Ordinance should not include provisions from other codes that are subject to change.

The IFC with Georgia Amendments requires all parts of buildings to be within 500 feet of a fire hydrant. 400 feet had been the previous minimum. The City of Perry had modified this distance to be 500 feet in residential developments and 300 feet in commercial development. Result of the proposed amendment will require all parts of any building to be within 500 feet of a fire hydrant.

At the informational hearing, the Fire Marshal will present reasons to maintain the 300 foot requirement in commercial developments.

STAFF RECOMMENDATION: Staff recommends approval of the proposed text amendment.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends denial of the text amendment, as proposed. The Commission recommends retaining the current language in Sec. 6-10.13(C)(2)(a) regarding where fire hydrants are required. The Commission recommends approval of the proposed changes to Secs. 6-10.2(E), 6-11.2(A)(2)(c) and 6-10.10(C) regarding cul-de-sac dimensions.

The Planning Commission recommends Council adopt Appendices B, C, and D of the International Fire Code.

Eric Z. Edwards, Chairman, Planning Commission

Date



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STAFF REPORT

May 13, 2020

CASE NUMBER: RZNE-60-2020
APPLICANT: Bryant Engineering, LLC
REQUEST: Rezone from PUD, Planned Unit Development District, to R-2A, Single-family Residential District and R-3, Multi-family Residential District
LOCATION: 138 Talton Road; Tax Map No. 0P0490 045000

ADJACENT ZONING/LANDUSES:

Subject Parcel: PUD, Planned Unit Development; undeveloped
North: RAG, Residential-Agricultural (County); undeveloped, planned for residential use
South: RAG (County); undeveloped, farmland, single-family residence
East: RAG (County); undeveloped, farmland
West: RAG & R-1 (County); single-family residences, Candler Park subdivision)

BACKGROUND INFORMATION: The subject property was annexed into the City of Perry and zoned PUD in 2007. The approved PUD plan called for development of 545 lots with two access points on Talton Road. The property was never developed.

The applicant proposes to rezone this 223.79-acre tract to R-2A, Single-family Residential District and R-3, Multi-family Residential District. The conceptual site plan submitted with the application indicates approximately 450 single-family residential lots of various sizes. Estate-sized lots (approximately 40,000 square feet in area) would front Talton Road and Bear Branch Road. A mixture of R-1, R-2A, and R-3 sized lots (minimum 14,000, 12,000, and 9,000 square feet in area) would be developed in the interior of the site. Two access points are proposed – one each on Talton Road and Bear Branch Road.

The proposed line separating the two proposed zoning districts is intended to follow property lines. In order to prevent the creation of split-zoned lots, the zoning line may shift slightly to align with the final layout of lots.

STANDARDS GOVERNING ZONE CHANGES:

- 1. The suitability of the subject property for the zoned purposes.** The subject property is suitable for residential development allowed per the current PUD zoning classification
- 2. The extent to which the property values of the subject property are diminished by the particular zoning restrictions.** Property values are not diminished by the current zoning.
- 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 is no destruction of property value.

4. **The relative gain to the public as compared to the hardship imposed upon the individual property owner.** There is no hardship imposed on the property owner by the current zoning.
5. **Whether the subject property has a reasonable economic use as currently zoned.** The property can be developed with single-family residences 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 property has remained undeveloped since being annexed into the City of Perry in 2007. Properties in the general vicinity have been and continue to be developed for residential uses.
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 proposed zoning classifications, subject to conditions, will maintain single-family residential uses which are consistent with development of properties in the general vicinity.
8. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property.** The applicant proposes single-family residential uses with an overall density of about 100 units less than currently allowed. This will benefit surrounding properties by reducing the development's impact on the infrastructure in the area.
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'.
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 proposed development under the requested zoning classifications will result in reduced density and more remote access points which should reduce any negative impacts upon the existing streets, transportation facilities, utilities, or schools, which result from the current zoning of the property.
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.** There continues to be demand for residential uses in the area east of Perry, due to increasing population and the proximity to excellent schools.

STAFF RECOMMENDATION: Staff recommends approval of the application to rezone to R-2A, Single-family Residential District and R-3, Multi-family Residential District with the following conditions:

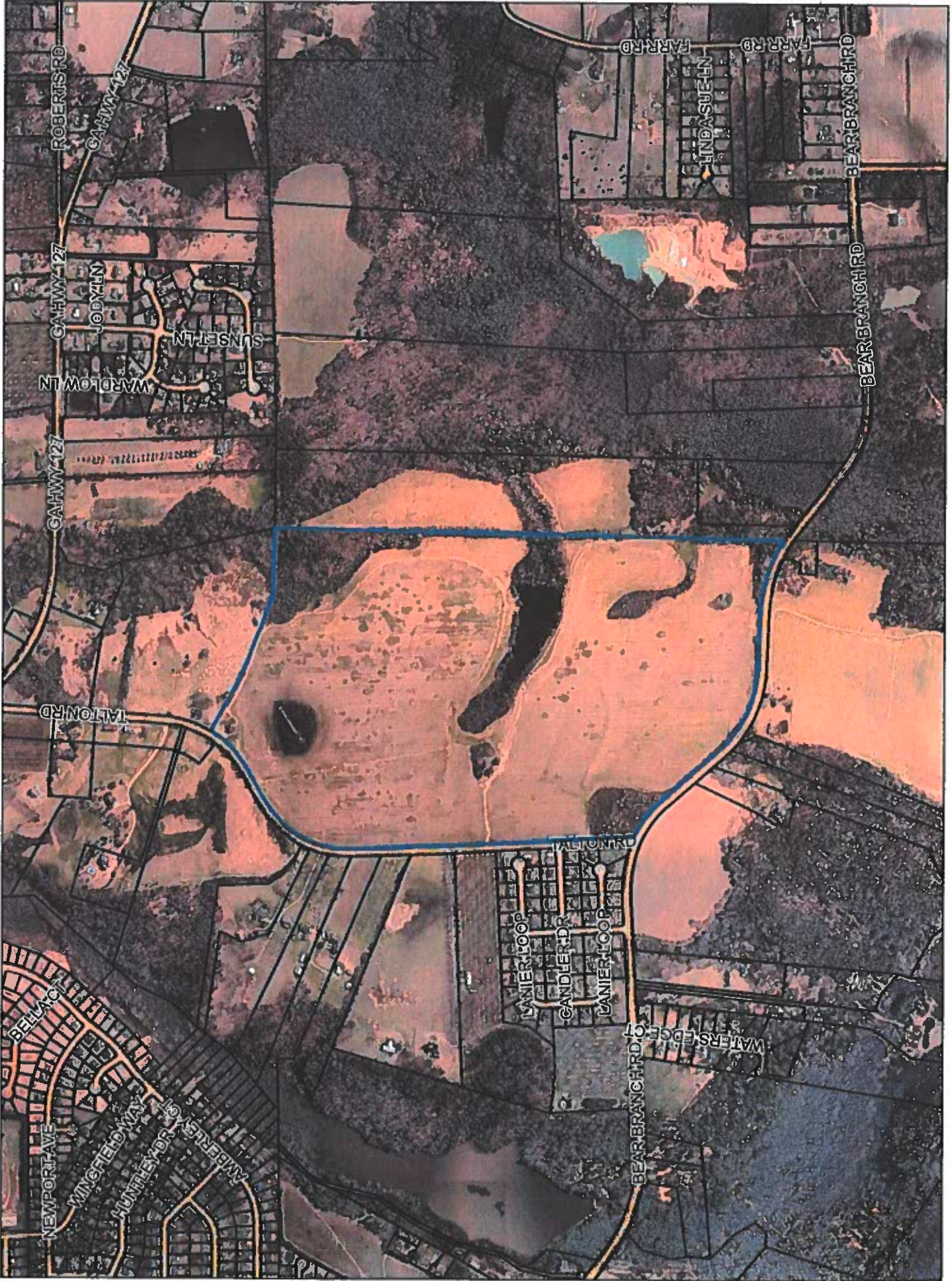
1. The development shall consist only of single-family detached residential uses, park/open space, and associated infrastructure improvements;
2. The final subdivision design shall substantially conform to the conceptual plan prepared by Bryant Engineering and dated 5/5/20; and
3. The Director of Community Development shall make the final determination of the location of the line separating the two zoning districts based on final layout of lots, and provided such line does not shift, generally, more than 50 feet in any direction from what is presented with this application.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of the application, based on Staff's report and recommendation.


Eric Z. Edwards, Chairman, Planning Commission

5/15/20

Date





Where Georgia comes together.

Application # _____

Application for Rezoning

Contact Community Development (478) 988-2720

Applicant/Owner Information

*Indicates Required Field

	Applicant	Property Owner
*Name	Bryant Engineering, LLC	Elizabeth P Talton
*Title	Chad Bryant, President	Owner
*Address	906 South Street Perry, GA 31069	109 Talton Road, Katleen, GA 31047
*Phone	478-224-7070	
*Email	Chad@bryantengllc.com	

Property Information

*Street Address or Location	138 Talton Road
*Tax Map #(s)	0P0490 045000
*Legal Description	<p>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;</p> <p>B. Provide a survey plat of the property and/or a proposed site plan;</p> <p>C. For Annexation, a survey must be tied to the Georgia Planes Coordinate System.</p>

Request

*Current Zoning District	PUD	*Proposed Zoning District	Tract A - 121.54 ac R-3 Tract B - 102.26 ac R-2A 223.80 total ac.
*Please describe the existing and proposed use of the property			
<p>existing - designed for 540 lots of R-2 & R-3</p> <p>proposed - approx. 450 lots - estate size 32,670 min R-2A (12,050 SF) R-3 (19,600 SF)</p>			

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		*Date	5/11/20
*Property Owner/Authorized Agent		*Date	5/11/20

Standards for Granting a Rezoning (see attached)

1. Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?
2. Describe the existing land uses and zoning classifications of surrounding properties.
3. Describe the suitability of the subject property for use as currently zoned.
4. Describe the extent to which the value of the subject property is diminished by the current zoning designation.
5. Describe the extent to which the diminished property value promotes health, safety, morals, and general welfare of the public.
6. Describe the relative gain to the public compared to any hardship imposed on the property owner.
7. Describe how the subject property has no reasonable economic use as currently zoned.
8. How long has the subject property been vacant as currently zoned, considering development in the vicinity?
9. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.
10. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.
11. Describe how the proposed zoning district is consistent with the Comprehensive Plan.
12. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.
13. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district.

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
Notice to Applicant	Routed to PC	Date of PC	Date of Public Hearing	Date of Council action	Notice of action



Chad R. Bryant, P.E.
President-Perry

Jennie S. Barfield, P.E.
Forsyth Branch Manager

Casey Graham, P.E.
Perry Branch Manager

May 11, 2020

Mr. Bryan Wood
Community Development Director
City of Perry
741 Main Street
Perry, GA 31069
478-988-2720
bryan.wood@perry-ga.gov

**Subject: Application for Rezoning
Talton Road Development
0636-005**

Dear Mr. Wood,

Please see attached application and plat for rezoning for 223.80 acres located on Talton Road. Below is the Standards for Granting a Rezoning (Page 2 of application).

1. No Covenants are currently in place
2. Properties across Talton Road are currently Large Estate Lots. To the north is a vacant farm with a planned Residential Subdivision with 32,670 S.F. min Lots. To the east of the property is a low lying wooded parcel currently vacant and zoned HC-RAG.
3. The property has historically been used as farmland. However, due to the proximity to Veterans High School and surrounding developments, this property has become prime area for residential development. The property has been previously rezoned to City of Perry PUD with 540 planned lots. The proposed zoning and concept would produce approximately 450 lots with a mix use of Estate Lots matching the current use across Talton Road, R-1, R-2a, and R-3 type home sites.
4. The property will remain residential use as currently zoned. The density of the property will be reduced from its current zoning classification.
5. The reduction in density will reduce stormwater runoff and provide like kind development directly across the street from neighboring properties along Talton Road.
6. The current zoning of the property creates a vast change in lot sizes compared to adjoining properties. The revised zoning and concept allows for a better transition in Lot sizes.
7. This is a like kind rezoning. Therefore, the economic use stays relatively the same.
8. The property has never been developed as currently zoned and has remained farmland.





Chad R. Bryant, P.E.
President-Perry

Jennie S. Barfield, P.E.
Forsyth Branch Manager

Casey Graham, P.E.
Perry Branch Manager

9. The proposed zoning is like kind with its current zoning and meets similar lot sizes in neighboring subdivisions such as Wind River, The Woodlands, Summer Branch, and other developments down Bear Branch Road.
10. The proposed zoning is for residential use and the property is within a transitional area from farmland to higher density residential.
11. This area is planned for residential development in the Comprehensive Plan
12. This area is part of a planned expansion to City Sewer. The property is accessible to Talton Road to Hwy 127 and Bear Branch Road. Traffic counts are very low so there will not be an overburden on transportation infrastructure.
13. The proposed development we believe will provide a better transition than the current zoning and will have a softer impact to neighboring properties.

We would like to be placed on the next available agenda for the Perry Planning Commission. Please let me know if you have any questions or concerns.

Sincerely,

A handwritten signature in black ink, appearing to read 'Chad R. Bryant'.

Chad Bryant, P.E.
President
Bryant Engineering





BE BRYANT ENGINEERING
 1000 Peachtree Street, N.E.
 Atlanta, Georgia 30309
 Phone: 404.525.1100
 Fax: 404.525.1101
 www.bryant-engineering.com

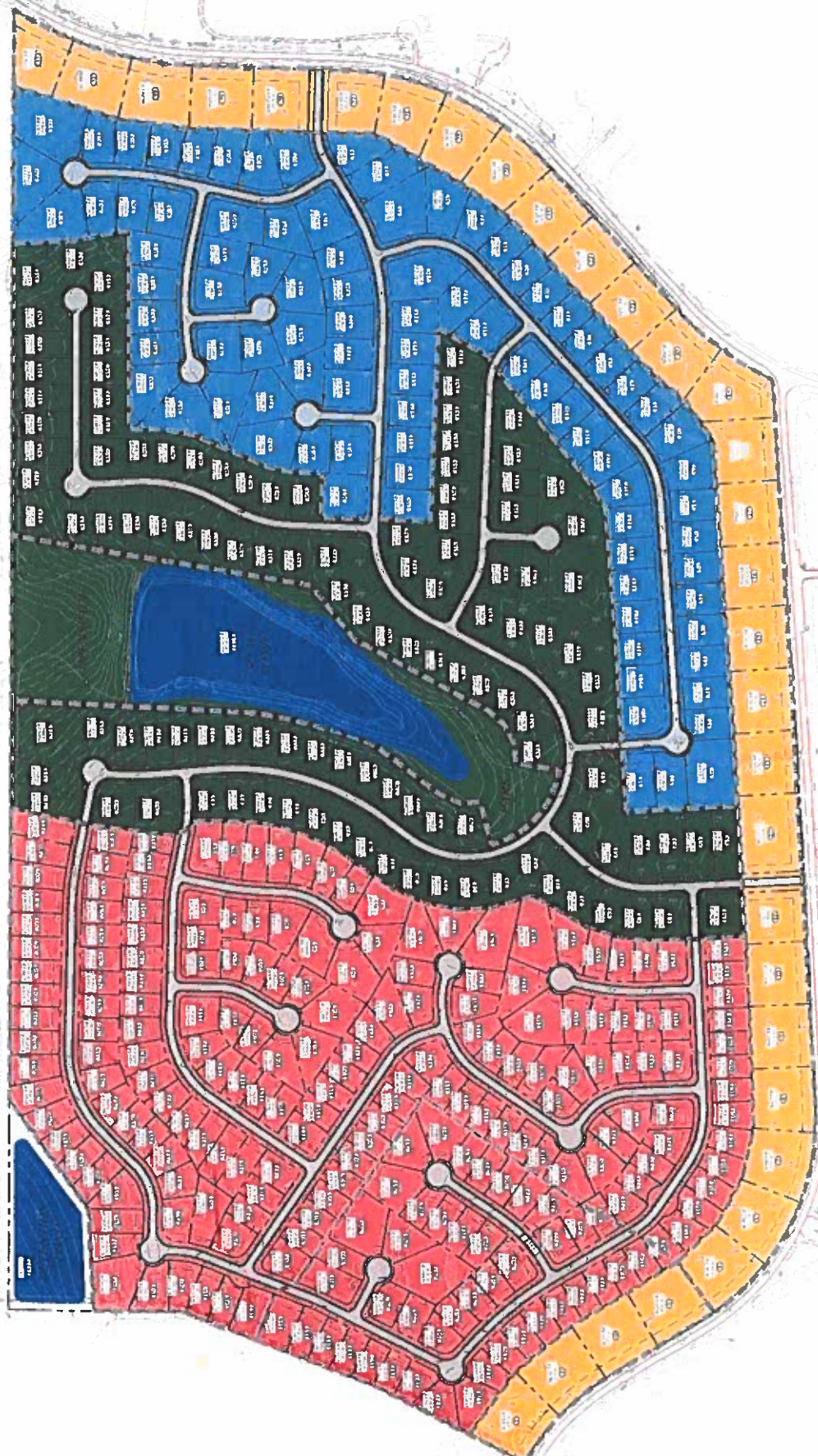
PROJECT: TALTON ROAD SUBDIVISION
 SHEET: CONCEPT LAYOUT FOR
 DATE: 12/15/11
 DRAWN BY: J. BRYANT
 CHECKED BY: J. BRYANT
 SCALE: AS SHOWN
 PLOT: 1
 DATE: 12/15/11

STATE OF GEORGIA

TALTON ROAD SUBDIVISION
 CONCEPT LAYOUT FOR

NO.	REVISION	DATE
1	ISSUED FOR PERMITS	12/15/11
2	REVISED PER COMMENTS	12/15/11
3	REVISED PER COMMENTS	12/15/11
4	REVISED PER COMMENTS	12/15/11
5	REVISED PER COMMENTS	12/15/11
6	REVISED PER COMMENTS	12/15/11
7	REVISED PER COMMENTS	12/15/11
8	REVISED PER COMMENTS	12/15/11
9	REVISED PER COMMENTS	12/15/11
10	REVISED PER COMMENTS	12/15/11

C0.1



PROPOSED CONCEPT
 ≈450 lots, 1 entrance each on Talton Rd and Bear Branch

OWNER:
 TALEN DEVELOPMENT, LLC
 1000 Peachtree Street, N.E.
 Atlanta, Georgia 30309



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STAFF REPORT

May 13, 2020

CASE NUMBER: ANNX-49-2020
APPLICANT: Lee Wingate for Wingate Custom Homes
REQUEST: Annex and Rezone from RAG (county) to R-2A (City)
LOCATION: 2162 Kings Chapel Road, Tax Map No. 000830 034000

ADJACENT ZONING/LANDUSES:

Subject Parcel: RAG, Residential-Agricultural District (county); undeveloped
North: RAG (County); farm land
South: RAG (county); farm land
East: RAG (county); farm land
West: R-2A (City); undeveloped (planned for single-family residential subdivision)

BACKGROUND INFORMATION: The applicant is under contract to purchase the adjacent property to the west for development of a single-family residential subdivision. He proposes to annex the subject property into the City of Perry to accommodate a 2nd phase of the subdivision. A conceptual layout indicates approximately 70 lots could be developed on the subject 28.26 acre parcel. The applicant requests a city zoning classification of R-2A, Single-family Residential District, to be consistent with the adjoining city property. This district requires a minimum lot area of 12,000 square feet.

STANDARDS FOR ESTABLISHING A ZONING CLASSIFICATION:

- 1. Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?** The applicant indicates there are no covenants or restrictions pertaining to the property which would preclude single-family residential uses.
- 2. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.** The properties along Kings Chapel Road and the surrounding area are developed as single-family residences on large lots, single-family residential subdivisions, and agricultural uses. The R-2A zoning classification allows uses similar to the existing residential uses in the area.
- 3. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.** The proposed R-2A zoning classification should not adversely affect surrounding properties as it is limited to uses similar to those existing and allowed on surrounding properties.
- 4. Describe how the proposed zoning district is consistent with the Comprehensive Plan.** The subject property and surrounding area is identified as "Suburban Residential" in the 2017 Joint Comprehensive Plan. The R-2A zoning classification conforms to the intended land use pattern of the Plan.

5. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services. The conceptual layout of the proposed subdivision, including the property to the west of the subject, provides connection to Kings Chapel Road, where a right-turn lane is proposed. The Houston County Commissioners will require a study to determine if additional improvements are needed. The subdivision will also have connection to Gurr Road and U.S. 341 via Stonebridge Subdivision. City sewer will be connected via a line extension in Stonebridge. The County will provide water service with a master meter.
6. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district. There is a growing demand for residential development on the eastside of Perry because of the excellent schools in the area.

STAFF RECOMMENDATION: Staff recommends approval of the application to annex and rezone to R-2A, Single-family Residential District.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of the application, based on Staff's report and recommendation.


Eric Z. Edwards, Chairman, Planning Commission

6/15/20
Date



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Application # Annex 49-
2020

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

Applicant/Owner Information

*Indicates Required Field

	Applicant	Property Owner
*Name	Wingate Custom Homes, Lee Wingate	Jonathan E Hayes
*Title	Owner	Owner
*Address	817 GA-247 #10, Kathleen, GA 31047	307 Hunts Landing Drive, Kathleen, GA 31047
*Phone	478-538-1009	706-255-6253
*Email	Leew.wingate@gmail.com	Jonathan@hayescustomhomesga.com

Property Information

*Street Address or Location	2162 Kings Chapel Road
*Tax Map #(s)	000830034000
*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 County Zoning District	HC-RAG	*Proposed City Zoning District	R2A
*Please describe the existing and proposed use of the property Currently the property is mostly vacant land and has been previously used as residential agricultural. Proposed uses for the property include Phase 2 of Sadie Heights Subdivision currently in the design phase which is located adjacent to the parcel to the west. Access to this property will be through Phase 1 of Sadie Heights.			

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 - \$135.00 plus \$15.00/acre (maximum \$1,600.00)
 - Planned Development - \$155.00 plus \$15.00/acre (maximum \$2,800.00)
 - Commercial/Industrial - \$235.00 plus \$22.00/acre (maximum \$3,000.00)
- The applicant/owner must respond to the 'standards' on page 2 of this application (you must answer 'why' you believe the requested zoning classification meets these standards). 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.
- Annexation 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.
- 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.

8. 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.

9. Signatures:

*Applicant <i>Chad A. B...</i>	*Date 4/8/20
*Property Owner/Authorized Agent <i>[Signature]</i>	*Date 4/8/20

Standards for Granting a Zoning Classification

1. Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district? **None**
2. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.

The property is a second phase of an adjacent tract totaling 44 acres and zoned R2A.

3. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.
The surrounding properties are currently in the process of being developed. This property is in an area that is expanding in residential development towards the west. Remaining property surrounding this tract is mostly farmland.
4. Describe how the proposed zoning district is consistent with the Comprehensive Plan.
The proposed zoning district is for residential use which is consistent with the Comprehensive Plan.
5. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.
The parcel will have access to Kings Chapel Road and connect to the south back to Gurr Road. This development will provide interconnectivity for faster emergency response rates. Traffic patterns will be dispersed north and south. Sanitary Sewer will be provided through Stonebridge to the south which is the direction suggested by City Engineering.
6. 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 surrounding properties are currently in the process of being developed. This property is in an area that is expanding in residential development towards the west. Remaining property surrounding this tract is mostly farmland with great potential for future residential development.

For Office Use (receipt code 204.1)

Date received 4/8/20	Fee paid <i>paid</i>	Date deemed complete 4/10/20	Public Notice Sign <i>done</i>	Legal Ad 6/17/20	County Notification 4/13/20
Notice to Applicant 4/6/20	Routed to PC 4/6/20	Date of RC 4/8/20	Date of Public Hearing 7/7/20	Date of Council action 7/24/20	Notice of action



Doc ID: 018812170002 Type: OLA
 Recorded: 05/16/2019 at 04:27:46 PM
 Fee Amt: \$107.00 Page 1 of 2
 Transfer Tax: \$105.00
 Houston, Ga, Clerk Superior Court
 Carolyn V. Sullivan Clerk

8180 PG 120-121

(Above space for recording officer use.)

After recording return to:

File No.: P19-217

WHGM

✓ **WALKER HULBERT GRAY & MOORE, LLP**

P. O. Box 1770 / 909 Ball Street

Perry, Georgia 31069

Attorney: JOHN W. HULBERT

STATE OF GEORGIA
 COUNTY OF HOUSTON

WARRANTY DEED

THIS INDENTURE, Made the 15 day of May, in the year two thousand nineteen (2019),
 between

LAYNE INVESTMENT GROUP, LLC
 a Georgia limited liability company

existing under the laws of the State of Georgia, as party or parties of the first part, hereinafter called
 Grantor,

and **JONATHAN E. HAYES**

of the County of Houston and State of Georgia, as party or parties of the second part, hereinafter
 called Grantee (the words "Grantor" and "Grantee" to include their respective heirs, successors and
 assigns where the context requires or permits).

WITNESSETH that: Grantor, for and in consideration of the sum of Other Good and Valuable
 Considerations and Ten (\$10.00) and NO/100-----DOLLARS,
 before the sealing and delivery of these presents, the receipt whereof is hereby acknowledged, has
 granted, bargained, sold, alienated, conveyed and confirmed and by these presents does grant,
 bargain, sell, alien, convey or confirm unto the said Grantee, ALL OF THE FOLLOWING
 DESCRIBED PROPERTY, to-wit:

All that tract or parcel of land situate, lying and being in Land Lot 176 of the
 Tenth (10th) Land District of Houston County, Georgia, comprising 72.40 acres,
 as more particularly shown on a plat of survey designated as "Property of
 Bessie B. Collier" prepared by Milton V. Beckham, Surveyor, on April 24,
 1972, a copy of said plat being of record in Plat Book 25, Page 185, Clerk's
 Office, Houston Superior Court. Said plat and the record thereof are
 incorporated herein by reference for all purposes.

LESS AND EXCEPT: All that tract or parcel of land situate, lying and being
 in Land Lot 176 of the Tenth (10th) Land District of Houston County, Georgia,
 comprising 44.14 acres, as is more particularly shown on Plat Book 30, Page 5,
 Clerk's Office, Houston Superior Court. This less and except property was

conveyed to Tom Chapman by Warranty Deed, dated May 13, 1986 being filed of record in Deed Book 719, Page 120, Clerk's Office, Houston Superior Court.

Deed Reference: Deed Book 7663, Page 317, said Clerk's Office
Tax Map Parcel No. 83-34
Street Address: 2162 Kings Chapel Road, Perry, GA 31069

TO HAVE AND TO HOLD the said tract or parcel of land, with all and singular the rights, members and appurtenances thereof, to the same being, belonging, or in anywise appertaining, to the only proper use, benefit and behoof of the said Grantee forever in FEE SIMPLE.

AND THE SAID Grantor warrants and will forever defend the right and title to the above described property unto the said Grantee against the claims of all persons whomsoever.

IN WITNESS WHEREOF, the Grantor has signed and sealed this deed, the day and year above written.

LAYNE INVESTMENT GROUP, LLC
a Georgia limited liability company

By: Joshua Hall
JOSHUA HALL, Managing Member

Signed, sealed and delivered
in the presence of:

Keithy Pelley
Witness

[ORGANIZATIONAL SEAL]

Heather N. Jordan
Notary Public
My Commission Expires: _____



[Notary Seal]



Houston County Commissioners

Serving All of Houston County

Office

200 Carl Vinson Parkway
Warner Robins, GA 31088
478-542-2115
FAX 478-923-5697
www.houstoncountyga.org

Commissioners

Tommy Stalnaker
Chairman

Thomas J. McMichael
Gail C. Robinson
Larry Thomson
H. Jay Walker, III

Staff

Barry Holland
Director of
Administration

K. Thomas Hall
County Attorney

May 7, 2020

Bryan Wood, Director
Community Development
P.O. Box 2030
Perry, GA 31069

Dear Mr. Wood:

The Board of Commissioners met on May 5, 2020 and concurred with the City of Perrys' request to annex property totaling 28.26 acres containing Tax Parcel #000830 003400 known as 2162 Kings Chapel Road with the following stipulations:

- ❖ Development will be serviced by Houston County Water with a master meter installed.
- ❖ A hydraulic study will be undertaken.
- ❖ A study for the Kings Chapel Road tie-in for this development will be done to see if turn lanes or deceleration lanes are necessary.

If you have any questions, please do not hesitate to call.

Sincerely,

A handwritten signature in blue ink that reads "Dawn Ramirez Wilkins".

Dawn Ramirez Wilkins
Administrative Assistant
Houston County Board of Commissioners



Where Georgia comes together.
Department of Community Development

April 13, 2020

Houston County Board of Commissioners
200 Carl Vinson Parkway
Warner Robins, Georgia 31088

CERTIFIED MAIL

Dear Commissioners,

Please be advised the City of Perry, Georgia, has received an application requesting annexation into our jurisdiction for the property listed below:

Property is located at 2162 Kings Chapel Road; (HC000830 003400) 28.26 acres

Legal description as attached labeled Exhibit A

Current zoning for this property within Houston County is R-AG. The request is for annexation into the City of Perry R-2A, Single Family Residential. The property is currently undeveloped and is proposed for single family residential dwellings.

Pursuant to O.C.G.A. § 36-66-4 a public hearing on zoning of the property to be annexed as noted above will be held at 6:00PM, July 07, 2020 at Perry City Hall. If the county has any objection under O.C.G.A. § 36-36-113, in accordance with the objection and resolution process, you must notify the City of Perry Community Development Department within thirty (30) calendar days of this notice.

Best Regards,

Bryan Wood, Director
Community Development

Enclosures



Where Georgia comes together.

STAFF REPORT

From the Department of Community Development
May 12, 2020 revised June 22, 2020

CASE NUMBER: RZNE-61-2020
APPLICANT: The City of Perry
REQUEST: Text Amendment to Revise the Procedures and Standards for Murals

STAFF COMMENTS on the REVISED AMENDMENT: Based on the Planning Commission's concern that it was not the appropriate body to review and act on Mural Permits as originally proposed, Staff was directed to modify the proposed procedures. The proposed standards for evaluating murals have not changed. The revised amendment establishes the Main Street Advisory Board the decision-making body on applications for mural permit, if the mural is to be located within the Downtown Development Overlay District. Applications for mural permit for a mural to be located outside the Downtown Development Overlay District will be reviewed and decided by the Administrator of the LMO. Appeals from both decision-making bodies will go to City Council. Extension of a mural permit will be the purview of the original decision-making body.

STAFF ANALYSIS: Recently the City received a request to paint a mural on a building downtown. As this was the first request for a mural, Staff and City Council realized the inadequacies of the current procedures and standards. These concerns were echoed by the Perry Public Arts Commission and the Main Street Advisory Board, both of which reviewed the recent mural. City Council requested Staff prepare a text amendment to address these concerns.

The proposed amendment removes murals from the sign regulations and establishes a separate Mural Permit.

Council asked Staff to develop objective standards for evaluating a mural. To the extent that standards for art can be objective, we have proposed 12 standards that address the artwork and its relation to the community and the structure on which it is proposed. Five additional standards address the mural's construction and maintenance. These standards were developed following a search of mural standards from communities around the country. Staff also found a great document discussing preparation of the painting surface and paint systems for murals which we have incorporated into the application for a mural permit.

The proposed amendment allows the decision-making body to place conditions on a mural permit and to prescribe a time frame within which a mural must be started and or completed. If no such time frame is established by the decision-making body, the ordinance sets a default time frame of 90 days from the date of approval for completion of the mural. The mural permit is valid for three years from the date of approval, with the option for original decision-making body to extend the permit for additional time, depending on the condition and maintenance of the mural.

Under the proposal, the maintenance of a mural becomes the responsibility of the property owner. The City will treat a mural which has fallen into disrepair as a violation, providing written notice to the property owner and a 30 day period to make necessary repairs. If not repaired the City, reserves the right to repair or remove the mural at the property owner's expense.

STAFF RECOMMENDATION: Staff recommends approval of the proposed text amendment.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of the text amendment, as revised.



Eric Z. Edwards, Chairman, Planning Commission

9/30/20

Date



RISK MANAGEMENT AND
EMPLOYEE BENEFIT SERVICES
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Mayor, Union City

City of Perry, Georgia
P.O. Box A
Perry, GA 31069-0019

Re: GMEBS Defined Benefit Retirement Plan; Filing Your Addendum with the IRS

City of Perry, Georgia:

We are writing to you concerning the restated Georgia Municipal Employees Benefit System ("GMEBS") Defined Benefit Retirement Plan documents adopted by the City of Perry on December 17, 2019. As you are aware, the General Addendum to your restated Adoption Agreement incorporates provisions of your Plan that are not included in the standard GMEBS Master Plan, Adoption Agreement, and General Addendum. Because the General Addendum contains one or more of these "outside-the-box" provisions, the City of Perry technically cannot rely upon the IRS approval letter received for the GMEBS Plan.

In order to have reliance, the City of Perry must obtain a separate determination letter from the IRS addressing the items included in the General Addendum. The IRS requires retirement plans to file for a letter by July 31, 2020. We are asking that you electronically sign the Forms discussed below via DocuSign so that we may complete the IRS filing prior to this deadline. Although the retirement plan previously filed for an IRS letter in 2012, that letter expires on July 31, 2020. Retirement plans with "outside-of-the-box" provisions must file regularly for an up-to-date IRS letter.

Getting IRS Approval for the Addendum to Your Adoption Agreement

GMEBS has made arrangements with Ice Miller, the law firm that handled the original GMEBS restatement filing with the IRS, to represent you in seeking an IRS determination letter to cover items included in your Addendum. Consistent with the process used in the original master plan and Adoption Agreement filing, GMEBS will cover the cost of IRS fees and Ice Miller's fees associated with your Addendum filing.

What does the City of Perry need to do to file for an IRS letter?

The following steps need to be taken in order to submit a determination letter request to the IRS:

City of Perry, Georgia
Page 2 of 3

Step 1 – Review and Sign Enclosed Form 5307

Review the enclosed IRS Form 5307, Application for Determination for Adopters of modified Volume Submitter Plans. This form has already been completed, based upon information that we have received for your plan. Please confirm the accuracy of the information included on the form. As you review the form, please pay particular attention to the following items:

- **Other Qualified Plans.** We included a draft attachment to line 15a, page 5 that will need to be completed if the City of Perry maintains any other qualified plans for its employees. A "qualified" plan includes a defined benefit or defined contribution 401(a) plan, a 401(k) plan, or a money purchase plan. It does not include a 457 plan, health plan, or any other type of benefit plan. If the City of Perry maintains any other qualified plans, please provide the information requested on the attachment to line 15a for each other qualified plan. If the City of Perry does not maintain any other qualified plan, please indicate that on the attachment. We will use a 3-digit plan number for purposes of the IRS filing for this plan based on the other qualified plan information provided.
- **Pending Issues.** Line 18, page 5 asks whether the plan has any issues pending with the IRS (include a Voluntary Correction Plan filing), Department of Labor, Pension Benefit Guaranty Corporation, or any court. *We marked "No" in line 18. Please confirm this is accurate.*

If the Form 5307 is in order, please have the Form 5307 signed and dated at the bottom of the first page. Please contact Lindsay Knowles at the law firm of Ice Miller (Lindsay.Knowles@icemiller.com) if you have any questions about the Form 5307 or if you need to make changes to the information included on the form.

Step 2 – Review and Sign Enclosed Form 2848

Please have the Form 2848, Power of Attorney and Declaration of Representative, signed and dated on page two. The Form 2848 gives me and the law firm of Ice Miller, GMEBS' federal tax counsel, authorization to act as representatives of the City of Perry and handle any questions that the IRS may have with respect to the submission.

Step 3 – Review and Sign Enclosed Form 8821

Please have the Form 8821, Tax Information Authorization, signed and dated at the bottom of page one. The Form 8821 gives Taretta Shine, a paralegal with the law firm of Ice Miller, authorization to contact the IRS regarding the status of the submission.

Step 4 – Return Form 5307, Form 2848, and Form 8821 to Ice Miller

Please have the Form 5307, Form 2848, and Form 8821 signed via DocuSign. The law firm of Ice Miller will be notified automatically after all of the Forms have been electronically signed.

City of Perry, Georgia
Page 3 of 3

Once the signed documents are received, Ice Miller will coordinate any additional documentation needed for the filing with you and/or GMEBS and will submit the determination letter request to the IRS. A complete copy of the application will be provided to you for your files.

We are copying your attorney on this letter, and we suggest that you discuss it with her. Please feel free to contact Lindsay Knowles at Lindsay.Knowles@icemiller.com if you or your attorney have any questions about this process. Thank you very much for your attention to this matter.

Very truly yours,

DocuSigned by:

Gwin Hall

31C7CFC5348A4DD

Gwin Hall

Senior Associate General Counsel
Georgia Municipal Association, Inc.

Enclosures

cc: Brooke Newby