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December 1, 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. Recognition(s)/ Presentation(s):
 - 4a. Presentation of the Fire Safety poster contest – Mr. L. Parker

Honorable Mention - Sanian Browne – Morningside Elementary
Honorable Mention - Delaney Crosby – The Westfield School
Runner Up – Ramsey Allen – Tucker Elementary
Winner – Geneva Sengenberger.
 - 4b. Peaches to the Beaches Application – Denise Dickerson, Vice President of Perry Lions Club.
5. Appointment(s):
6. Community Partner(s) Update(s):
7. Citizens with Input.
8. Public Hearing: Mayor Randall Walker

The purpose of this Public Hearing is to provide any interested parties with an opportunity to express their views and concerns in accordance with O.C.G.A. Sec. 36-66-4.

- 8a. RZNE-168-2020. Applicant, Tom Ward/Storage Masters, Inc., request the rezoning from C-2, General Commercial District, to C-1 Highway Commercial District. The property is located at Perry Parkway; Tax Map No. 0P41A0 180000 – Mr. B. Wood.

- 8b. TEXT-179-2020. Applicant, The City of Perry request Text Amendment to require recreational vehicle (RV) parks by special exception and to revise standards from RV parks – Mr. B. Wood.
9. Review of Minutes: Mayor Randall Walker
- 9a. Council's Consideration – Minutes of the November 16, 2020 work session. November 17, 2020 pre council meeting, and November 17, 2020 council meeting minutes will be available for review on the next Council agenda scheduled for December 15.
10. Old Business: Mayor Randall Walker
- 10a. Ordinance(s) for Second Reading(s) and Adoption:
1. **Second Reading** of an ordinance for the rezoning of property from R-3, Multi-Family Residential District, to R-Ag, Residential-Agricultural District. The property is located at 96 Hay Road; Tax Map No. 0P0340 057000 - Mr. B. Wood.
 2. **Second Reading** of an ordinance for the rezoning of property from R-1 (County) to R-3 (City). The property is located on the East side of Talton Road; Tax Map No. 001050 100000 – Mr. B. Wood.
 3. **Second Reading** of an ordinance for the annexation of property to the City of Perry. The property is located on the East side of Talton Road; Tax Map No. 001050 100000 – Mr. B. Wood.
 4. **Second Reading** of an ordinance for the rezoning of property from R-1 (County) to R-3 (City). The property is located on the Southeast corner of SR 127 and Talton Road; Tax Map No. 001050 089000 – Mr. B. Wood.
 5. **Second Reading** of an ordinance for the annexation of property to the City of Perry. The property is located on the Southeast corner of SR 127 and Talton Road; Tax Map No. 001050 089000 – Mr. B. Wood.
 6. **Second Reading** of an ordinance to amend Section 3-11 – General Regulations to Alcohol Licenses to provide for a public hearing before Council for new locations – Mr. L. Gilmour.
 7. **Second Reading** of an ordinance amending FY- 2021 Operating Budget – Mr. Gilmour.
11. Any Other Old Business:
- 11a. Mayor Randall Walker
 - 11b. Council Members
 - 11c. City Attorney Brooke Newby
 - 11d. City Manager Lee Gilmour
 - 11e. Assistant City Manager Robert Smith

12. New Business: Mayor Randall Walker

12a. Matters referred from November 16, 2020 work session and November 17, 2020 pre council meeting.

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

1. **First Reading** of an ordinance to amend the Downtown Development District Overlay Boundaries – Mr. B. Wood. *(No action required by Council)*
2. **First Reading** of an ordinance to amend Section 4-3 (D), Standards for Specific Uses (TEXT-179-2020) to require RV Parks by special exception and to revise standards for RV Parks – Mr. B. Wood. *(No action required by Council)*
3. **First Reading** of an ordinance for the rezoning (RZNE-168-2020) of a property from C-2 to C-1. The property is located on Perry Parkway; Tax Map No. 0P41A0 180000 – Mr. B. Wood. *(No action required by Council)*

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

1. A Resolution requesting the Georgia General Assembly to pass local legislation relative to the increase in the hotel/motel tax and assessing a municipal court technology fee – Mr. L. Gilmour.
2. A Resolution Accepting Ownership and Maintenance of Rights-of-Way and Certain Infrastructure in the Cottages at Houston Lake Subdivision – Mr. B. Wood.
3. A Resolution Accepting Ownership and Maintenance of Rights-of-Way and Certain Infrastructure in New Haven Subdivision – Mr. B. Wood.
4. Adopting of the Mid-State Energy Commission Intergovernmental Operating Agreement- Mr. L. Gilmour.

12d. Award of Bid(s):

1. Bid No. 2021-07 Utility Terrain Vehicle (2) – Mr. M. Worthington

13. Council Members Items:

14. Department Heads/Staff Items.

15. General Public Items:

16. Mayor Items:

17. Adjourn.

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

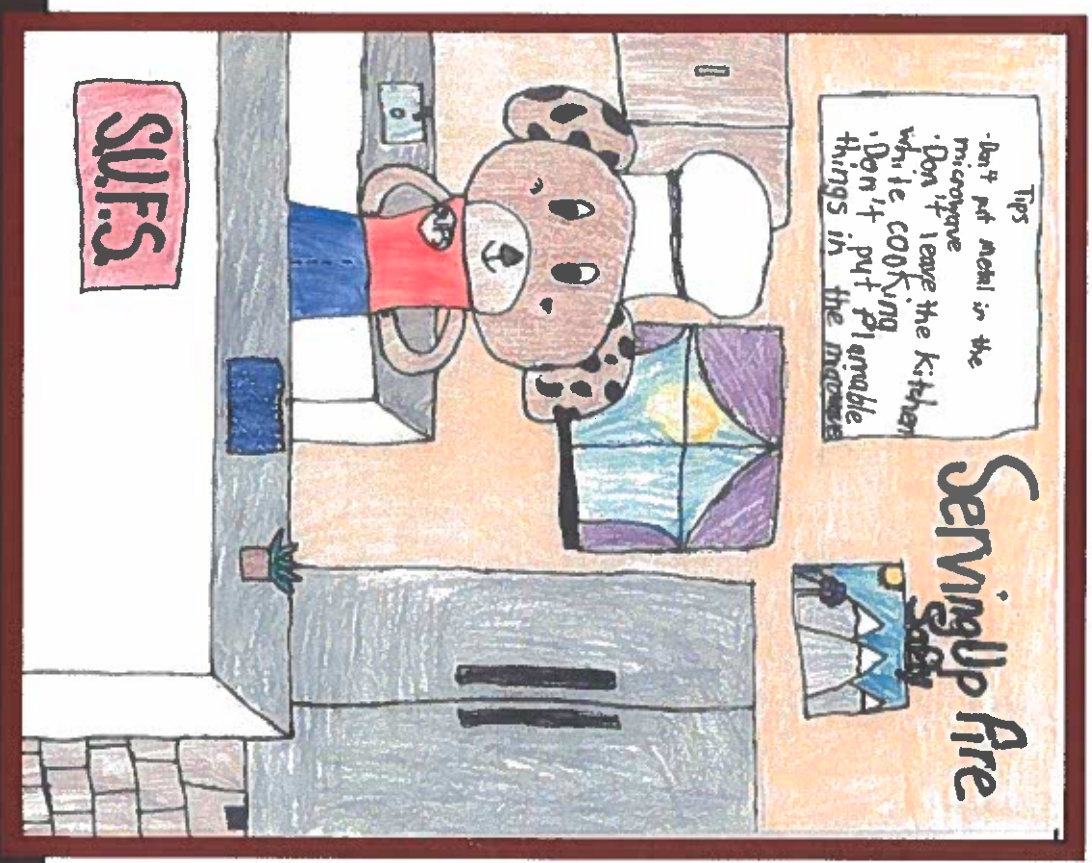
FIRE SAFETY POSTER CONTEST

GENEVA SENGENBERGER

Winner

Langston Road Elementary

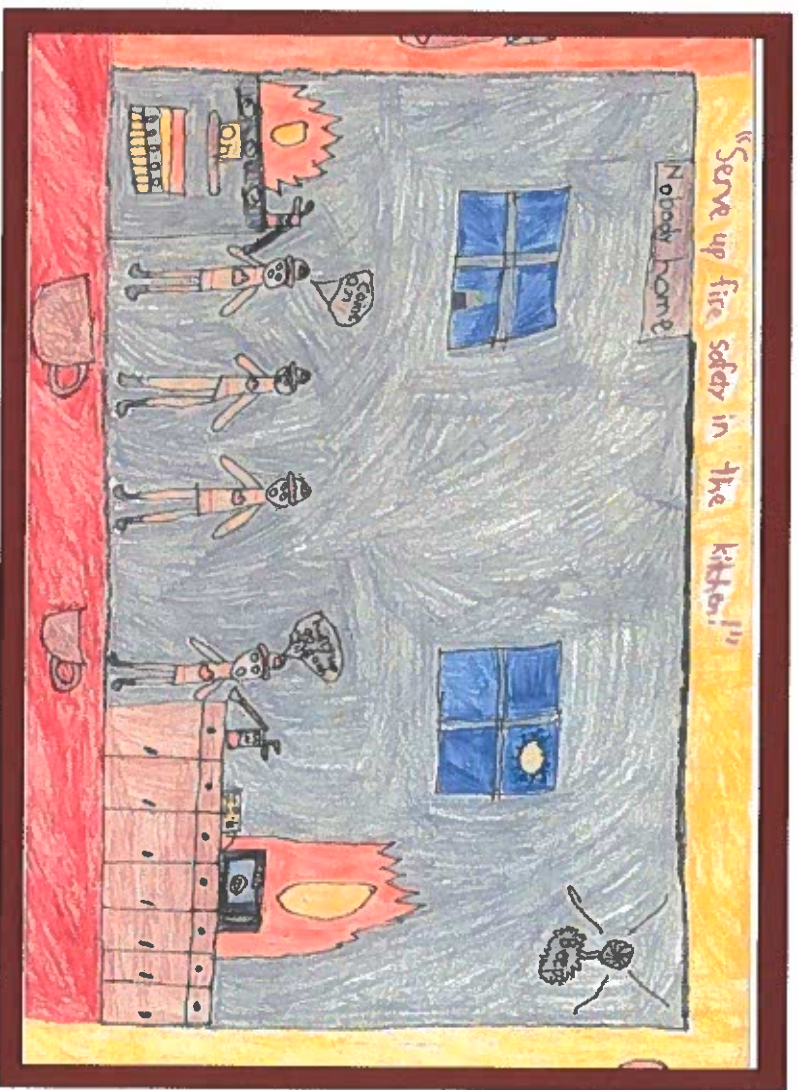
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FIRE SAFETY POSTER CONTEST

**DELANEY
CROSBY**

Honorable Mention
Westfield Elementary



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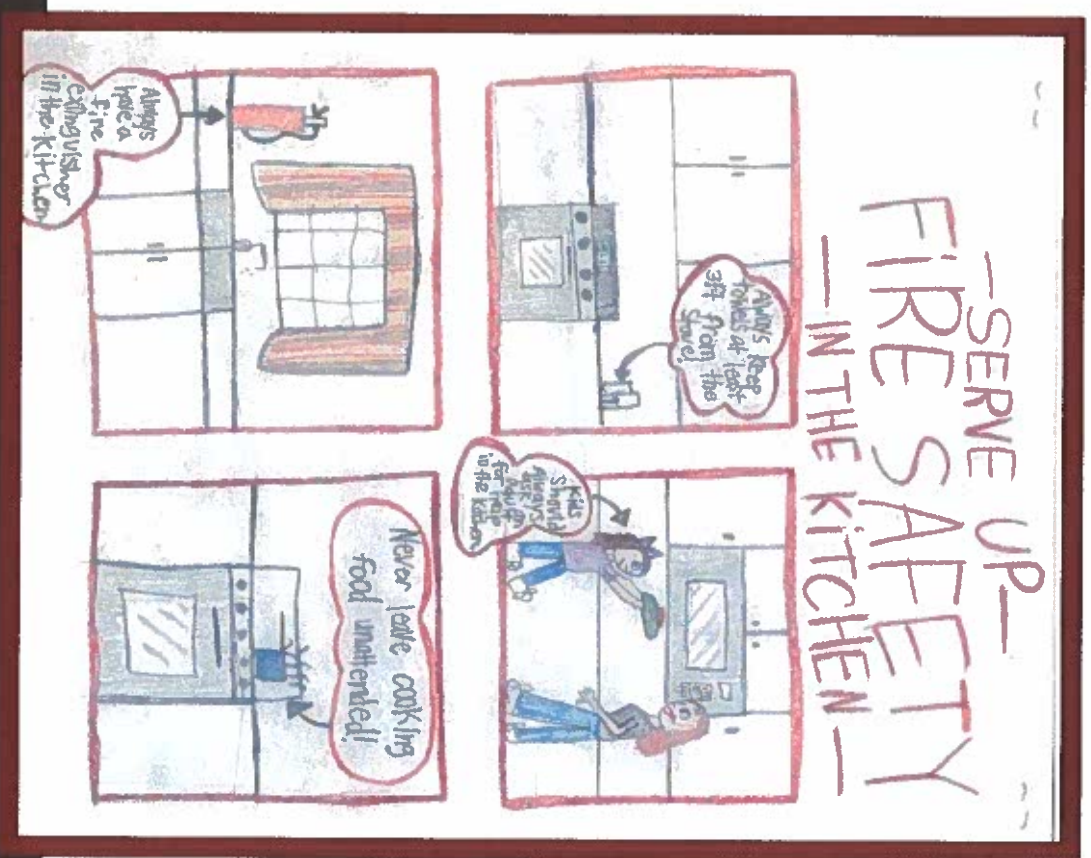
FIRE SAFETY POSTER CONTEST

RAMSEY ALLEN

Runner Up

Tucker Elementary

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FIRE SAFETY POSTER CONTEST

**SANIAN
BROWNE**

Honorable Mention
Morningside Elementary



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Perry Lions Club Perry, GA

November 5, 2020

City Manager & City Council Members
City of Perry
P.O. Box 2030
Perry, GA 31069

Dear Mr. Gilmour and Council Members,

The Perry Lions Club will be working with the Perry Convention and Visitors Bureau to host the annual Peaches to the Beaches Yard Sale in partnership with the Golden Isles Parkway Association. This annual event promotes travel and economic growth along 200 plus miles of Highway 341 from Barnesville to Brunswick. The upcoming event is scheduled for Friday, March 12, and Saturday, March 13, 2021.

Perry is one of the largest yard sale sites along Highway 341. Once again, the Eastgate Shopping Center and the Old Courthouse Square areas will serve as the official multi-vendor sites for Perry and the hub of activity for our community will be centered in Downtown Perry.

In addition to the influx of tourism this event brings to Perry, the Perry Lion's Club will use all profits raised for community service projects both in Perry and around the State of Georgia.

The following includes our requests for assistance from the City of Perry for this event:

BLOCKING AND BARRICADES

Areas will need to be blocked off beginning at 3 p.m. on Thursday, March 11 (for vendor set up) and reopened at 8 p.m. on Saturday, March 13. The actual event will be March 12-13 from 8 a.m. to 6 p.m. each day. The vendors will leave their booths set up for the entire two-day event.

1. Main Street- Between Jernigan and Ball in front of the New Perry Hotel

2. Jernigan Street- Between Carroll and Main

3. City Parking Lot- Corner of Main and Ball

Portions of the city parking lot located at the corner of Main Street and Ball Street will need to be used for vendor set up and locations of the portable toilets. We request that the City of Perry provide 12 orange cones near the entrance of this parking lot that the local coordinators will use to reserve and mark designated parking spaces therein. Some parking spaces in this lot will remain open for adjacent business owners and shoppers to use.

4. Eastgate Shopping Center- Main Street/ Hwy. 341

Portions of the shopping center parking lot will be used (with property management approval) for an official group site. We request cones and barricades to be placed to section off our designated vending area from the parking area.

TRASH

The trash cans will need to be emptied on Friday afternoon and after the event on Saturday, March 13. If possible, a dumpster OR a City-designated area for boxes to be placed by would help keep trash cans from overflowing

1. Downtown

At least 15-20 large trash cans randomly distributed around the Courthouse by 8 a.m. on Friday, March 12.

2. Eastgate Shopping Center

At least 12 large trash cans distributed within the designated vending area by 8 a.m. on Friday, March 12

SAFETY & SECURITY

1. Police Surveillance

Strong police surveillance in all the designated vendor areas both in downtown and the Eastgate Shopping Center during the event hours of 8 a.m. to 6 p.m. and **especially after event hours- from 6 p.m., Thursday, March 11 until 8 a.m. Saturday, March 13** to deter theft from vendor booths.

2. Safety

12 orange cones at the corner of the Walker Rhodes tractor lot at the corner of Main and Ball to keep cars from parking illegally and causing traffic flow issues. These should be in place by 7 a.m. on Friday, March 12.

3. Information Sign

We would like to request the digital information sign that is used during the Music Festival and Dogwood Festival, to be placed in a strategic location on Hwy. 341 to announce the event is coming. (We are referring to the sign that has traditionally been placed on Gen. Courtney Hodges Blvd. at the fork/ five points prior to the above mentioned events.)

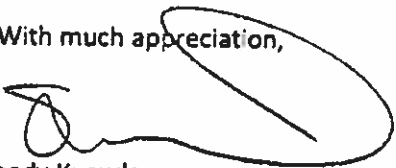
FEES

1. City Fees

In addition to bringing revenue to the City from the vendors and the participants who will stay in hotel rooms and patronize local businesses and restaurants, we hope that Peaches to Beaches will be a great fundraising opportunity for the Perry Lions Club and raise money that can be spent on both local charitable programs and statewide charities- such as our vision screenings and eyeglasses assistance programs and the Georgia Lion's Camp for the Blind. To maximize possible donations to these charitable causes, we would like to request that the City fees be waived for the Perry Lions Club for Peaches to Beaches.

Thank you in advance for your support and help in making this event possible once again.

With much appreciation,



Sandy Kusuda
Club President
Perry Lions Club



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City of Perry Special Events Application

Applicant and Sponsoring Organization Information

Name:	Perry Lions Club
Name of individual representing sponsor organization:	Sandy Kusuda
Street address:	1303 Forest Hill Dr.
City/State/Zip code:	Perry, GA 31069
Mailing address if different from above:	
Cell phone:	478-244-8329
Email address:	SKusuda@gnfa.com
* The individual's name and contact information stated above will also be distributed to answer public inquiries about the event.	
If this event benefits a City of Perry non-profit organization, which one?	
Perry Lions Club	
Contact person on site for day of event:	Sandy Kusuda
Cell phone:	478-244-8329
Is this a first time event?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If held before, when and where?	annually the 2nd weekend in March

Event Information

Type of event (Check all that apply):	<input type="checkbox"/> Parade <input type="checkbox"/> Festival <input type="checkbox"/> Concert/Music <input checked="" type="checkbox"/> Other
* For parades, races and block parties, please, request the event applications specific to those events.	
If other, specify:	yard sale
Event title:	PEACHES TO BEACHES
Event date:	MARCH 12 + 13
Event hours:	Start: 8am End: 6pm
Set-up:	Date: March 11 Time: 9am
Break down:	Date: March 13 Time: 6-8pm
Expected attendance:	Participants: 130 Spectators:

Event Description

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

PEACHES TO BEACHES is an annual yard sale hosted by the Perry CVB in partnership with the Golden Isles Parkway Association. The Perry Lions Club will work under the CVB to manage the downtown + eastgate locations. This event promotes travel + economic growth along 200+ miles of HWY 311

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

Event Details

Attach schedule or brochure for all activities associated with event.

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

If yes, describe:

Individual vendors will be selling items previously approved by the Perry Lions Club

Will event have amplified sound? Yes No

If yes, describe:

Is the event free to the public? Yes No

Will vendors cook or heat food? Yes No (possibly)

If yes, describe:

Will any areas be fenced off or barricaded? Yes No

If yes, describe: PARTS OF DOWNTOWN STREETS WILL BE CLOSED

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

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

Insurance

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

Insurance form(s) attached

Alcohol Permit Information

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

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

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

If yes, describe:

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

Name of business serving alcohol:

Street address of business serving alcohol:

City/State/Zip Code:

Mailing address if different from above:

Cell phone:

Email address:

Name of licensee:

License number:

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

Hours alcohol will be served at event:

Is alcohol serving area open to public? Yes No

Is this an open container request? Yes No

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

Is a copy of the special event alcohol permit from the City of Perry Police Department attached?
 Yes No

Terms & Conditions:

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

statement or answer is made herein to procure the granting of such permit.

I hereby state and understand that should a complaint be filed against the owner sponsor of the event for violation of any regulation associated with the application for the City of Perry Alcoholic Beverage Catering License, the permit issued for the event will immediately become void and will not be reissued for the same location.

Licensee's name:

Date:

Licensee's signature:

Sworn and attested before me on this _____ day of _____, 20_____

Signature of special event organizer/applicant:

Name, signature and stamp of Notary Public:

* The sale of alcohol mixed drinks requires excise reporting.

Street Closure Requests

Names of streets to be closed:

Street: Main	Between: Jemigan	and: Ball
Street: Jemigan	Between: Cannon	and: Main
Street: City Parking Lot	Between: Main	and: Ball
Street:	Between:	and:
Street:	Between:	and:
Street:	Between:	and:
Street:	Between: March	and:

When are you requesting the street closure(s)? March 11, 3pm to March 13 8pm

Why are you requesting the street closure(s)? Set up booths

Type of street closure: Complete Rolling

If event includes a parade, describe the parade route:

Parade assembly area:

Parade disbanding area:

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

We will announce at the appropriate meetings as well as send formal letters to all affected parties

Restroom Facilities

Will event organizer provide portable restroom facilities? Yes No

Tram/Shuttle Plan

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

How many trams/shuttles will be required?

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

Please, describe your parking plan:

Sanitation

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

We will be coordinating with the city on trash can cleaning, set up + clean up

Electricity and Water

Will your event require access to electricity? Yes No

If so, where?

What electrical load will you require?

Will your event require access to water? Yes No

If so, where?

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

Yes No

Police/Security

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

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

Number of officers requested:

Total hours for officers requested:

Fire and Emergency Medical Services

Describe your plan for providing emergency medical services:

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

Weather Emergency Procedures

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

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

Yes No

Health Department

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

Event Publicity

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

Indemnification and Hold Harmless

Subject to the granting of all permits required by the City of Perry, the City of Perry authorizes DOMY HIPS CLUB (Special event organizer/applicant) to utilize the sites(s) known as DOMY HIPS CLUB for the purposes of conducting the activities described within the special events permit application.

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

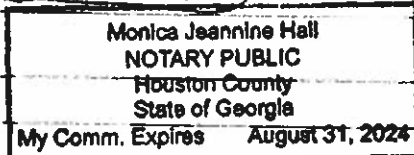
The special events organizer/applicant shall indemnify and hold City of Perry and its officers, agents and employees harmless and free from any and all claims, including but not limited to personal injury, property damage, alleged to have arisen or resulted wholly or partially from the exercise of any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

Signature of special event organizer/applicant:

Name, signature and stamp of Notary Public:

Monica Jeannine Hall

Date: 11-10-2020



Agreement and Signature

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

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

Printed name: Sandra Kusuda

Signature:

Date: 10 Nov 2020

- Special event application fee enclosed
 Special event alcohol permit application section enclosed

Please, send completed application to:

City of Perry
Attn: City Clerk
P.O. Box 2030
Perry, GA 31069
(478) 988-2705 (fax)

annie.warren@perry-ga.gov

Hand-deliver application to:

City Clerk at
Perry City Hall
1211 Washington Street
Perry, GA 31069

OR

For more information, please, call (478) 988-2736.

Office Use Only

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

Signatures Required for Approval

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

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

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

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



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STAFF REPORT

November 6, 2020

CASE NUMBER: RZNE-168-2020
APPLICANT: Tom Ward/Storage Masters, Inc.
REQUEST: Rezone from C-2, General Commercial District, to C-1, Highway Commercial District
LOCATION: Perry Parkway; Tax Map No. 0P41A0 180000

ADJACENT ZONING/LANDUSES:

Subject Parcel: C-2, General Commercial District; undeveloped
North: RAG, Residential-Agriculture District (County); Single-family residence
South: R-1, Single-family Residential District; undeveloped along Perry Parkway, single-family residential behind
East: R-3, Multi-family Residential District; undeveloped
West: C-2; City greenspace

BACKGROUND INFORMATION: The applicant is requesting the C-1 zoning classification in order to develop a self-storage facility, which can only be permitted in such district. A preliminary site plan presented with the application identifies a 37,800 square foot climate controlled building as the forward-most building, set back approximately 190 feet from the street. Buildings with individually accessed units would be located beside and behind the main building, with outdoor boat and RV storage located behind these buildings. A 1.39 acre outparcel is proposed along Perry Parkway. No plans or proposed uses were provided for this outparcel.

The current owner of the subject property obtained a permit from GDOT about two years ago to install a right-in-right-out curb-cut with deceleration lane to the property. The preliminary site plan show access to the existing site and the proposed outparcel from this existing curb-cut.

Approximately 7.5 acres at the rear of the 16.77 lot is not proposed for development with the exception of any connections to or improvements required to the existing stormwater pond on the property.

Any portion of the proposed buildings which will be visible from Perry Parkway will be required to comply with the City's architectural design standards. The plan calls for a 25-foot wide planted buffer between the developed portion of the subject property and the residentially-zoned property to the east.

STANDARDS GOVERNING ZONE CHANGES:

1. **The suitability of the subject property for the zoned purposes.** The subject property appears to be suitable for development of uses allowed by the current C-2 zoning.
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 does not appear there is any substantial impact to the public whether the property is zoned C-2 or C-1.**
5. **Whether the subject property has a reasonable economic use as currently zoned. The property has a reasonable economic use as currently zoned.**
6. **The length of time the property has been vacant as zoned considered in the context of land development in the area in the vicinity of the property. The subject property has never been developed.**
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 use and site layout of the proposed zoning appears to have limited or no impact on surrounding properties.**
8. **Whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property. The proposed use of the property should not adversely affect existing uses or the usability of nearby properties, based on the proposed layout of the site, and the City's development standards.**
9. **Whether the zoning proposal is in conformity with the policies and intent of the land use plan. The subject property is identified as a "Gateway Corridor" character area in the 2017 Joint Comprehensive Plan Update. This character area encourages mixed-use developments, clustering of high-density developments around major intersections, accommodating big box retail in a way to complement surrounding areas, and providing landscaping along the roadways. The proposed site layout provides substantial building setbacks and area for front yard landscaping.**
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. Because of the limited wastewater generated by the proposed use and the lack of public sewer system in the area, the applicant requests approval for the use of an individual septic system. Otherwise, the proposed use should not cause substantive impacts to community facilities.**
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. The development of residential subdivisions in the surrounding area provides a market for the proposed use.**

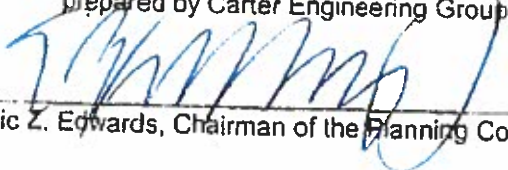
STAFF RECOMMENDATION: Staff recommends approval of the zoning change with the following conditions:

1. Development of the property, including the outparcel, shall not include uses with the outdoor display of merchandise, outdoor entertainment uses, vehicle sales and services uses, recreational vehicle parks, campgrounds, industrial services uses, manufacturing and production uses, or warehouse and freight movement uses; and
2. The property shall be developed substantially in compliance with the Rezoning Site Plan Scheme 1, prepared by Carter Engineering Group, dated 10/16/2020.

PLANNING COMMISSION RECOMMENDATION: The Planning Commission recommends approval of the zoning change with the following conditions:

1. Development of the property, including the outparcel, shall not include uses with the outdoor display of merchandise, outdoor entertainment uses, vehicle sales and services uses, recreational vehicle parks,

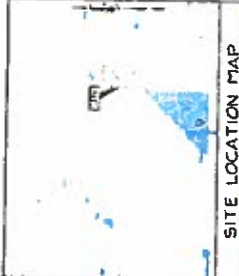
- campgrounds, industrial services uses, manufacturing and production uses, or warehouse and freight movement uses; and
2. The property shall be developed substantially in compliance with the Rezoning Site Plan Scheme 1, prepared by Carter Engineering Group, dated 10/16/2020.



Eric Z. Edwards, Chairman of the Planning Commission

11/13/20
Date





SITE LOCATION MAP

NOW OR FORMERLY
JOSEPH LYNN BLOOM
PARCEL 00290 00400
ZONED RAG

NOW OR FORMERLY
RICHARD E. REYNOLDS
PARCEL 00264 00600
ZONED RAG

EXISTING
STORMWATER
POND

NOW OR FORMERLY
PARCEL 00143 00100
DB 7350 PG 186
PG 45, PG 42
ZONED C2

GRAVEL
PARKING

GRAVEL
PARKING

NOW OR FORMERLY
DAVID M DOLLAR
PARCEL 00140 10700
DB 7302, PG 45
PG 61, PG 61
ZONED C2

NOW OR FORMERLY
DZAW INVESTMENTS LLC
PARCEL 00140 23000
DB 3500, PG 327
PG 52, PG 40
ZONED C2

CLIMATE
CONTROLLED
STORAGE
37,000 SF

FUTURE
DEVELOPMENT
1.28 AC

PLANTED BUFFER

NORTH PERRY PARKWAY
150' RW

PROJECT INFORMATION	OWNER	PROJECT NUMBER	DATE
PROJECT NAME: [Blank]	PROJECT NUMBER: [Blank]	DATE: [Blank]	DATE: [Blank]
PROJECT LOCATION	PROJECT ADDRESS	PROJECT CITY	PROJECT STATE
PROJECT ADDRESS: [Blank]	PROJECT CITY: [Blank]	PROJECT STATE: [Blank]	PROJECT ZIP: [Blank]
PROJECT CONTACT	PROJECT PHONE	PROJECT FAX	PROJECT EMAIL
PROJECT CONTACT: [Blank]	PROJECT PHONE: [Blank]	PROJECT FAX: [Blank]	PROJECT EMAIL: [Blank]
PROJECT DESCRIPTION	PROJECT TYPE	PROJECT STATUS	PROJECT PHASE
PROJECT DESCRIPTION: [Blank]	PROJECT TYPE: [Blank]	PROJECT STATUS: [Blank]	PROJECT PHASE: [Blank]
PROJECT NOTES	PROJECT COMMENTS	PROJECT ACTION	PROJECT DATE
PROJECT NOTES: [Blank]	PROJECT COMMENTS: [Blank]	PROJECT ACTION: [Blank]	PROJECT DATE: [Blank]

PROJECT NUMBER	PROJECT DATE	PROJECT STATUS	PROJECT PHASE
PROJECT NUMBER: [Blank]	PROJECT DATE: [Blank]	PROJECT STATUS: [Blank]	PROJECT PHASE: [Blank]
PROJECT CONTACT	PROJECT PHONE	PROJECT FAX	PROJECT EMAIL
PROJECT CONTACT: [Blank]	PROJECT PHONE: [Blank]	PROJECT FAX: [Blank]	PROJECT EMAIL: [Blank]

STEWART MASTER B.C. CONSULTING ENGINEERS

CARTER Engineering Group

REYNOLDS SILVERMAN

REYNOLDS SILVERMAN

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Where Georgia comes together.

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

Application # RZNR 0168-
2020

Applicant/Owner Information

Indicates Required Field		Applicant	Property Owner
*Name		Tom Ward/Storage Masters, Inc.	Charles Ayers/Parkway Farms, LLC
*Title		President	
*Address		5402 New Forsyth Rd, Suite A Macon, GA 31210	1444 Sam Nunn Pkwy., Perry, GA 31069
*Phone		478-474-1180	478-988-2380
*Email		tward194@yahoo.com	Charles.Ayers@TheSportsCenter.com

Property Information

*Street Address or Location	Perry Parkway
*Tax Map #s	0P 41A0 180000
*Legal Description	
A. Provide a copy of the deed as recorded in the County Courthouse, or a metes and bounds description of the land if a deed is not available. B. Provide a survey plat of the property and/or a proposed site plan. C. For Annexation, a survey must be tied to the Georgia Planes Coordinate System.	

Request

*Current Zoning District	C-2	*Proposed Zoning District	C-1
*Please describe the existing and proposed use of the property			
Existing property use is undeveloped parcel Proposed use is self-service storage			

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 - \$137.00 plus \$16.00/acre (maximum \$1,650.00)
 - Planned Development - \$158.00 plus \$16.00/acre (maximum \$2,900.00)
 - Commercial/Industrial - \$240.00 plus \$22.00/acre (maximum \$3,100.00)
- 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	10/16/20
*Property Owner/Authorized Agent		*Date	10/16/2020

Standards for Granting a Rezoning

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 7/17/20

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

Standards for Granting a
Rezoning

1. Are there covenants and restrictions pertaining to the property which would preclude the uses permitted in the proposed zoning district?

The proposed land use by the applicant requires rezoning to C-1 to allow Self-Service Storage as a permitted use with no other public or private restrictions on development.

2. Describe the existing land uses and zoning classifications of surrounding properties.

Adjacent land uses to the north and south are undeveloped tracts. Adjacent zoning classifications include Commercial and Multi-Family Residential properties immediately adjacent with Single-Family Residential developments in the vicinity of the project parcel.

3. Describe the suitability of the subject property for use as currently zoned

The current C-2 Zoning classification is suitable for a variety of commercial uses; however, many adjacent similarly zoned properties currently remain undeveloped. The applicant has identified a market need that requires rezoning to C-1 to allow for Self-Service Storage as a permitted use.

4. Describe the extent to which the value of the subject property is diminished by the current zoning designation.

The value of the property is not diminished by the current zoning classification, but also can be enhanced by rezoning to allow for development on a vacant parcel with a service need that has been identified in the area.

5. Describe the extent to which the diminished property value promotes health, safety, morals, and general welfare of the public.

The proposed use of the property will provide a service that is of benefit to the neighboring area, increases tax revenues and generates no adverse effect on the general public.

6. Describe the relative gain to the public compared to any hardship imposed on the property owner.

The advantage to the public is in providing a service that there is a need for in the nearby area on a parcel that has not attracted other development use.

7. Describe how the subject property has no reasonable economic use as currently zoned.

The subject property does have reasonable economic value as currently zoned, but the value can also be increased through rezoning and allowing a development that provides a service to the neighboring residential and commercial uses.

8. How long has the subject property been vacant as currently zoned, considering development in the vicinity?

The subject property has been vacant for many years as primarily residential uses have expanded on nearby properties with limited development on adjacent commercially zoned parcels.

9. Describe how uses permitted in the proposed zoning district are compatible with the uses and development of surrounding properties.

The proposed C-1 Permitted Use of Self-Service Storage is a complimentary service to the surrounding residential and commercial land users.

10. Describe why the proposed zoning district will not adversely impact the use of surrounding properties.

Rezoning from C-2 to a similar C-1 classification is not a significant change in zoning but is necessary for allowing Self-Service Storage as a permitted use. No adverse impact should be expected to surrounding properties by rezoning to this comparable zoning classification.

11. Describe how the proposed zoning district is consistent with the Comprehensive Plan

The proposed C-1 rezoning of the property is consistent with the Comprehensive Plan by continuing to provide for similar commercial type developments.

12. Describe how the proposed zoning district will not cause an excessive burden upon existing public facilities and services.

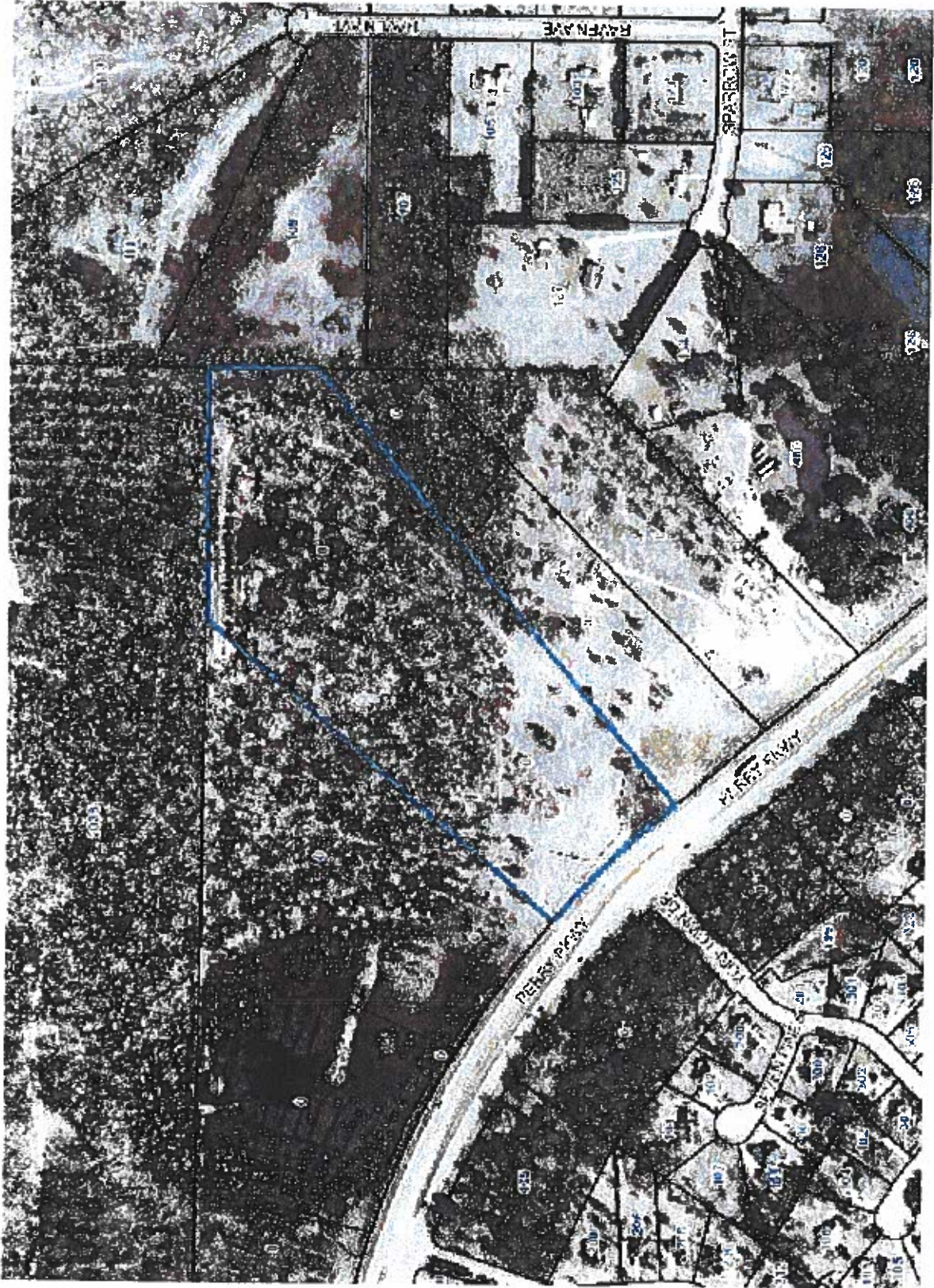
The proposed Self-Service Storage is a low-impact land use that does not impose excessive burdens on public infrastructure with minimal utility service needs (water, sewer, electrical, etc.) being required, and negligible traffic impact expected as no peak periods of use are typically generated by this type of development.

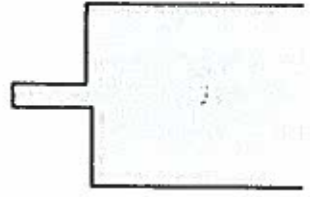
13. Describe any other existing or changing conditions affecting the use and development of the subject property which support approval of the requested zoning district.

The current and projected residential and commercial land uses in the vicinity can be expected to continue and expand over time justifying the Identified market need for Self-Service Storage facilities in this area.

RZNE-168-2020

**Rezone property located on Perry
Parkway (Parcel 0P41A0 180000)
from C-2 to C-1.**





RZNE 168-2020

TRACT 19

ALL THAT TRACT OR PARCEL OF LAND LYING AND BEING IN LAND LOT 84 OF THE 10TH LAND DISTRICT IN HOUSTON COUNTY, GEORGIA AND BEING MORE PARTICULARLY DESCRIBED AS FOLLOWS:

HENCE, S 50°10' 02" W FOR A DISTANCE OF 1361.84 FEET TO AN IRON PIN LOCATED ON THE EASTERLY RIGHT OF WAY OF NORTH PERRY PARKWAY (150' R/W). THENCE N 39°49' 58" W ALONG SAID RIGHT OF WAY FOR A DISTANCE OF 13.62 FEET TO A POINT ON THE CURVE OF SAID RIGHT OF WAY. THENCE, ALONG CURVE OF SAID RIGHT OF WAY HAVING A RADIUS OF 2366.66 FEET FOR A DISTANCE OF 402.99 FEET, WITH A CORD BEARING OF N 44°43' 15" W AND CORD DISTANCE OF 402.51 FEET TO AN IRON PIN. THENCE, LEAVING SAID RIGHT OF WAY N 40°24' 04" E FOR A DISTANCE OF 1130.67 FEET TO AN IRON PIN. THENCE, S 89° 32' 52" E FOR A DISTANCE OF 611.71 FEET TO AN IRON PIN AND THE POINT OF BEGINNING.

SAID TRACT OR PARCEL OF LAND CONTAINS 16.77 ACRES MORE OR LESS.



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STAFF REPORT

From the Department of Community Development
November 9, 2020

CASE NUMBER: TEXT-179-2020
APPLICANT: The City of Perry
REQUEST: Text Amendment to require recreational vehicle (RV) parks by special exception and to revise standards for RV parks

STAFF ANALYSIS: Following a recent application to rezone property on Perry Parkway to C-1 to allow a new RV park, City Council placed a moratorium on other new RV parks in order to consider modifications to City standards.

Staff has reviewed standards for RV parks from several Georgia communities and others around the country. Staff believes RV parks and campgrounds should be allowed only by special exception in C-1, Highway Commercial zoning districts. This will allow the Planning Commission and City Council to ensure that such uses are appropriately located and will have minimal impact on surrounding uses and community facilities.

Staff also recommends modifying Section 4-3.3(D) to provide additional design standards for RV parks. These minimum standards address rental lot size, setbacks, street size, sanitary facilities and utilities, refuse disposal, landscaping, open space, structural additions, storage sheds, fires, and tents. The minimum lot area for RV parks will remain as three acres. A requirement for the park owners to maintain a registration of park occupants and additional standards for evaluating a special exception are also included.

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

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


Eric Z. Edwards, Chairman, Planning Commission


Date

4-1.2. *Table of uses.*

(Next Page)

Table 6-3.1: Table of Uses

Key: "P" = Permitted Use; "S" = Special Exception Use; "C" = Conditional Use; Blank Cell = Prohibited Use

Use Category	Use Type	Zoning Districts														Form Based Code ²				Additional Regulations					
		Residential						Nonresidential								IMU	MUC	NMU	FBR						
		R-AG	R1	R2A	R2	R3	RMH	OC	IN	C1	C2	C3	LC	M1	M2						GU				
Residential Uses																									
Household Living	Single Family dwelling, detached	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	S	P	P	P		
	Single Family dwelling, attached				P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 4-3.1(A)
	Two Family dwelling					P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Multi-family dwelling < 7 units						P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Multi-family dwelling > 6 units						S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
	Manufactured home																								
	Manufactured home park																								
	Manufactured home subdivision																								Sec. 4-3.1(B)
	Dwelling in a commercial building																								
	Family personal care home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 4-3.1(C)
Group Living	Boarding house													P	P ¹										
	All other uses													P	P	P	P	P	P	P	P	P	P	P	
Accessory Use	Residential Business	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 4-4.3(D)
Public and Institutional Uses																									
Community Service	All Uses	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
	Child learning center (19+ persons)	S			S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
	Group daycare home (7-18 persons)	S			S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
	Preschool	S			S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
Education	Business school																								
	College or university																								
	School, public or private	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
	Trade school																								
Government	Detention facility																								
	Emergency response facility																								

Use Category	Use Type	Zoning Districts																Additional Regulations									
		Residential								Nonresidential									Form Based Code ²								
		R-1	R-2	R-3	R-4	R-5	R-6	R-7	R-8	OC	IN	C-1	C-2	C-3	LC	M-1	M-2		GU	IMU	MUC	NMU	FBR				
Maintenance, storage, and distribution facility																											
	Police substation									P	P	P	P	P	P	P	P	P	P	P	P						
	Post office									P	P	P							P								
Health Care	Hospital	S	S	S	S	S								P	P	P											
	Medical facility other than hospital									P	P	P	P	P													
	Religious institution	S	S	S	S	S				P	P	P	P	P	S						P	P	P	S	S		
	Congregate personal care home									P	P	P									P						
	Alternative/post incarceration facility										S									P							
	Rehabilitation facility										P	P ¹								P	P						
	All other uses										P	P	P							P							
	Cemetery, columbarium, mausoleum	S									P	P	P	P	P					P	P						Sec. 4-3.2(A)
	Community Garden	P	S	S	S	S	S				P	P	P	P	S	P	P		P	P	P	P	P	P	P		
	Golf course	S	S	S	S	S	S													P	P	P	P	P			
Parks and open space	Park	P	P	P	P	P				P	P	P	P	P	P				P	P	P	P	P	P	P		
	Airport/heliport/landing strip																										
	All other uses										P								P	P							
Transportation Terminals	Communication tower, freestanding	S								P	P	P	S						P	P	P	P				Sec. 4-3.2(B)	
	Communication tower on existing structure																										
	Utility, major	S	S	S	S	S	S				P	P	P	P	P	P			P	P	P	P	P	P	S	Sec. 4-3.2(B)	
Commercial Uses	Utility, minor	S	S	S	S	S					P	P	P						P	P	P	P	P	P	S		
	Brewpub																										
	Drive-in restaurant										P	P	P	P													
Eating Establishments	Restaurant with drive-through window										P	P															
	Restaurant with indoor and outdoor seating and/or food service areas										P	P	P	P	S												

Use Category	Use Type	Zoning Districts																Form Based Code ²	Additional Regulations											
		Residential						Nonresidential																						
		R- Ag	R1	R2A	R2	R3	H RM	OC	IN	C1	C2	C3	LC	M1	M2	GU	IMU			MU	C	NM	C	FBR						
Retail Sales and Services	Restaurant with indoor seating only																							P	P	P				
	Restaurant with no seating																													
	All uses																													
	All uses																													
	Parking lot																													
	Parking structure																													

Use Category	Use Type	Zoning Districts															Form Based Code ²	Additional Regulations																											
		Residential								Nonresidential									IMU	MUC	NMU	FBR																							
		R-1g	R1	R2A	R2	R3	RMH	OC	IN	C1	C2	C3	LC	M1	M2	GU																													
Liquor store																		P																											
Photography, art, dance studio or gallery																			P	P ¹																	P	P	P	S					
Personal services, all other																			P	P ¹	P	S															P ³	P ³	P ¹						
Prefabricated building display and sales																			P																		P	S							
Retail sales and services, all other																			P	P ¹	P	S															P ¹	P ³	P ³						
Retail tenant exceeding 35,000 square feet																			P	S																		P	P						
Sexually oriented business																			P																										
Shopping center exceeding 50,000 square feet																			P	P																									

Use Category	Use Type	Zoning Districts															Additional Regulations											
		Residential						Nonresidential																				
		R-Ag	R1	R2A	R2	R3	RMH	OC	IN	C1	C2	C3	LC	M1	M2	GU		IMU	MUC	NMU	FBR							
Agricultural Operations	Farm winery	S																			S	S						
	Riding stable/academy	P																							Sec. 4-3.4(A)			
Industrial services	All other uses	P	S	S	S	S	S														S	S ¹			Sec. 4-3.4(A)			
	Contractor's office with on-site storage/fabrication																											
	Truck stop or travel plaza																											
Manufacturing and production	All other uses																											
	Artisan production establishment																											
	Brewery, distillery																											
	Heavy manufacturing																											
Mining operations	Light manufacturing, general																											
	All uses																											
Research and development	All uses																											
	All uses	P																										
Warehouse and freight movement	Outdoor storage lot																											
	Truck or freight terminal																											
	Warehouse																											
	Junk yard																											
	Recycling drop-off center																											
	Waste disposal or treatment operation																											
	Contractor's materials																											
	Wholesale sales																											

¹ - 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.
² - Uses in the Form Based Code districts are subject to standards of the Form Based Code in Appendix A of this chapter.
³ - Massage parlors that are not part of a "health club/spa" or "medical facility other than hospital" and tattoo establishments are not permitted.

Sec. 4-3. Standards for specific uses.

4-3.3. Commercial uses.

- ~~(D) Recreational vehicle park. In any district where recreational vehicle parks are permitted, the applicant shall submit a layout of the park subject to the following conditions:~~
- ~~(1) No recreational vehicle park shall be located except with direct access to a County, State or Federal Highway, with a minimum lot width of not less than fifty (50) feet for portion used for entrance and exit. No entrance or exit shall be through a residential district, or shall require movement of traffic from the park through a residential district.~~
 - ~~(2) The minimum lot area per park shall be three (3) acres.~~
 - ~~(3) Spaces in recreational vehicle parks may be used by recreational vehicles provided they meet any additional laws and ordinances of the Council.~~
 - ~~(4) Management headquarters, recreational facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to operation of a trailer park are permitted as accessory uses in any district in which trailer parks are allowed provided:
 - ~~(a) Such establishments and the parking area primarily related to their operations shall not occupy more than ten (10) percent of the area of the park.~~
 - ~~(b) Such establishments shall be restricted in their use to occupants of the park.~~
 - ~~(c) Such establishments shall present no visible evidence of their commercial character which would attract customers other than occupants of the park.~~~~
 - ~~(5) No space shall be so located that any park intended for occupancy for sleeping purposes shall be within fifty (50) feet of the right-of-way line of any freeway, expressway, or collector street, or within twenty-five (25) feet of the right-of-way of any minor street.~~
 - ~~(6) In addition to meeting the above requirements, the travel trailer park site plan shall be accompanied by a certificate of approval of the Houston County Health Department.~~

- (D) Recreational vehicle park. This use is intended to provide commercial rental parking spaces and sites for recreational vehicles (RVs), including motor homes, travel trailers, pick-up campers and tent trailers; to provide goods and services customarily needed by occupants of the park; and to assure reasonable standards for the development of facilities for the occupancy of recreational vehicles on a temporary basis, ranging from short overnight stops to longer destination-type stays of several days to weeks. All recreational vehicle (RV) parks within the City of Perry shall be governed by the following regulations:
1. Minimum Area for Recreational Vehicle (RV) Parks and rental spaces.
 - a. Minimum Park Area. The minimum size of an RV park shall be three (3) acres.
 - b. Rental Space Size. Minimum rental space size for those spaces having utility hookups shall be one thousand five hundred (1,500) square feet. Minimum rental space size for those spaces not having hookups shall be nine hundred (900) square feet. Minimum rental space size shall not include any area required for access roads, off-street parking, service buildings, recreation areas, office and similar RV park needs.
 - c. Rental Pads. A minimum of eighty percent (80%) of all spaces shall be equipped with a surfaced area of not less than ten (10) feet by forty (40) feet, containing hookups for water, sewer and electricity. Surfacing shall consist of gravel, asphalt or concrete. Where gravel surfacing is used, the design of the gravel pad shall be approved by the administrator to maintain proper drainage and minimize dust. Where provided, each RV unit shall be parked entirely on the surfaced area so that no part thereof obstructs any roadway or walkway within the RV park. Those spaces not equipped with such a surfaced area, intended for occupancy by recreational vehicles not having self-contained toilet, lavatory or bathing facilities, shall be equipped with a gravel pad, the design of which shall be approved by the administrator, of not less than ten (10) feet by twenty-five (25) feet for RV unit parking and a hookup for water. Spaces equipped with such a gravel pad shall not exceed twenty percent (20%) of the total number of spaces in the RV park.
 2. Setback Requirements. Each rental space shall meet the following setback requirements:
 - a. Fifty (50) feet when abutting a State or Federal highway or designated major arterial;
 - b. Twenty-five (25) feet when abutting a public right-of-way other than a above;

- c. Twenty-five (25) feet when abutting any property line other than a or b above;
- d. There shall be a minimum distance of ten (10) feet provided between RV units parked side by side;
- e. There shall be a minimum distance of ten (10) feet between RV units parked end to end;
- f. There shall be a minimum distance of twenty (20) feet between any RV space and any building.
- 3. Streets. Streets or roadways and parking areas within the RV park shall be designed to provide safe and convenient access to all spaces and to facilities for common use by park occupants, and shall be constructed and maintained to allow free movement of emergency and service vehicles at all times, and shall be graded to drain and surfaced with asphalt or concrete, the design of which shall be approved by the administrator, to maintain proper drainage. All interior roadways shall be at least twenty-three (23) feet in width for two-way traffic, and at least twelve (12) feet in width for one-way traffic. A forty-five (45) foot turning radius shall be required on all curves, to allow access by emergency vehicles. Any bridges within the development shall have a capacity of at least sixteen (16) tons, to allow access by emergency vehicles. Road grades shall not exceed six (6) percent. Access into the park from a public street shall meet the same design standards as those of the public street, for a distance of forty (40) feet from the property line into the development. All roadways and walkways within the park shall be adequately lighted at night, to provide safe access.
- 4. Frontage. All rental spaces shall have a minimum frontage of twenty (20) feet along an interior roadway.
- 5. Sanitary facilities. Every RV park shall be provided with one or more service buildings equipped with flush toilets, lavatories, showers and laundry facilities meeting minimum state Health Department standards.
- 6. Sanitary disposal stations. Every RV park shall contain at least one sanitary disposal station for the sole purpose of removing and disposing of wastes from holding tanks in a clean, efficient and convenient manner.
 - a. Each sanitary station shall consist of a drainage basin constructed of impervious material, containing a disposal hatch and self-closing cover, and related washing facilities.
 - b. The disposal hatch of sanitary station units shall be connected to the sewage disposal system. Related facilities required to wash holding tanks and the general area of the sanitary station shall be connected to the RV park water supply system.
 - c. Each sanitary station shall have a sign posted stating "Danger---Not to be used for drinking or domestic purposes."
 - d. Sanitary stations shall be approved by the county health department.
- 7. Utilities. All utilities shall be placed underground.
 - a. Water supply. Every RV park shall connect to a public water system. Each rental space equipped with sewer and electrical hookups shall also be equipped with two water outlets, to provide connection for the RV and a garden hose. All other rental spaces shall be equipped with one water outlet. Water supply shall be installed in compliance with City of Perry specifications. Fire hydrants shall meet minimum standards adopted by the City of Perry.
 - b. Sanitary sewer. A minimum of eighty percent (80%) of all rental spaces shall be equipped with a hookup to a public sewage system and installed in compliance with City of Perry specifications.
 - c. Electricity. A minimum of eighty percent (80%) of all rental spaces shall be equipped with an electrical outlet supplying at least 110 volts, or 110/220 volts, installed in accordance with applicable state electrical codes.
- 8. Refuse disposal. The storage, collection and disposal of refuse shall be performed so as to minimize accidents, fire hazards, air pollution, odors, insects, rodents or other nuisance conditions. All refuse shall be stored in durable, washable and nonabsorbent metal or plastic containers with tight-fitting lids. Such containers shall be provided at the rate of at least one thirty (30) gallon container, secured in a rack or holder, for each rental space, or an equivalent storage capacity in centralized storage facilities. Adequate refuse collection and removal shall be the responsibility of the park owner.
- 9. Landscaping. Landscaping, screening and buffering shall comply with the provisions of Section 6-3 and 6-4 of this chapter. In addition to buildings located on the site, rental pads shall be removed from the overall site area for the calculation of tree unit density. Rental pads shall not count toward interior parking lot landscaping.
- 10. Open space. Open space for common areas, playgrounds and other recreational uses shall be provided at the rate of at least ten percent (10%) of the gross area of the RV park, and shall be of sufficient size and distribution as to be a functional part of the entire development plan. Open space shall not include

any area designated as a roadway, RV rental space, storage area, swimming pool, yard area surrounding the caretakers or manager's residence, or any area required for setbacks as set forth in Subsection (D)(2) of these regulations.

11. Structural Additions. Temporary structures such as canvas awnings, screened enclosures, or platforms, which are normal camping equipment, may be erected but must be removed when the rental space is vacated. No other structural additions shall be built onto or become a part of any RV.
12. Storage Sheds. No storage sheds shall be allowed within an RV rental space.
13. Fires. Fires shall be made only in stoves and other equipment intended for such purposes and placed in safe and convenient locations, where they will not constitute fire hazards to vegetation, undergrowth, trees and RVs. No open fires are allowed.
14. Tents. Tents shall be permitted, and their number shall be limited to one tent per rental space. Areas for group tent camping may be established, with the following provisions:
 - a. The area set aside for such group use is not a part of any designated open space;
 - b. An adequate number of parking spaces is provided;
 - c. The area is served by one or more water outlets; and
 - d. The area is located no further than three hundred (300) feet from a service building.
15. Registration of Occupants. It shall be the responsibility of the owner or manager of the RV park to keep a current record of the names and addresses of the owners and/or occupants of each RV space, the make, model, year and license number of each RV and motor vehicle by which it is towed, the state, territory or country issuing such licenses, and the arrival and departure dates of each occupant. This record must be made available for inspection to all appropriate agencies whose duties necessitate acquisition.
16. Additional Standards for Special Exception. In addition to the standards for granting a special exception, the applicant requesting special exception for an RV park shall demonstrate conformance with, and the Planning Commission and the City Council shall find:
 - a. That the site is in conformance with sound planning principles and the land use plan for that area, as set forth in the comprehensive plan;
 - b. That the site has an acceptable relationship to the major thoroughfare plan of the City, and is accessible to recreational vehicles without causing disruption to residential areas; and
 - c. That the proposed recreational vehicle park will not overload utility and drainage facilities.

Sec. 4-3. Standards for specific uses.

4-3.3. Commercial uses.

- ~~(D) Recreational vehicle park. In any district where recreational vehicle parks are permitted, the applicant shall submit a layout of the park subject to the following conditions:~~
- ~~(1) No recreational vehicle park shall be located except with direct access to a County, State or Federal Highway, with a minimum lot width of not less than fifty (50) feet for portion used for entrance and exit. No entrance or exit shall be through a residential district, or shall require movement of traffic from the park through a residential district.~~
 - ~~(2) The minimum lot area per park shall be three (3) acres.~~
 - ~~(3) Spaces in recreational vehicle parks may be used by recreational vehicles provided they meet any additional laws and ordinances of the Council.~~
 - ~~(4) Management headquarters, recreational facilities, toilets, showers, laundry facilities and other uses and structures customarily incidental to operation of a trailer park are permitted as accessory uses in any district in which trailer parks are allowed provided:
 - ~~(a) Such establishments and the parking area primarily related to their operations shall not occupy more than ten (10) percent of the area of the park.~~
 - ~~(b) Such establishments shall be restricted in their use to occupants of the park.~~
 - ~~(c) Such establishments shall present no visible evidence of their commercial character which would attract customers other than occupants of the park.~~~~
 - ~~(5) No space shall be so located that any park intended for occupancy for sleeping purposes shall be within fifty (50) feet of the right-of-way line of any freeway, expressway, or collector street, or within twenty five (25) feet of the right-of-way of any minor street.~~
 - ~~(6) In addition to meeting the above requirements, the travel trailer park site plan shall be accompanied by a certificate of approval of the Houston County Health Department.~~
- (D) Recreational vehicle park. This use is intended to provide commercial rental parking spaces and sites for recreational vehicles (RVs), including motor homes, travel trailers, pick-up campers and tent trailers; to provide goods and services customarily needed by occupants of the park; and to assure reasonable standards for the development of facilities for the occupancy of recreational vehicles on a temporary basis, ranging from short overnight stops to longer destination-type stays of several days to weeks. All recreational vehicle (RV) parks within the City of Perry shall be governed by the following regulations:
1. Minimum Area for Recreational Vehicle (RV) Parks and rental spaces.
 - a. Minimum Park Area. The minimum size of an RV park shall be three (3) acres.
 - b. Rental Space Size. Minimum rental space size for those spaces having utility hookups shall be one thousand five hundred (1,500) square feet. Minimum rental space size for those spaces not having hookups shall be nine hundred (900) square feet. Minimum rental space size shall not include any area required for access roads, off-street parking, service buildings, recreation areas, office and similar RV park needs.
 - c. Rental Pads. A minimum of eighty percent (80%) of all spaces shall be equipped with a surfaced area of not less than ten (10) feet by forty (40) feet, containing hookups for water, sewer and electricity. Surfacing shall consist of gravel, asphalt or concrete. Where gravel surfacing is used, the design of the gravel pad shall be approved by the administrator to maintain proper drainage and minimize dust. Where provided, each RV unit shall be parked entirely on the surfaced area so that no part thereof obstructs any roadway or walkway within the RV park. Those spaces not equipped with such a surfaced area, intended for occupancy by recreational vehicles not having self-contained toilet, lavatory or bathing facilities, shall be equipped with a gravel pad, the design of which shall be approved by the administrator, of not less than ten (10) feet by twenty-five (25) feet for RV unit parking and a hookup for water. Spaces equipped with such a gravel pad shall not exceed twenty percent (20%) of the total number of spaces in the RV park.
 2. Setback Requirements. Each rental space shall meet the following setback requirements:
 - a. Fifty (50) feet when abutting a State or Federal highway or designated major arterial;
 - b. Twenty-five (25) feet when abutting a public right-of-way other than a above;

any area designated as a roadway, RV rental space, storage area, swimming pool, yard area surrounding the caretakers or manager's residence, or any area required for setbacks as set forth in Subsection (D)(2) of these regulations.

11. Structural Additions. Temporary structures such as canvas awnings, screened enclosures, or platforms, which are normal camping equipment, may be erected but must be removed when the rental space is vacated. No other structural additions shall be built onto or become a part of any RV.
12. Storage Sheds. No storage sheds shall be allowed within an RV rental space.
13. Fires. Fires shall be made only in stoves and other equipment intended for such purposes and placed in safe and convenient locations, where they will not constitute fire hazards to vegetation, undergrowth, trees and RVs. No open fires are allowed.
14. Tents. Tents shall be permitted, and their number shall be limited to one tent per rental space. Areas for group tent camping may be established, with the following provisions:
 - a. The area set aside for such group use is not a part of any designated open space;
 - b. An adequate number of parking spaces is provided;
 - c. The area is served by one or more water outlets; and
 - d. The area is located no further than three hundred (300) feet from a service building.
15. Registration of Occupants. It shall be the responsibility of the owner or manager of the RV park to keep a current record of the names and addresses of the owners and/or occupants of each RV space, the make, model, year and license number of each RV and motor vehicle by which it is towed, the state, territory or country issuing such licenses, and the arrival and departure dates of each occupant. This record must be made available for inspection to all appropriate agencies whose duties necessitate acquisition.
16. Additional Standards for Special Exception. In addition to the standards for granting a special exception, the applicant requesting special exception for an RV park shall demonstrate conformance with, and the Planning Commission and the City Council shall find:
 - a. That the site is in conformance with sound planning principles and the land use plan for that area, as set forth in the comprehensive plan;
 - b. That the site has an acceptable relationship to the major thoroughfare plan of the City, and is accessible to recreational vehicles without causing disruption to residential areas; and
 - c. That the proposed recreational vehicle park will not overload utility and drainage facilities.

Table 6-3.1: Table of Uses

Use Category		Use Type		Zoning Districts													Form Based Code*			Additional Regulations						
				Residential					Nonresidential																	
				R-1g	R-1	R-2A	R-2	R-3	RMH	OC	NI	C1	C2	C3	LC	M1	M2	M3	GU	IMU	MUC	NMU	FBR			
Residential Uses																										
Household Living		P	P	P	P	P	P	P	P	P	P	P	P	P	P						S	P	P			
Single Family dwelling, detached																										
Single Family dwelling, attached																										
Two Family dwelling																										
Multi-family dwelling < 7 units																										
Multi-family dwelling > 6 units																										
Manufactured home																										
Manufactured home park																										
Manufactured home subdivision																										
Dwelling in a commercial building																										
Family personal care home		P	P	P	P	P	P	P	P	P	P	P	P	P	P											
Boarding house												P ¹														
All other uses								S		P	P	P	P						P	P	P					
Accessory Use		S	S	S	S	S	S	S	S	S	S	S	S	S	P											
Public and Institutional Uses																										
Community Service		S	S	S	S	S	S	S	S	S	S	S	S	S	P											
All Uses		S	S	S	S	S	S	S	S	S	S	S	S	S	P											
Day Care		S			S	S	S	S	S	S	S	P														
Child learning center (19+ persons)		S			S	S	S	S	S	S	S	P														
Group daycare home (7-18 persons)		S			S	S	S	S	S	S	S	P														
Preschool		S			S	S	S	S	S	S	S	P	P	S												
Business school										S	S	P	P	P												
College or university										P	P	P	P													
School, public or private		S	S	S	S	S	S	S	S	P	P	P	P													
Trade school															P											
Detention facility																			P							
Emergency response facility																										
Maintenance, storage, and distribution facility																			P	P	P					

Use Category	Use Type	Zoning Districts												Additional Regulations																
		Residential						Nonresidential							Form Based Code?															
		R-AG	R1	R2A	R2	R3	RMH	OC	IN	C1	C2	C3	LC		M1	M2	GU	IMU	MUC	NMU	FBR									
Police substation																														
Post office																														
Health Care	Hospital																													
	Medical facility other than hospital																													
Institutions	Religious institution	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
	Congregate personal care home																													
	Alternative/post incarceration facility																													
	Rehabilitation facility																													
	All other uses																													
Parks and open space	Cemetary, columbarium, mausoleum	S																												
	Community Garden	P	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
	Golf course	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
Transportation Terminals	Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
	Airport/heliport/landing strip																													
Utilities	All other uses																													
	Communication tower, freestanding	S																												
	Communication tower on existing structure																													
	Utility, major	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
Commercial Uses	Utility, minor	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
	Brewpub																													
	Drive-in restaurant																													
	Restaurant with drive-through window																													
	Restaurant with indoor and outdoor seating and/or food service areas																													
	Restaurant with indoor seating only																													
	Restaurant with no seating																													
	All uses																													

Use Category	Use Type	Zoning Districts													Additional Regulations						
		Residential										Nonresidential				Form Based Code:					
		R-Ag	R1	R2A	R2	R3	RMH	OC	IN	C1	C2	C3	LC	M1	M2	GU	IMU	MUC	NMU	FBR	
	Prefabricated building display and sales									P								P	S		
	Retail sales and services, all other									P	P1	P	S	P	P		P1	P1	P1		
	Retail tenant exceeding 35,000 square feet									P	S						P	P			Sec. 6-6.2
	Sexually oriented business									P											Sec. 4-3.3(E)
	Shopping center exceeding 50,000 square feet									P	P						P	P			Sec. 6-6.2
	All Uses									P				P			P	P			
Self-service storage	Automobile rental									P	P1						P	S			Sec. 4-3.3(F)
	Automobile sales									P	P1						P	S			Sec. 4-3.3(F)
	Automobile repair									P	S1						P	S			Sec. 4-3.3(A & F)
	Automobile service									P	P1						P	P	S		Sec. 4-3.3(A & F)
	Automobile wash and detailing									P	P1						P	S	S		
Visitor Accommodations	Boat/recreational vehicle rental & sales									P				P			P	S			
	Taxicab service									P							P	S			
	Tire sales and installation									P	P1						P	P	P		
	Towing service																				
	Truck and trailer rental and sales																				
	Bed and breakfast inn	S	S	S	S	S	S	C	C			C					S	S	S	S	Sec. 4-3.3(B)
	Campground									PS											
	Hotel or motel									P	P	P					P	P	S		
	Recreational vehicle park									PS											Sec. 4-3.3(D)
		Service and Industrial Uses																			
Agricultural Operations	Farm winery									S	S1			P	P				S	S	
	Riding stable/academy	P								S	P1			P	P						Sec. 4-3.4(A)
	All other uses	P	S	S	S	S	S			S	S1			P	P					Sec. 4-3.4(A)	
Industrial services	Contractor's office with on-site storage/fabrication									P				P	P		P	P	S		

Use Category	Use Type	Zoning Districts														Additional Regulations					
		Residential							Nonresidential								Form Based Code ²				
		R-1	R-2A	R-2	R-3	RMH	OC	IN	C-1	C-2	C-3	LC	M-1	M-2	GU	IMU	MUC	NMU	FBR		
Truck stop or travel plaza																					
All other uses																					
Manufacturing and production																					
Artisan production establishment																					
Brewery, distillery																					
Heavy manufacturing																					
Light manufacturing, general																					
All uses																					
All uses																					
Mining operations																					
Research and development																					
Warehouse and freight movement	Outdoor storage lot																				
Warehouse	Truck or freight terminal																				
Warehouse	Warehouse																				
Warehouse	Junk yard																				
Warehouse	Recycling drop-off center																				
Warehouse	Waste disposal or treatment operation																				
Wholesale sales	Contractor's materials																				
Wholesale sales	Wholesale establishment																				

1 - 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.

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

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

MINUTES
WORK SESSION
OF THE PERRY CITY COUNCIL
November 16, 2020
5:00 P.M.

1. Call to Order: Mayor Randall Walker, Presiding Officer, called to order the work session meeting held on November 16, at 5:00 p.m.

2. Roll:

Elected Officials Present: Mayor Randall Walker, Mayor Pro-Tempore Willie King, and Council Members Robert Jones, Joy Peterson, Darryl Albritton, 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 Joni Ary.

City Departmental Staffing: Chief Lee Parker – Fire and Emergency Services Department, Chief Steve Lynn – Perry Police Department, Brenda King – Director of Administration, Mitchell Worthington – Finance Director, Bryan Wood – Director of Community Development, Tabitha Clark – Communications Administrator, Ashley Hardin – Economic Development Administrator, Ansley Fitzner – Public Works Superintendent, Anya Turpin – Special Events Coordinator, Chad McMurrian – Engineering Services Manager, and Darryl Kitchens – Fire Marshall.

Press: Myosha Howard – Houston Home Journal

3. Items of Review/Discussion: Mayor Randall Walker

3a. Department of Public Works.

1. Concept Design – Carroll Street Streetscape: Ms. Fitzner presented two concept designs for Carroll Street Streetscape. Ms. Fitzner stated the next step if Council agrees with the two concepts, the concepts will be presented to the DDA, Perry Chamber, and Perry Convention and Visitors for their feedback. After their feedback, this item will then come back to Council with recommendations. Ms. Fitzner stated this project will be in phases due to the scope of the project. Council concurred to proceed with the project.

3b. Office of City Manager.

1. Special Events Presentations:

- a. Halloweeleta Update. Ms. Turpin presented to Council the update on the event the positive feedback received by the community on the event, it was a huge success.
 - b. Black History Month Banner Project update. Ms. Turpin presented to Mayor and Council the proposed banners for Black History Month. The quote for the 14 smaller banners for the downtown area and 30 larger banners for General Courtney Hodges street. The banners will be two-sided with an estimated cost of \$2,574.00, this does not include shipping charges. Council Member Phyllis Bynum-Grace along with Ms. Turpin has been working on this program that will highlight prominent African American individuals that have made an impact on the City. Council concurred to proceed with the project.
2. Consider establishing a Community Planner position. Mr. Gilmour stated the Administration's recommendation is to authorize the position with the funding to come from the insurance premium tax. This position is needed due to the growth of the City, Mr. Wood is currently doing this job and will work on the job description. Mr. Gilmour stated if Council concurred to proceed, then this item will be added to the Council's regular agenda for tomorrow night. Council concurred to proceed.
 3. Review of organization – Perry Area Convention and Visitors Bureau Authority. Mr. Gilmour reviewed with Council the recommendation of the Administration for the Authority to refocus its effort to address its duties as outlined in Section 6 of its enabling legislation.

4. Council Member Items:

Council Members Jones and Albritton had no reports.

Council Member Bynum-Grace stated the dedication of Legacy Park was well attended.

Council Member Hunt stated the tennis courts on Tucker Road needed attention.

Mayor Pro-Tempore King asked if there was anything the City could do about the entrance to Zaxby's on Hampton Court. Mr. Gilmour stated the City has requested in the past from the Georgia Department of Transportation about adding another entrance into the location, and the request has been denied.

Council Member Peterson stated that during her visit to Waffel House, there was a medical emergency the emergency personnel could not get a gurney through the entrance of the business. Mr. Gilmour stated he will pass on this information to the Waffle House Corporate office.

Mr. Gilmour stated that if Council concurs to add to the Council's regular agenda for tomorrow night a Moratorium for Self Storage Facility. This moratorium would allow Planning and Zoning to review the current ordinance for self-storage facilities. Council

concurrent to proceed with added the moratorium for self-storage facilities to Council's regular agenda for tomorrow night.

Mr. Smith and Ms. Newby had no reports.

5. Department Head/Staff Items:

Ms. King, Mr. Worthington, Mr. Wood, Chief Parker, Ms. Clark, Ms. Fitzner, Ms. Hardin, and Mr. McMurrian had no reports.

Chief Lynn stated that the Georgia Department of Transportation every three years sends a list of the speed limits for various streets in Perry that should be increased or lowered and which streets that authorize speed enforcement. Chief Lynn stated that tomorrow at Council's regular agenda will have for Mayor and Council to sign the reviewed and approved list of streets.

Mayor Walker

- Pre-Council November 17, 2020, at 5:00 pm
- Council Meeting November 17, 2020, at 6:00 pm

6. Adjourn. There being no further business to come before Council in the work session held November 16, 2020, Mayor Pro-Tempore King motioned to adjourn the meeting at 6:01 p.m. Council Member Jones seconded the motion and it carried unanimously.



Where Georgia comes together.

OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: Mayor/Council
FROM: Lee Gilmour, City Manager
DATE: November 3, 2020
SUBJECT: FY-2021 budget amendment

Attached is a recommended ordinance to amend the FY 2021 Operation Budget.

General Fund.

1. Adjusts taxes for actual property tax and insurance premium tax increases.
2. Combines Administration Service Charges with Charge for Services per general accounting practice.
3. Adjusts Charge for Services for shift of administration services costs.
4. Adjusts for restriction for investment earnings.
5. Add contributions and donations to date.
6. Adjusts for additional unbudgeted other charges.
7. Shifts Economic Development activities out of the Office of City Manager and shifts some financing charges to Customer Service.
8. Adds Council approved budget system to Department of Administration add City auditor costs.
9. Adjusts Finance Department for shift of some finance charges and add property tax collection costs.
10. Add FY-2021 COVID-19 costs.
11. Adjusts Public Works for new audio / visual equipment at the Perry Arts Center per Council's award. Adjusts for new parks operating costs.

**AN ORDINANCE
TO AMEND THE FY-2021
OPERATING BUDGET**

WHEREAS, the City's FY-2021 Operating Budget needs to be adjusted;

NOW, THEREFORE, THE COUNCIL OF THE CITY OF PERRY
HEREBY ORDAINS that the FY-2021 Operating Budget is amended as follows:

Section 1 The General Fund revenue and expenditure appropriations are:

Revenue	From	To
Taxes	\$ 11,441,700	\$ 11,908,600
License / Permits	616,500	616,500
Intergovernmental	5,300	5,300
Administration Svc Charges	1,270,800	-
Charges for Services	3,122,000	4,457,500
Fine / Forfeitures	577,400	577,400
Investment	29,100	16,600
Contribution / Donations	-	4,700
Other Charges for Services	<u>395,400</u>	<u>440,000</u>
Revenue Total	\$ <u>17,458,200</u>	\$ <u>18,026,600</u>
Expenditures		
General Government		
Office of the City Council	\$ 107,900	\$ 107,900
Office of the City Mayor	16,600	16,600
Office of the City Manager	1,471,200	1,317,900
Policy Education	37,100	37,100
Office of the City Clerk	123,900	123,900
Office of Elections	900	900
Department of Administration	563,900	635,600
Finance Department	612,400	498,900
Office of the City Attorney	226,100	226,100
Information Technology	155,600	155,600
Health / Dental Benefits	2,562,600	2,562,600
City Auditor	52,200	-
Perry Municipal Court System	<u>489,000</u>	<u>489,000</u>
Category Total	\$ <u>6,419,400</u>	\$ <u>6,172,100</u>
Public Safety		
Perry Police Department	\$ 4,654,100	\$ 4,654,100
Perry Fire and Emergency Services Department	1,046,900	1,046,900
Houston County E-911	166,000	166,000
COVID-19	-	<u>11,400</u>
Category Total	\$ <u>5,867,000</u>	\$ <u>5,878,400</u>
Public Works		
Department of Public Works	\$ <u>2,390,300</u>	\$ <u>2,596,300</u>
Category Total	\$ <u>2,390,300</u>	\$ <u>2,596,300</u>
Health and Welfare		
Senior / Disabled Utility Assistance	\$ 84,600	\$ 84,600
Perry Volunteer Outreach	5,500	<u>5,500</u>
Category Total	\$ 90,100	\$ 90,100
Recreation / Leisure		
Department of Leisure Services	\$ 697,500	\$ 583,400

Expenditures			
Public Safety			
Perry Police Department	\$	_____	\$ 27,300
Expenditure Total	\$	_____	\$ 27,300
Annual Gain / (Loss)	\$	_____	\$ (20,800)
Fund Balance			
Beginning	\$	-	\$ 195,100
Ending	\$	-	\$ 174,300

**CHIP 2019
SPECIAL REVENUE FUND**

Revenue			
Intergovernmental	\$	_____	\$ 8,400
Revenue Total	\$	_____	\$ 8,400
Expenditures			
Housing /Economic Development			
Housing	\$	_____	\$ 17,500
Expenditures Total	\$	_____	\$ 17,500
Annual Gain / (Loss)	\$	_____	\$ (9,100)
Fund Balance			
Beginning	\$	-	\$ 9,100
Ending	\$	-	\$ -

**CARES ACT 2020
SPECIAL REVENUE FUND**

Revenue			
Intergovernmental	\$	_____	\$ 655,700
Revenue Total	\$	_____	\$ 655,700
Expenditures			
Public Safety			
COVID 19	\$	_____	\$ 7,100
Expenditures Total	\$	_____	\$ 7,100
Annual Gain / (Loss)	\$	_____	\$ 648,600
Fund Balance			
Beginning	\$	-	\$ -
Ending	\$	-	\$ 648,600

**MUNICIPAL COURT TECHNOLOGY
SPECIAL REVENUE FUND**

Revenue			
Charge for Services	\$	51,300	\$ 51,300
Revenue Total	\$	51,300	\$ 51,300
Expenditures			
General Government			
Perry Municipal Court System	\$	32,500	\$ 32,500
Category Total	\$	32,500	\$ 32,500
Public Safety			
Perry Police Department	\$	18,800	\$ 18,800

Tourism Development			
Special Events	\$	<u>126,700</u>	\$ <u>113,900</u>
Group Total	\$	126,700	\$ 113,900
Expenditures Total	\$	523,500	\$ 472,000
Other Financing			
Transfer General	\$	<u>(362,600)</u>	\$ <u>(325,500)</u>
Other Financing Total	\$	(362,600)	\$ (325,500)
Annual Gain / (Loss)	\$	-	\$ -
Fund Balance			
Beginning	\$	51,900	\$ 247,100
Ending	\$	51,900	\$ 247,100

Section 3 The construction funds revenue and expenditure appropriations are:

SPOST 18
CONSTRUCTION FUND

Revenues			
Intergovernmental	\$	-	\$ 127,500
Investment		-	200
Revenue Total	\$	-	\$ <u>127,700</u>
Expenditures			
Streets	\$	-	\$ 22,700
Parks		-	<u>13,100</u>
Expenditures Total	\$	-	\$ 35,800
Annual Gain / (Loss)	\$	-	\$ 91,900
Fund Balance			
Beginning	\$	-	\$ 797,500
Ending	\$	-	\$ 889,400

GENERAL CAPITAL PROJECTS
CONSTRUCTION FUND

Expenditures			
Buildings	\$	-	\$ 22,100
Other		-	<u>3,100</u>
Expenditures Total	\$	-	\$ 25,200
Other Financing			
Transfer General	\$	-	\$ <u>22,100</u>
Other Financing Total	\$	-	\$ 22,100
Annual Gain / (Loss)	\$	-	\$ (3,100)
Fund Balance			
Beginning	\$	-	\$ (200)
Ending	\$	-	\$ (3,300)

PERRY PUBLIC FACILITIES AUTHORITY
CONSTRUCTION FUND

Expenditures			
Buildings	\$	-	\$ 200
Natural Gas System		-	49,700

Water Provision		1,486,300		1,486,300
Wastewater Treatment		1,643,900		1,643,900
Collection / Distributions		<u>1,183,400</u>		<u>1,183,400</u>
Category Total	\$	5,877,000	\$	5,956,00
Capital				
Fixed Assets	\$	<u>17,000</u>	\$	<u>36,500</u>
Category Total	\$	17,000	\$	36,500
Depreciation	\$	<u>1,579,200</u>	\$	<u>1,579,200</u>
Category Total	\$	1,579,200	\$	1,579,200
Debt Service	\$	<u>1,647,400</u>	\$	<u>1,647,400</u>
Category Total	\$	1,647,400	\$	1,647,400
Expenditure Total	\$	9,120,600	\$	9,219,100
Other Financing				
Transfers	\$	<u>(20,900)</u>	\$	<u>(10,700)</u>
Other Financing Total	\$	(20,900)	\$	(10,700)
Annual Gain / (Loss)	\$	(725,800)	\$	(814,100)
Cash				
Beginning	\$	4,183,400	\$	4,262,500
Ending	\$	3,457,600	\$	5,027,600

NATURAL GAS SYSTEM
PROPRIETARY FUND

Revenues				
Charge for Services	\$	5,176,000	\$	5,176,000
Investment		<u>10,000</u>		<u>10,000</u>
Revenue Total	\$	5,186,000	\$	5,186,000
Expenditures				
Public Works				
Support Services	\$	270,000	\$	287,900
Franchise Fee		169,900		169,900
Rebate		500		500
Public Awareness		5,100		5,100
Operations		481,300		481,300
Supply		2,464,000		2,464,000
Mid-State Energy				
Commission (JONG)		1,317,400		1,317,400
DDA Gas Incentive		-		<u>24,500</u>
Category Total	\$	4,708,200	\$	4,750,600
Fixed Assets	\$	-	\$	<u>19,500</u>
Category Total	\$	-	\$	19,500
Depreciation	\$	<u>85,400</u>	\$	<u>85,400</u>
Category Total	\$	85,400	\$	85,400
Debt Services	\$	<u>215,900</u>	\$	<u>215,900</u>
Category Total	\$	215,900	\$	215,900
Expenditures Total	\$	5,009,500	\$	5,071,400
Other Financing				
Transfers	\$	(261,700)	\$	(261,700)

Capital			
Community Facilities	\$	<u>154,500</u>	\$ <u>157,100</u>
Category Total	\$	154,500	\$ 157,100
Depreciation	\$	<u>87,200</u>	\$ <u>87,200</u>
Category Total	\$	87,200	\$ 87,200
Debt Services	\$	<u>71,000</u>	\$ <u>71,000</u>
Category Total	\$	71,000	\$ 71,000
Expenditure Total	\$	759,200	\$ 814,900
Other Financing			
Transfer	\$	<u>6,000</u>	\$ <u>6,000</u>
Other Financing Total	\$	6,000	\$ 6,000
Annual Gain / (Loss)	\$	6,000	\$ (49,700)
Cash			
Beginning	\$	170,600	\$ 101,000
Ending	\$	176,600	\$ 51,300

GEORGIA ENVIROMENT FACILITIES AUTHORITY
ENERGY LOAN
PROPRIETARY FUND

Revenue			
Charge for Services	\$	<u>-</u>	\$ <u>100</u>
Revenue Total	\$	-	\$ 100
Annual Gain / (Loss)	\$	-	\$ 100
Cash			
Beginning	\$	-	\$ 60,500
Ending	\$	-	\$ 60,600

Section 5 All ordinances or parts of ordinances in conflict with this ordinance are hereby repealed.

Section 6 Should any part or parts of the ordinance by declared unenforceable the remaining part or parts shall retain the full effect law.

Section 7 This ordinance shall be effective upon adoption.

SO ORDAINED THIS DAY OF NOVEMBER 2020

CITY OF PERRY

By: _____
 RANDALL WALKER, MAYOR

City Seal

Attest: _____
 ANNIE WARREN, CITY CLERK

*Resolution No. 2020-
Adopted*

**A RESOLUTION
ACCEPTING OWNERSHIP AND MAINTENANCE
OF RIGHTS-OF-WAY AND CERTAIN INFRASTRUCTURE IN
THE COTTAGES AT HOUSTON LAKE SUBDIVISION**

WHEREAS, the process to accept ownership and responsibility for maintenance and operation of certain infrastructure and street rights-of-way is by resolution of the Council of the City of Perry, Georgia; and

WHEREAS, the Department of Community Development has inspected the development listed below and has determined the infrastructure and street right(s)-of-way to meet or exceed minimum City standards;

NOW, THEREFORE THE COUNCIL OF THE CITY OF PERRY HEREBY RESOLVES that the City accepts ownership, and the operation and maintenance of the following:

- **Water and Sanitary Sewer infrastructure;**
- **Storm water infrastructure, excluding the BaySaver Technologies BaySeparator stormwater treatment unit (notated as the "Water Quality Unit" on the plat referenced below); and**
- **Street and Right-of-way of Cottage Lane**

as identified on the plat of survey entitled "Cottages at Houston Lake, Phase 1" recorded in the Clerk's Office, Houston County Superior Court in Plat Book 80, Page 61, attached hereto as Exhibit "A", and as further shown on the "As-Built Survey for Cottages at Houston Lake" consisting of four pages and of record in the Department of Community Development, a copy of which is attached hereto as Exhibit "B".

IT IS FURTHER RESOLVED that all natural gas lines of the Cottages at Houston Lake are excluded from acceptance by the City.

So RESOLVED this ____ day of December, 2020.

CITY OF PERRY:

**BY: _____
Randall Walker, Mayor**

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

(CITY SEAL)



ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED EXCEPT WHERE SHOWN OTHERWISE
 DATE 08/11/2010 BY 60322 UCBAW/STP
 811 PG. 01

SUBMISSION NOTES

1. ALL DIMENSIONS ARE IN FEET AND INCHES.
2. ALL DIMENSIONS ARE TO FACE UNLESS NOTED OTHERWISE.
3. ALL DIMENSIONS ARE TO CENTERLINE UNLESS NOTED OTHERWISE.
4. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE ROAD UNLESS NOTED OTHERWISE.
5. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT UNLESS NOTED OTHERWISE.
6. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT UNLESS NOTED OTHERWISE.
7. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT UNLESS NOTED OTHERWISE.
8. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT UNLESS NOTED OTHERWISE.
9. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT UNLESS NOTED OTHERWISE.
10. ALL DIMENSIONS ARE TO THE CENTERLINE OF THE LOT UNLESS NOTED OTHERWISE.

LEGEND

- 1. BUILDING FOOTPRINT
- 2. PARKING SPACE
- 3. DRIVEWAY
- 4. SIDEWALK
- 5. LANDSCAPE
- 6. FOUNTAIN
- 7. ROAD
- 8. LOT BOUNDARY
- 9. SITE BOUNDARY
- 10. UTILITY

Lot No.	Area (sq. ft.)	Volume (cu. ft.)	Notes
1	1,200	1,200	...
2	1,200	1,200	...
3	1,200	1,200	...
4	1,200	1,200	...
5	1,200	1,200	...
6	1,200	1,200	...
7	1,200	1,200	...
8	1,200	1,200	...
9	1,200	1,200	...
10	1,200	1,200	...

REVISIONS

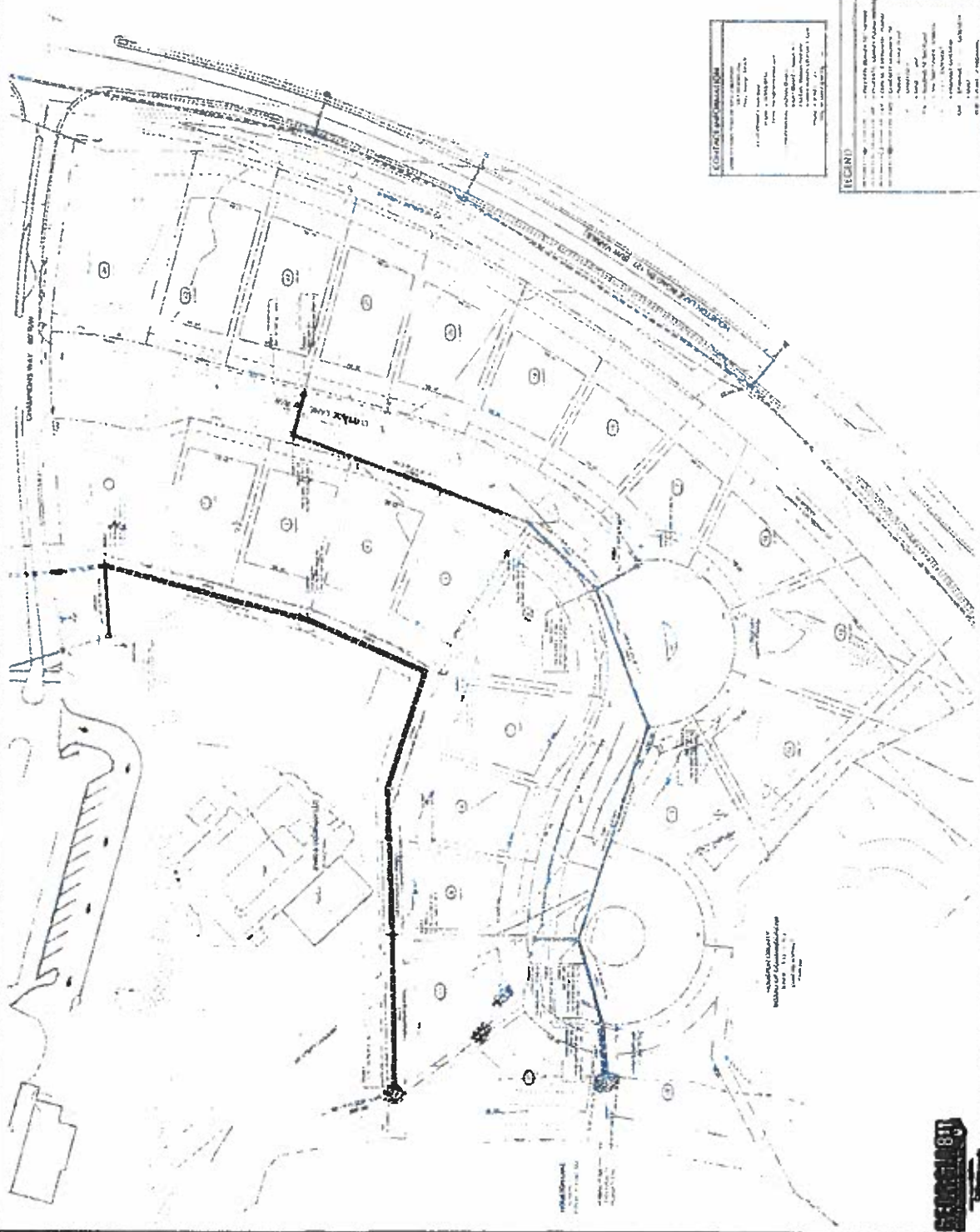
No.	Description	Date
1
2
3
4
5
6
7
8
9
10

Exhibit "A"

College
n. 12.31.36
File

CENTRO-SOUTH STATION
STATION CODE: 0440

- GENERAL NOTES
- 1. ALL DISTANCES ARE IN FEET AND DECIMALS THEREOF.
 - 2. ALL CORNERS ARE TO BE BOUND BY CONCRETE MONUMENTS.
 - 3. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD.
 - 4. ALL DISTANCES ARE TO BE MEASURED ALONG THE CENTERLINE OF THE ROAD OR RAILROAD.



CONTRACT INFORMATION
NO. 1000
DATE: 12.31.36
BY: [Signature]

RECORD
THIS PLAN IS TO BE RECORDED IN THE PUBLIC RECORDS OF THE COUNTY OF [Name] STATE OF [Name] IN THE YEAR 1937.

1 OF 4
CORRECTIONARY

Exhibit "B" Page 1 of 4

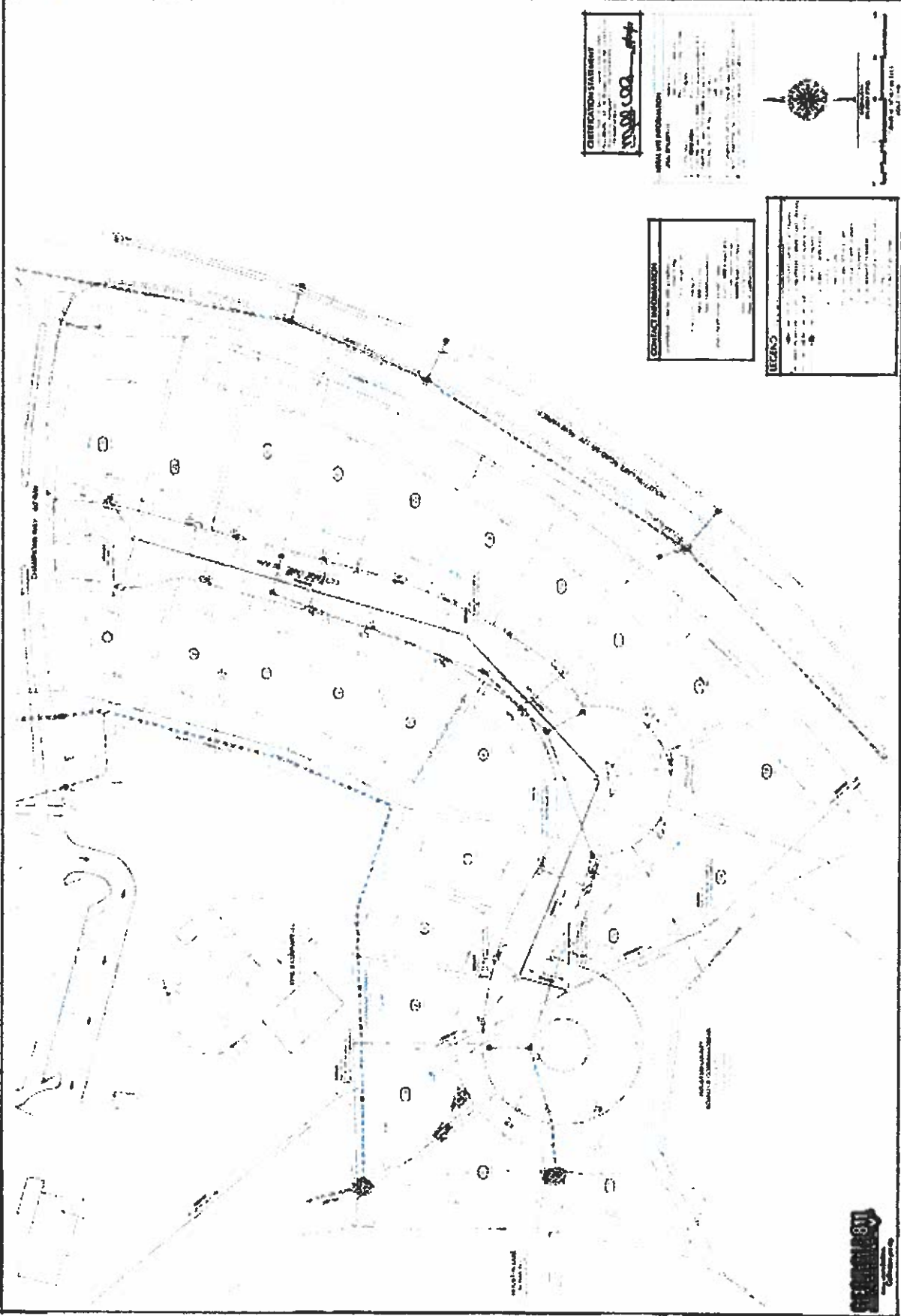
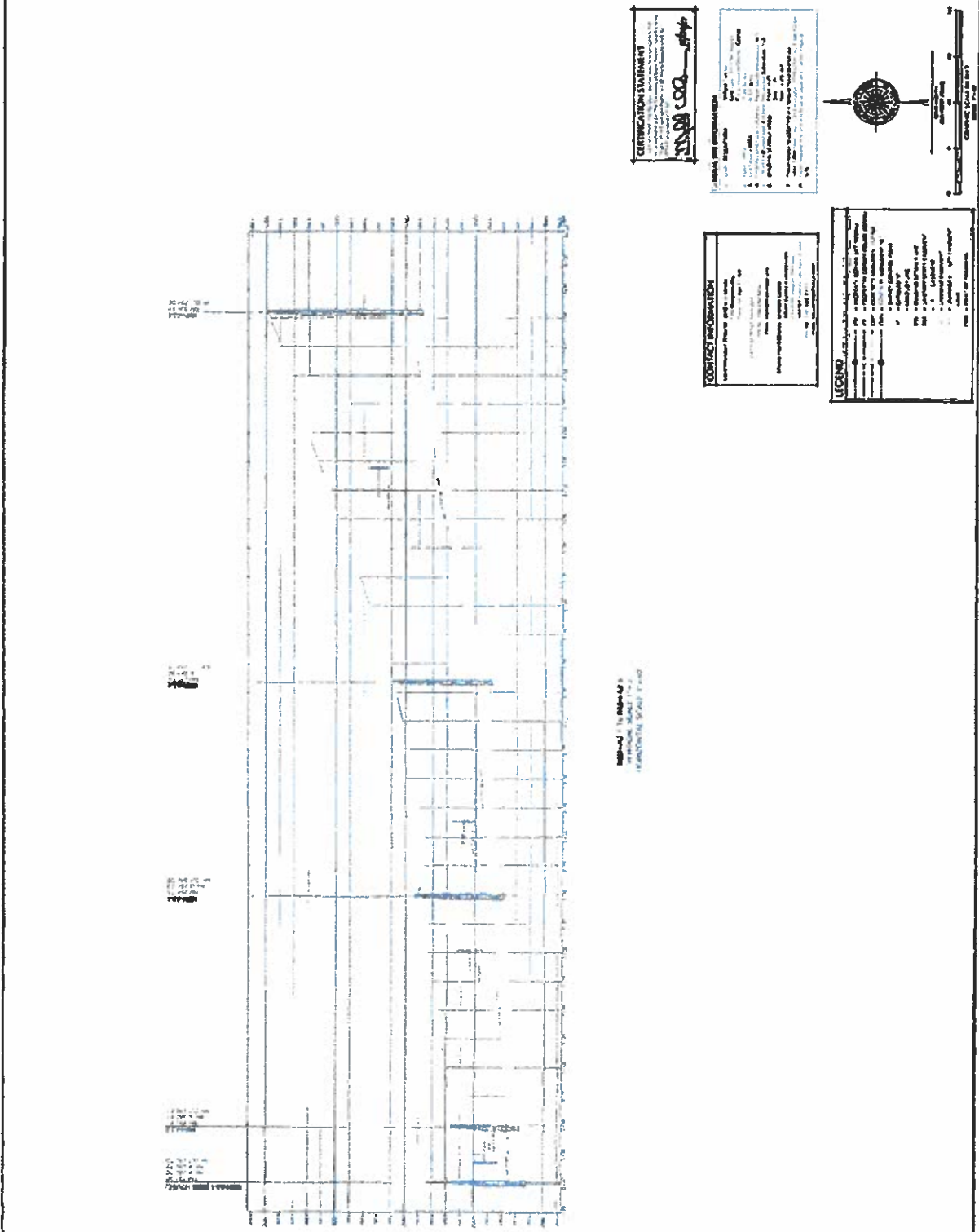


Exhibit "B" Page 2 of 4

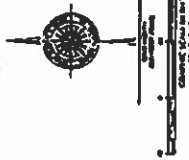


Map of Houston, Texas
 Houston, Texas

CERTIFICATION STATEMENT
 I, the undersigned, being a duly Licensed Professional Engineer, do hereby certify that the above is a true and correct copy of the original as shown to me.

PROJECT INFORMATION
 Project Name: Cottages at Houston Lake
 Project No.: 12345
 Date: 12/15/2023

LEGEND
 - Building Footprint
 - Parking Area
 - Site Boundary
 - Easement
 - Utility Line
 - Proposed Road



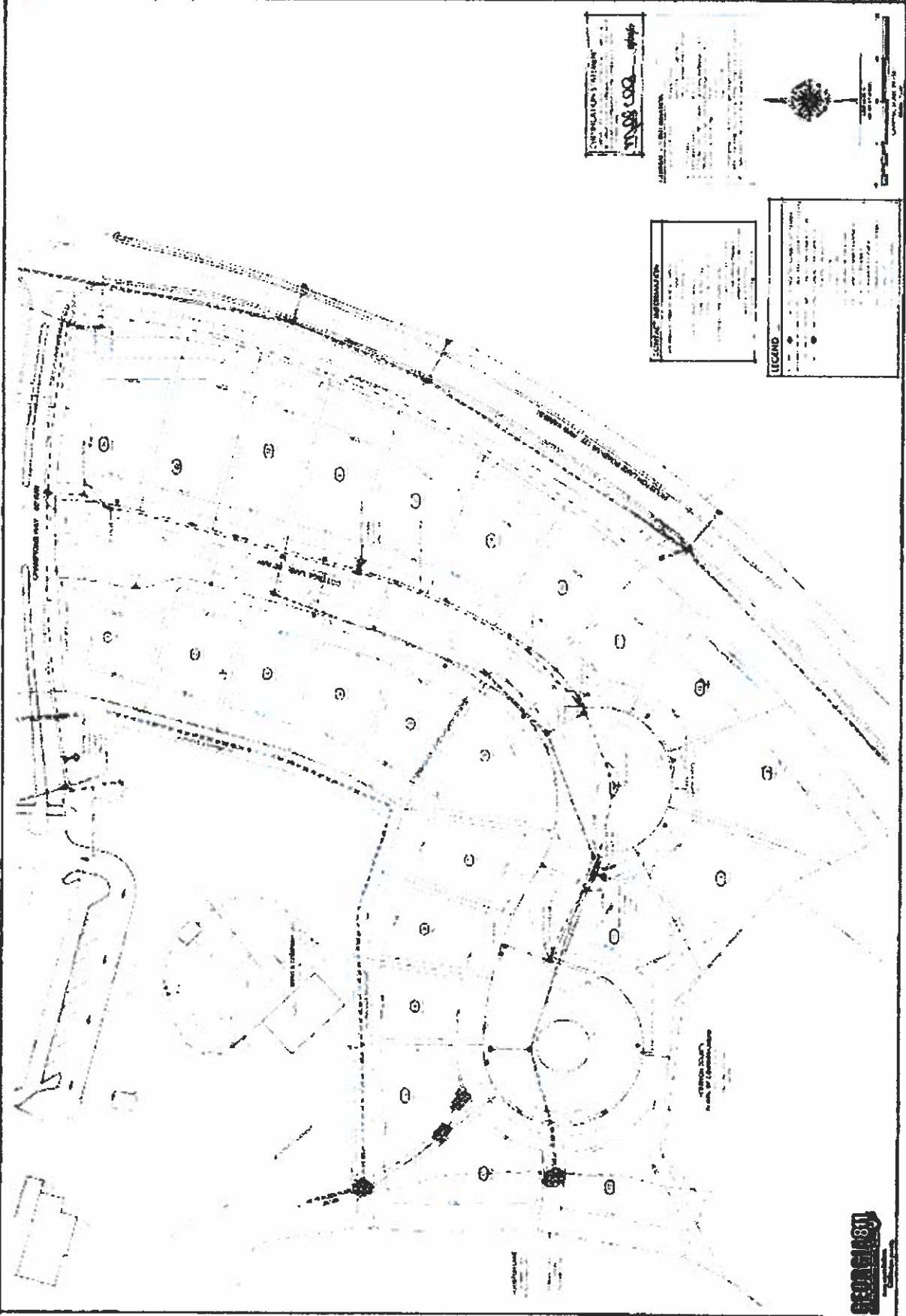


Exhibit "B" Page 4 of 4

**A RESOLUTION
ACCEPTING OWNERSHIP AND MAINTENANCE
OF RIGHTS-OF-WAY AND CERTAIN INFRASTRUCTURE IN
NEW HAVEN SUBDIVISION**

WHEREAS, the process to accept ownership and responsibility for maintenance and operation of certain infrastructure and street rights-of-way is by resolution of the Council of the City of Perry, Georgia; and

WHEREAS, the Department of Community Development has inspected the development listed below and has determined the infrastructure and street rights-of-way to meet or exceed minimum City standards;

NOW, THEREFORE THE COUNCIL OF THE CITY OF PERRY HEREBY RESOLVES that the City accepts ownership, and the operation and maintenance of the following:

- Water and Sanitary Sewer infrastructure;
- Storm water infrastructure, except that certain stormwater pond located on parcel OP0660 191000 and shown as 5.49 acres of Green Space on the plat referenced below; and
- Streets and Rights-of-way of Milford Circle and a portion of Worchester Circle

as identified on the plat of survey entitled, "New Haven, Phase 2, Section 1" recorded in the Clerk's Office, Houston County Superior Court in Plat Book 80, Page 344, a copy of which is attached hereto as Exhibit "A", and as further shown on the "As-Built Utility Plan and Profile for Lots 54 thru 58 & 18 thru 40 for New Haven Subdivision, Phase 2" consisting of two pages and of record in the Department of Community Development, a copy of which is attached hereto as Exhibit "B".

So RESOLVED this ____ day of December, 2020.

CITY OF PERRY:

BY: _____
Randall Walker, Mayor

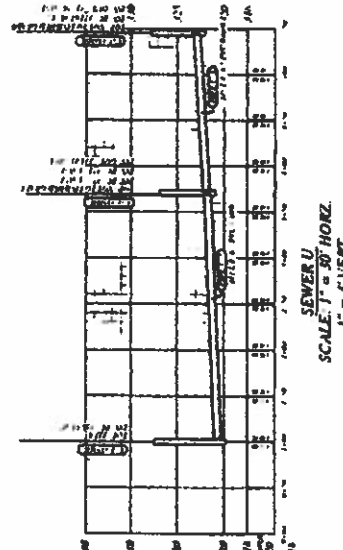
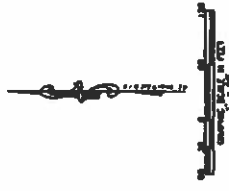
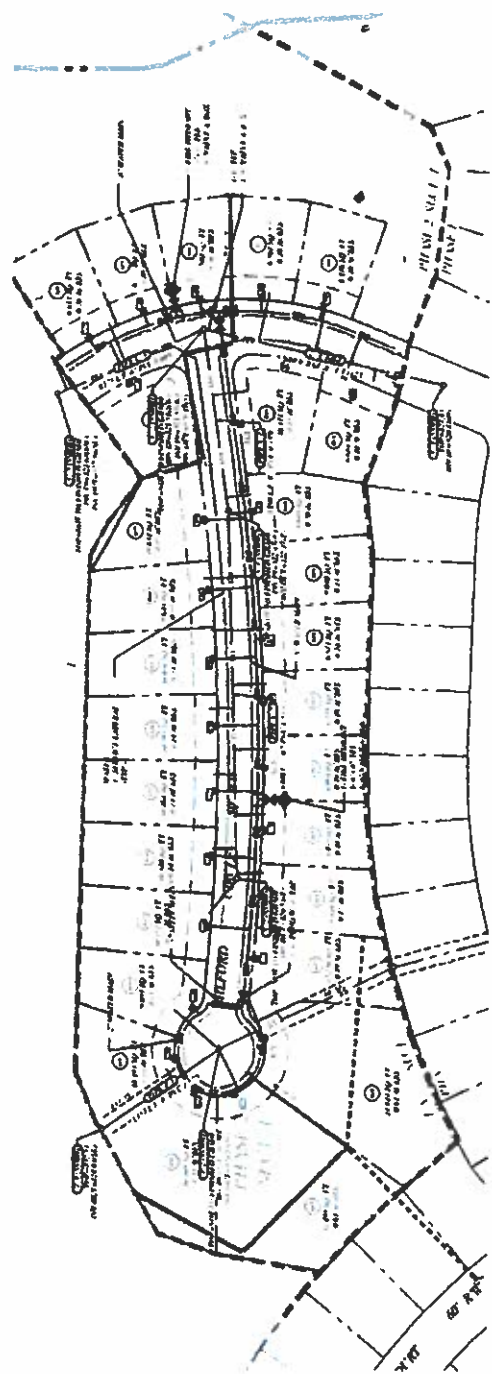
ATTEST: _____
Annie Warren, City Clerk

(CITY SEAL)

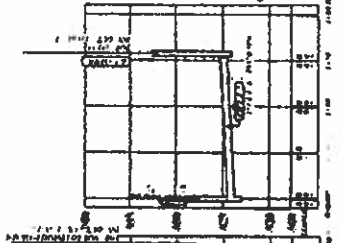
FOR THE CITY OF CHARLOTTE
FOR THE HAVEN SUBDIVISION, PHASE 2
LOTS 54 THROUGH 58 & 18 THROUGH 20

AcLead SURVEYING

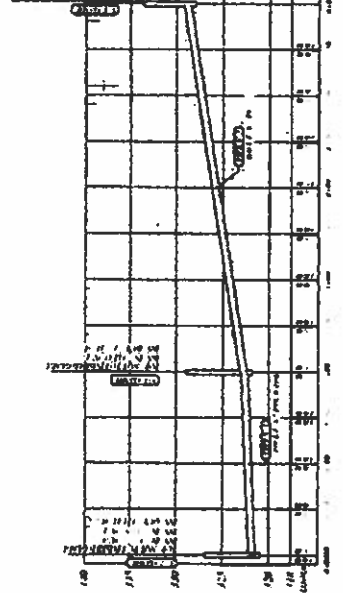
950 BIRD STREET
P.O. BOX 11000
CHARLOTTE, NC 28211
WWW.ACLEADSURVEYING.COM



SEWER U
SCALE 1" = 40' HORIZ.
1" = 5' VERT.



SEWER MAIN 2-3
SCALE 1" = 40' HORIZ.
1" = 5' VERT.



SEWER MAIN 1
SCALE 1" = 40' HORIZ.
1" = 5' VERT.

As shown on plan 17
at 10:00 A.M. on 11/11/11



www.kleodsurveying.com
 Tel: (478) 224-7972
 Fax: (478) 224-7973
 500 Bull Street
 Perry, Georgia 31068
 Office: (478) 224-7970

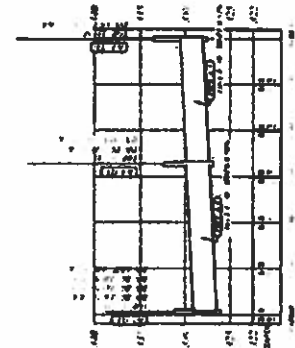
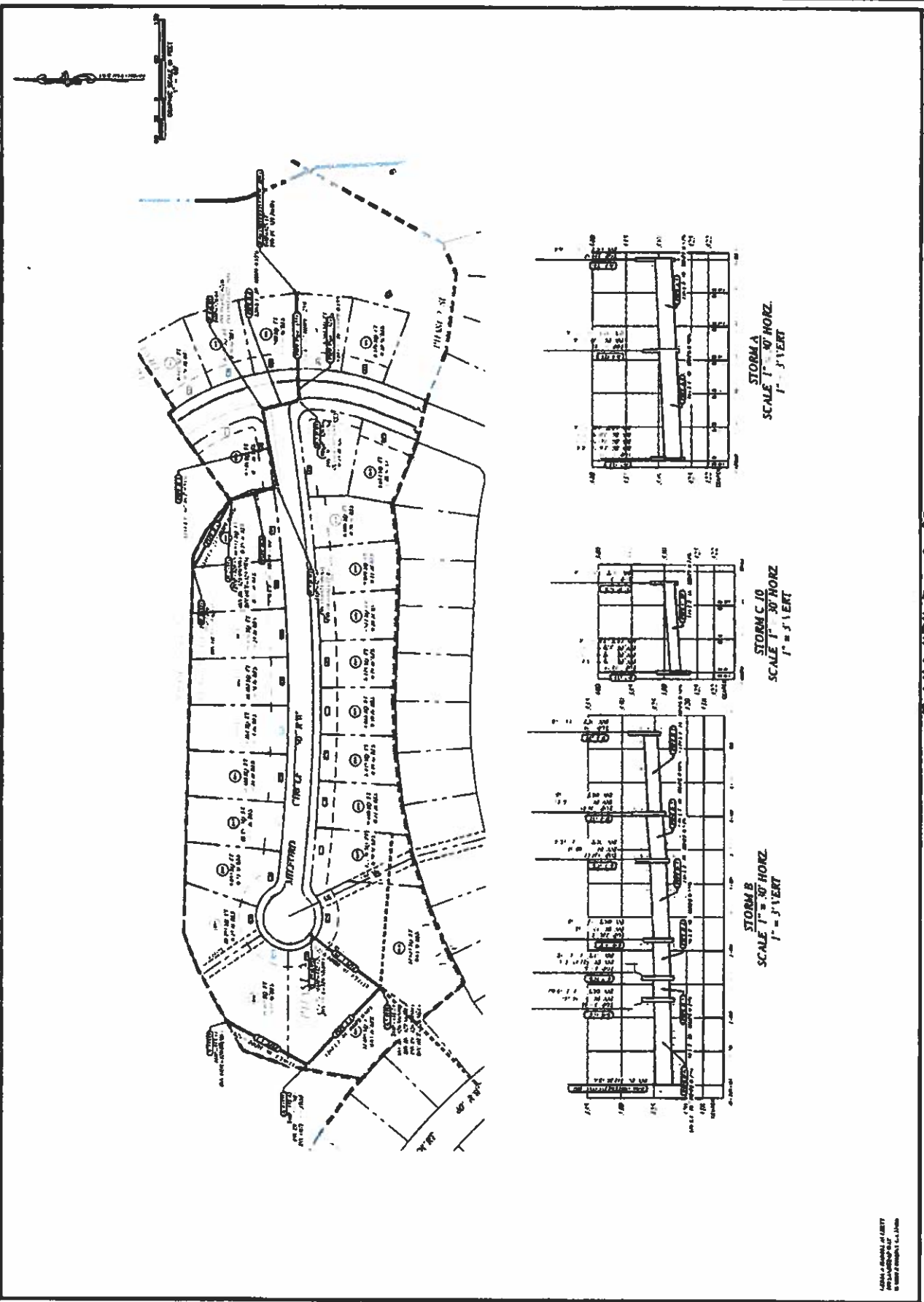
Kleod
 SURVEYING

DATE	11/11/10
BY	J. B. BROWN
CHECKED	J. B. BROWN
SCALE	AS SHOWN
PROJECT	LOT 54 THROUGH 58 & 18 THROUGH 20
CLIENT	FOR NEW WATER SUPPLY SYSTEM, PHASE 2

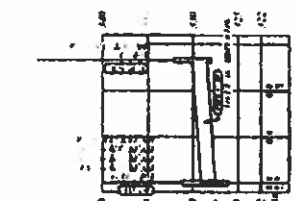
15' WIDE DRIVEWAY PLAN AND PHASE 2 FOR
 LOT 54 THROUGH 58 & 18 THROUGH 20
 FOR NEW WATER SUPPLY SYSTEM, PHASE 2
 DRAWN BY
 J. B. BROWN

NO.	1
DATE	11/11/10
BY	J. B. BROWN
CHECKED	J. B. BROWN
SCALE	AS SHOWN
PROJECT	LOT 54 THROUGH 58 & 18 THROUGH 20
CLIENT	FOR NEW WATER SUPPLY SYSTEM, PHASE 2

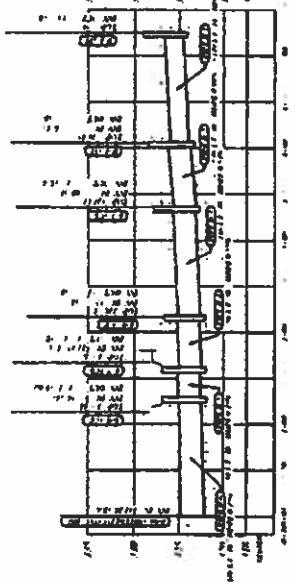
C-5.3



STORM A
 SCALE 1" = 30' HORIZ.
 1" = 3' VERT.



STORM C 10
 SCALE 1" = 30' HORIZ.
 1" = 3' VERT.



STORM B
 SCALE 1" = 30' HORIZ.
 1" = 3' VERT.

ADRIAN A. BROWN, LICENSED SURVEYOR
 NO. 123456789
 STATE OF GEORGIA

**MID-STATE ENERGY COMMISSION
INTERGOVERNMENTAL OPERATING AGREEMENT**

DEFINITIONS

- 1. Byron: City of Byron, Georgia, a municipal corporation, sometimes generically "City" or "Member."
- 2. Cochran: City of Cochran, Georgia, a municipal corporation, sometimes generically "City" or "Member."
- 3. Hawkinsville: City of Hawkinsville, Georgia, a municipal corporation, sometimes generically "City" or "Member."
- 4. Perry: City of Perry, Georgia, a municipal corporation, sometimes generically "City" or "Member."
- 5. Warner Robins: City of Warner Robins, Georgia, a municipal corporation, sometimes generically "City" or "Member."
- 6. Joint Charter Amendments: Joint Charter Amendments adopted by each of the Cities pursuant to the home rule authority granted by the Ga. Const. art. IX, § II, ¶ II, and the Home Rule Act, OCGA 36-35-1 *et seq.*, creating the Mid-State Energy Commission.
- 7. Affiliate: (i) any person directly or indirectly controlling, controlled by, or under common control with such person, (ii) any officer, director, or general partner of such person, or (iii) any person who is an officer, director, general partner, or trustee of any person described in clauses (i) or (ii) of this sentence. For purposes of this definition, the term "controls," "is controlled by," or "is under common control with" will mean the possession, direct or indirect, of the power to direct or cause the direction of the management and policies of a person or entity, whether through the ownership of voting securities, by contract or otherwise.
- 8. Board: The Board of the Mid-State Energy Commission, which consists one (1) member from each City, the Mayor or a person appointed by the Mayor or City Commission of each City, members of which are "Commissioners."
- 9. Fiscal Year: year ending September 30th, or such other fiscal year designated by the Board from time to time.

10. Mid-State Energy Commission: a body corporate and politic to deemed to be a political subdivision of the State of Georgia and a public corporation, created by Joint Charter Amendments of Byron, Cochran, Hawkinsville, Perry, and Warner Robins on or about [____], as amended from time to time, providing for ownership and operation of certain natural gas transmission facilities, also referred to as the “Commission.”
11. Commission Property: any and all property, whether real or personal, now or in the future owned by the Commission.
12. Commission TL: Commission Property by which the Commission causes deliver of wholesale natural gas supply to the Cities.
13. Ownership Shares: Each City’s ownership share in the Commission as set forth in Exhibit A hereto.
14. Prudent Utility Practices: any of the engineering and operating practices, methods and acts engaged in or accepted by a significant portion of the gas utility industry in the United States of America at the time the decision was made or any of the practices, methods and acts that, in the exercise of reasonable judgment in the light of the facts known at the time the decision was made, could have been expected to accomplish the desired result at the lowest reasonable costs consistent with reliability, safety and expedition.

RECITALS

1. Each City currently operates its own natural gas utilities to provide natural gas service to customers in its respective service delivery areas, except for Byron, the gas system of which is owned and operated by the Commission on behalf of the Cities.
2. The Commission currently operates its own natural gas utility to provide natural gas service within its service delivery area and transports natural gas to the Cities.
3. The Cities desire to formalize and update their joint action regarding their natural gas utilities with the Commission to reduce costs, to improve safety and efficiency, this Agreement amends and restates all prior agreements among the Cities regarding the Commission.
4. Ga. Const. art. IX, § III, ¶ I (a) allows cities to contract with one another for any period not exceeding 50 years for, *inter alia*, the joint or separate use of facilities or equipment, including the operation of a utility.

5. The Commission was created under the municipal home rule authority granted by the Ga. Const. art. IX, § II, ¶ II, and the Home Rule Act, OCGA 36-35-1 *et seq.*, of each of the cities, as exercised in each Cities' adoption of the Joint Charter Amendments, this Agreement further established the rights and obligations of the Cities respecting the Commission.
6. The Cities hereby confirm and designate that the Commission is an instrumentality of each in furtherance of their respective public purposes in accordance with Section 115 of the Internal Revenue Code.
7. The citizens, customers, and general public benefit from the above-described arrangements by lowering costs, improving safety, and increasing efficiency through joint operation of the Cities' and Cities' natural gas utilities.
8. This Agreement replaces the Partnership Agreement entered into by Cochran, Hawkinsville, Perry and Warner Robins on or about June 15, 1953, which duly formed Jointly Owned Natural Gas, as amended and supplemented, including by an Operating Agreement, dated as of September 18, 2000 and that certain Agreement of Merger, dated as of October 29, 2008, between Jointly Owned Natural Gas and Byron.

TERMS

In consideration of the recitals set forth above and the terms, covenants and other provisions below, and the payment of \$10 consideration, each to the other, the receipt and sufficiency of which are hereby acknowledged, and under the authority granted by the Constitution and laws of Georgia, the parties agree as follows:

DURATION

- a. The Commission was formed as a body corporate and politic to deemed to be a political subdivision of the State of Georgia and a public corporation, effective as of January 1, 2021, per the Joint Charter Amendments and upon the terms and conditions this Agreement. Such formation is hereby confirmed. The Cities will make all filings and disclosures required by, and will otherwise comply with, all such laws. The Cities will execute and file in the appropriate records any assumed or fictitious name certificates and other documents and instruments as may be necessary or appropriate with respect to the formation of, and conduct of business by, the Commission. The Recitals hereto are hereby incorporated herein as agreements, representations or warranties as applicable.
- b. The term of this Agreement begins on January 1, 2021, and ends on January 1, 2071, unless terminated prior thereto. The Commission will continue until the winding up and liquidation of the Commission and its business is completed following a Liquidating Event, as provided herein.

PROPERTY AND EMPLOYEES, LOCATION

- a. After execution of this Agreement, all employees of Byron, Cochran, Hawkinsville, Perry and Warner Robins, as designated by their respective Mayor and Council or City

Commission, will remain in the same employment. Additionally, each City will retain title to all of its natural gas distribution facilities, except Byron as noted above. Likewise, Byron, Cochran, Hawkinsville, Perry and Warner Robins will retain title and possession of all vehicles and equipment of each respective city.

b. Any Commission Property will be owned by the Commission as an entity and no City will have any ownership interest in such Commission Property in its individual name or right. The Commission will hold all Commission Property in the name of the Commission and not in the name of any City.

c. The principal place of business of the Commission will be located at 200 Dunbar Rd., Byron, GA 31008 or at such other place in the State as may be approved by the Board.

MANAGEMENT OF COMMISSION

a. General Governance and Oversight. The general governance and oversight of the Commission will be exercised by its Board and is designated the authority by the Cities to adopt by-laws and operating procedures necessary for the effective operation of the Commission and to implement and carry out the provisions of this Agreement, including rates, terms and policies respecting its sale of goods and provision of services. Said Board will have the full discretionary power and authority to take any and all action and do anything and everything it deems necessary, appropriate, incidental, or convenient in performing its duties hereunder. Other than annually budgeted items, neither Chairperson nor Director (as defined herein below) will take any of the following actions without first obtaining the prior written approval of the majority of the Cities, which may be evidenced by resolution of the Board:

- (i) Knowingly take any action in contravention of this Agreement;
- (ii) Knowingly take any action that would make it impossible to carry on the ordinary business of the Commission, except as otherwise provided in this Agreement;
- (iii) Confess a judgment against the Commission;
- (iv) Possess Commission Property, or assign rights in specific Commission Property, for any purpose other than a Commission purpose;
- (v) Cause or permit the Commission to acquire any equity securities in any City or any of its Affiliates;
- (vi) Sell or otherwise dispose of all or substantially all of any Commission Property, except for liquidating sales of Commission Property in connection with the dissolution of the Commission;
- (vii) Dispose of the goodwill of the business of the Commission;
- (viii) Submit a claim or liability of the Commission to arbitration or reference; or

(ix) Assign any Commission Property in trust for creditors or on the assignee's promise to pay the debts of the Commission.

Each City covenants, except as otherwise provided in this Agreement, not to take any act without the approval of the Board that would have the effect of binding the Commission in any manner whatsoever.

b. Day-to-Day Operations.

(i) The Commission will hire employees and provide gas system operating and maintenance (O&M) services for the Commission Property and to the Cities on request on terms specified by the Board. All actions not under the O&M contract (e.g. rate setting respecting each City-owned system and [eminent domain]) would be actions of the individual Cities.

(ii) The day-to-day operations of Commission, including the supervision and direction of its employees, will initially be managed and overseen on behalf of the Commission by a director, who is currently Wayne James (the "Director"). The Director will be experienced in the operation of natural gas facilities. Decisions to hire and fire employees of the Commission will be made by a majority vote of the Board upon recommendation by the Director.

c. Delegation of Authority. The Cities, by unanimous written consent, may delegate some or all of the management, governance, oversight, or day-to-day operational authority of the Commission to any person, persons, or entity of their choosing. Such delegation may take the form of a management agreement with the chosen third party. All current delegations remain in effect.

DUTIES AND OBLIGATIONS OF THE BOARD

a. The Board will cause the Commission to conduct its business and operations separate and apart from that of any City or Affiliates, including, without limitation, (i) segregating Commission assets and not allowing funds or other assets of the Commission to be commingled with the funds or other assets of, held by, or registered in the name of, any City or Affiliates, (ii) maintaining books and financial records of the Commission separate from the books and financial records of any Commission and Affiliates, and observing all Commission procedures and formalities, including, without limitation, maintaining minutes of Commission meetings and acting on behalf of the Commission only pursuant to due authorization of the Cities, (iii) causing the Commission to pay its liabilities from assets of the Commission, and (iv) causing the Commission to conduct its dealings with third parties in its own name and as a separate and independent entity.

b. The Board will have fiduciary responsibility for the safekeeping and use of all funds and assets of the Commission, whether or not in its immediate possession or control. The funds of the Commission will not be co-mingled with the funds of any other person and the Board will not employ, or permit any other person to employ, such funds in any manner except for the benefit of the Commission. The bank accounts of the Commission will be maintained

in such banking institutions as are approved by the Board and withdrawals will be made only in the regular course of Commission business and as otherwise authorized in this Agreement on such signature or signatures as the Board may determine. The Board will take no action that will jeopardize Commission's status as an instrumentality of the Cities under Section 115 of the Internal Revenue Code.

ACCOUNTING, BOOKS AND RECORDS; REPORTS

a. Maintenance of Books and Records. The Commission will maintain at its principal place of business separate books of account for the Commission that will show a true and accurate record of all costs and expenses incurred, all charges made, all credits made and received, and all income derived in connection with the conduct of the Commission and the operation of the Commission business in accordance with this Agreement.

b. Accounts/Methods.

(i) The Commission will use the cash method of accounting in preparation of its annual reports and for tax purposes and will keep its books accordingly.

(ii) All amounts payable under any agreement between the Commission on the one hand and the Cities or their Affiliates on the other hand (a) will be treated as occurring between the Commission and a person who is not a Member, (b) will be considered an expense or capital cost, as the case may be, of the Commission for income tax (to the extent applicable) and financial reporting purposes, and will not be considered a distribution to such City including, without limitation, in maintaining such City's Capital Account, and (C) will not be considered a contribution to the Commission, including, without limitation, in maintaining such City's capital account.

c. Access to Books, Records, Etc. Any City or any agents or representatives of such City, at the City's own expense and without notice to any other City, may examine, copy, and audit the books and records of the Commission and make copies of and abstracts from the financial and operating records and books of account of the Commission, and discuss the affairs, finances, and accounts of the Commission with the independent accountants of the Commission, all at such reasonable times and as often as such City or any agents or representatives of such City may reasonably request. The rights granted to a City per this Section are expressly subject to compliance by such City with the confidentiality procedures and guidelines of the Commission, as such procedures and guidelines may be established and/or amended from time to time.

d. Reports. Within 90 days after the end of each Fiscal Year, the Commission will provide each City with a copy of the balance sheet of the Commission as of the last day of such Fiscal Year, a statement of the Commission's cash flow for such Fiscal Year, a statement of income or loss for the Commission for such Fiscal Year, and a statement of the City Capital Accounts and changes therein for such Fiscal Year. Such statements will be reviewed by the Commission's accountants.

BANKING

All funds of the Commission will be deposited in the Commission's name, in such account or accounts with member banks of the FDIC as may be approved by the Chairperson, provided, however, that the Chairperson may elect to deposit all or a portion of the funds standing in the Commission reserves in interest-bearing accounts with, or apply such funds to purchase short-term interest-bearing investments issued or guaranteed as to payment by, such banks or other financial institutions that are members of the FDIC or the United States (or its agencies or instrumentalities). Withdrawals of funds from Commission accounts will be made on such signature or signatures as the Chairperson may approve from time to time.

MEETINGS OF THE COMMISSION; CONSENT

a. Commission Meetings.

(i) The Board is comprised of the Mayor or person appointed by the Mayor or City Commission of each City. The Chairperson of the Board will serve for twelve (12) months, on a rotating basis. Each Board member will have an equal vote. The Board will meet once monthly on a Board approved schedule unless more or less frequent meetings are deemed necessary by the Board or the Director. [Board members may receive reasonable compensation/expenses as may be approved by the Board from time to time].

(ii) Any Commissioner may call a meeting of the Commission. The call will state the nature of the business to be transacted. Notice of any such meeting will be given to all Commissioners not less than 10 business days nor more than 30 days prior to the date of such meeting. Commissioners may vote in person or by proxy at such meeting. Whenever the vote or consent of the Board is permitted or required under the Agreement, such vote or consent may be given at a Board meeting or may be given in accordance with the procedure prescribed below. The vote of a majority of the Board will control. Meetings may be called on 24 hours' notice to act on urgent matters.

b. For the purpose of determining the Commissioners entitled to vote on, or to vote at, any meeting of the Board or any adjournment thereof, the Commissioner(s) requesting such meeting may fix, in advance, a date as the record date for any such determination. Such date will not be more than thirty days or less than ten (10) business days before any such meeting.

c. Each City hereby authorizes its Board member representative to act for it by proxy on all matters, including waiving notice of any meeting, or voting or participating at a meeting. Every proxy must be signed either by the Commissioner or his attorney-in-fact. No proxy will be valid after the expiration of eleven (11) months from the date thereof unless otherwise provided in the proxy. Every proxy will be revocable at the pleasure of the Commissioner executing it.

d. Each Board meeting will be conducted by such person as the Chairperson may appoint pursuant to such rules for the conduct of the meeting as the Chairperson or such other person deems appropriate.

e. Consent. The Commission may take any action contemplated under this Agreement if approved by a majority of the Board. The Chairperson may require response to any request for approval within a specified time, but not less than 10 business days.

SHARING OF COSTS AND REVENUES

The Cities will use the Commission's credit and assets solely for the benefit of the Commission and no asset of the Commission will be transferred or encumbered for, or in payment of, any individual obligation of a City. After paying its costs and expenses, the Commission will distribute any profits to the Cities on an annual basis. Such distribution will be made to each City according to its Ownership Share set forth in Exhibit A hereto, as an annual return of profits or dividend, as shareholders of the Commission.

BILLING

Customer billing will be performed by the Commission for its service delivery area.

INSURANCE

The Cities agree that insurance will be maintained consistent with Prudent Utility Practices.

INDEPENDENT ACTIVITIES/TRANSACTIONS WITH AFFILIATES

a. Each City acknowledges that, except as specifically provided in this Section, the other Cities and their Affiliates are free to engage in any one or more other businesses or acquire other investments of any nature whatsoever and none of the Cities will have any rights by virtue of this Agreement or by virtue of being Members in or to said other businesses or investments or in or to the income or profits derived therefrom.

b. Nothing in this Agreement will be deemed to preclude any City, or any Affiliate of any City, from conducting its business in any manner it may elect, including, without limitation, entering into any transaction with any person affiliated in any way with such City or Affiliate of such City.

c. To the extent permitted by applicable law and except as otherwise provided in this Agreement, the Commission is authorized to purchase property from, sell property to, or otherwise deal with any City, acting on its own behalf, or any Affiliate of any City, provided that any such purchase, sale, or other transaction will be in the ordinary course of the Commission's business and will be made on terms and conditions that are no less favorable to the Commission than if the sale, purchase, or other transaction had been entered into with an independent third-party. The Cities agree that the Gas Supply Contracts and Supplemental Contracts to which the Commission, one or more Cities and the Municipal Gas Authority of Georgia (the service provider or lessor thereunder) satisfy this independent third-party standard and the Cities hereby authorize the Commission to enter into the documents referenced in this Section.

d. Except as otherwise provided, each City and any Affiliate thereof may also lend money to, borrow money from, act as a surety, guarantor, or endorser for, guarantee or assume one or more specific obligations of, provide collateral for, and transact other business with the Commission and, subject to other applicable law, has the same rights and obligations with respect thereto as a person who is not a Member, provided that, if a City acts as surety, guarantor, or endorser for a Commission obligation, such act will be at no cost to the Commission.

e. [Upon unanimous approval of the Board, the Commission may exercise its powers of eminent domain under the authority granted by the Ga. Const. art. IX, § II, ¶ V, and OCGA 22-3-140.]

f. [Upon unanimous approval of the Board, the Commission may borrow money and issue negotiable revenue bonds payable solely from funds pledged for that purpose and provide for the payment of the same and for the rights of the holders thereof under the authority of and in conformance with the requirements of the Revenue Bond Law, OCGA 36-82-60 *et seq.*]

TERMINATION/DISSOLUTION

a. The Commission Ceases Operation. If upon termination all Cities desire the resumption of their own natural gas distribution systems, then the Commission and the Cities will work diligently to separate ownership of all Commission Property as follows: Commission territory, property and personnel will be divided equitably among the Cities, as agreed to by the Cities, with each receiving its Ownership Share of the value of all such assets of the Commission, after all debts and expenses have been paid. Any Commission employees may transfer to any City.

b. Binding Arbitration. If the Cities cannot agree on the above or any other dispute arises among any Cities regarding the Commission, the Cities will submit their dispute to binding arbitration for a resolution. If the Cities cannot mutually agree upon an arbitrator, then each will choose an arbitrator, and those arbitrators will select an arbitrator. The parties will arbitrate their dispute in accordance with the Georgia Arbitration Code (OCGA 9-9-1, *et seq.*) as applicable, with the stated outcome of any such arbitration being the equal division (by value) of all territory and assets of the Commission remaining after the transfer of each Cities' property and after payment of all debts and expenses of the Commission or the lawful and equitable resolution of any other dispute submitted to arbitration.

WINDING UP; LIQUIDATION

a. Upon a unanimous decision of the Cities to terminate operation of the Commission, the Commission will continue solely for the purpose of winding up its affairs in an orderly manner, liquidating its assets, and satisfying the claims of its creditors and Cities (a "Liquidating Event"). No City will take any action that is inconsistent with, or not necessary to or appropriate for, winding up the Commission's business and affairs. To the extent not inconsistent with the foregoing, all covenants contained in this Agreement and obligations provided for in this Agreement will continue to be fully binding on the Cities

until such time as the Commission Property has been distributed pursuant to this Section and the Commission has terminated.

b. The Cities (or any person elected for this purpose by the Cities) will be responsible for overseeing the winding up and liquidation of the Commission, will take full account of the Commission's liabilities and Commission Property, will cause the Commission Property to be liquidated as promptly as is consistent with obtaining the fair value thereof, and will cause the proceeds therefrom, to the extent sufficient therefor, to be applied and distributed in the following order:

(i) First, to creditors other than Cities in satisfaction of all of the Commission's debts and liabilities to such creditors other than liabilities for which reasonable provision for payment has been made and liabilities for distributions under the Act;

(ii) Second, to the Cities in satisfaction of all Commission debts and liabilities to Cities other than liabilities for which reasonable provision for payment has been made; and

(iii) The balance, if any, to the Cities, in accordance with their positive capital accounts, after giving effect to all contributions, distributions, and allocations for all periods. Unless otherwise agreed upon or ordered per Arbitration, each City will look solely to the assets of the Commission for the return of its capital contributions and will have no right or power to demand or receive property other than cash from the Commission. No City will have priority over any other City as to the return of its capital contributions, distributions, or allocations.

c. The Cities will receive any additional compensation for any services performed pursuant hereto. Each City agrees that by accepting the provisions of this Section setting forth the priority of the distribution of the assets of the Commission to be made upon its liquidation, such City expressly waives any right that it, as a creditor of the Commission, might otherwise have under the Act to receive distributions of assets *pari passu* with the other creditors of the Commission in connection with a distribution of assets of the Commission in satisfaction of any liability of the Commission, and hereby subordinates to said creditors any such right.

d. If a Liquidating Event occurs or an event occurs that would result in a dissolution of the Commission, the Commission will, within 30 days thereafter, (i) provide written notice thereof to each of the Cities and to all other parties with whom the Commission regularly conducts business, and (ii) publish notice of such dissolution in a newspaper of general circulation in each place in which the Commission regularly conducts business.

MISCELLANEOUS PROVISIONS

a. Payments. Any payments due under this Agreement will be paid within 30 days of the submission of an invoice or bill.

- b. Assignment. This Agreement may not be assigned without the written consent of the non-assigning Cities and an agreement by any assignee to be bound by all terms and provisions herein.
- c. Merger and Integration. This Agreement constitutes the entire agreement between the parties and contains all the agreements between them with respect to the subject matter hereof. This Agreement will not be modified or amended except by written instrument executed by or on behalf of the parties in the same manner in which this Agreement is executed. Unless otherwise specified herein, this Agreement supersedes any and all other agreements or contracts, either oral or written, between the Cities with respect to the subject matter hereof.
- d. Modification. Except as otherwise specifically provided, the terms and conditions of this Agreement may only be amended by mutual agreement of the parties, in writing, signed by both, and entered into the minutes of each during a public meeting.
- e. Severability. The invalidity or unenforceability of any particular provision of this Agreement will not affect its other provisions, and this Agreement will be construed in all respects as if such invalid or unenforceable provisions had been omitted.
- f. Binding Successors. This Agreement will be binding upon each City, together with its respective successors and assigns.
- g. Jurisdiction, Venue, and Choice of Law. This Agreement will be construed and enforced under and in accordance with the laws of the State of Georgia. Venue and jurisdiction for all disputes arising in any way out of this Agreement will be in the Superior Court of Bibb County, Georgia, and all parties consent to jurisdiction and venue therein and waive any objections they may have, now or in the future, thereto.
- h. Notice. All notices, requests, demands or other communications required or permitted to be given hereunder will be in writing and will be addressed and delivered to each City at the addresses set forth below. Notice given under this Agreement is deemed to have been received within three (3) days of the postmark on the letter in which it is contained, and a photocopy of the envelope in which the notice was sent, or on the date shown on any e-mail delivery receipt and such receipt will be deemed as sufficient proof thereof. Rejection or other refusal to accept or inability to deliver because of the changed address of which proper notice was not given will be deemed to be receipt of the notice, request, demand or other communication. By giving prior written notice thereof, any City may from time to time and at any time change its address for notices hereunder.
- i. Duty to Cooperate. On and after the date of this Agreement, each City will, at the request of any other City, make, execute and deliver or obtain and deliver all instruments and documents and will do or cause to be done all such other things which any City may reasonably require to effectuate the provisions and intentions of this agreement. The Cities agree to discuss and negotiate in good faith to resolve any issues addressed in the modifications or amendments as proposed.

- j. Time of Essence. Time is and will be of the essence of this Agreement.
- k. No Waiver. No failure of any City to exercise any power given under this Agreement or to insist upon strict compliance with any obligation specified in this Agreement, and no custom or practice at variance with the terms of this agreement, will constitute a waiver of any City's right to demand exact compliance with the terms of this agreement.
- l. Construction. This Agreement will be construed without regard to who drafted the various provisions hereof. Each provision of this Agreement will be construed as though all the parties participated equally in its drafting. Consequently, the Cities acknowledge and agree that any rule of construction that a document is construed against the drafting party will not be applicable to this Agreement.
- m. Counterparts. This Agreement may be executed in several counterparts and in duplicate originals, each of which will constitute an executed original, and it will not be necessary that each party execute each counterpart if each party has executed at least one counterpart of this Agreement either by writing or by facsimile.
- n. Third Party Beneficiary. During any period that the Commission or any City has a contractual relationship in effect with the Municipal Gas Authority of Georgia ("Gas Authority"), the Gas Authority will be a third party beneficiary of this Agreement and it may not be amended, modified or supplemented in a manner detrimental to the Gas Authority without its prior written consent.
- o. Commission Territory. No City will provide natural gas service within 1/2 mile of any Commission TL except in cases where such Commission TL is within the City(s). If a City expands its corporate limits by annexation into an area already being served natural gas by the Commission, that area will continue being served by the Commission.
- p. Gas Supply. Each City which operates a gas distribution system independent of the Commission is responsible for securing its individual gas supply for resale within such distribution system. The Commission is responsible for securing its gas supply for resale within the Commission's distribution system.
- q. Taps. Any City that encounters a need to take gas supply from a section of the Commission's natural gas lines in order to serve the gas needs within their city limits, beyond the protective corridor, will be allowed to do so, provided that such City bear all costs associated with the necessary tap, including the necessary meter and telemetry equipment. The City(s) would maintain annual meter proofing, or more often if necessary. A limit of 4 taps by a City will be allowed. In the future, should additional taps be needed, the Board will approve, or disapprove, such additional taps on a case by case basis.
- r. Nature of Obligation. The Cities agree that the amounts payable hereunder will be paid by each City as an expense of operation and maintenance of such City's gas system.

s. Commission Rate Covenant. The Board will cause the Commission to establish, maintain and collect rates and charges for its goods and services and use of Commission Property so as to provide revenues sufficient, together with available gas system reserves, to enable the Commission to pay: (a) all of Commission's lawful payment obligations, and (b) all other lawful charges against or liens on, the revenues of Commission Property.

t. City Rate Covenant. Each City operating a gas distribution system will establish, maintain and collect rates and charges for the gas service of its gas system so as to provide revenues sufficient, together with available gas system reserves, to enable such City to pay: (a) all amounts payable to the Commission by such City, and (b) all lawful charges against or liens on, the revenues of such City's gas system.

[Signature pages follow]

IN WITNESS WHEREOF, the parties herein have hereunto set their hands and seals, in counterparts, the day and year set forth herein.

Approved this ____ day of _____, 2020.

FOR BYRON:

CITY OF BYRON, GEORGIA,
Acting by and through its Mayor and Council

Mayor

Approved as to form:

City Attorney

(SEAL)

Attest: Clerk

Approved this ____ day of _____, 2020.

FOR COCHRAN:

CITY OF COCHRAN, GEORGIA,
Acting by and through its Mayor and Council

Mayor

Approved as to form:

City Attorney

(SEAL)

Attest: Clerk

Approved this ____ day of _____, 2020.

FOR HAWKINSVILLE:

**CITY OF HAWKINSVILLE, GEORGIA,
Acting by and through its City Commission**

Commissioner

Approved as to form:

City Attorney

(SEAL)

Attest: Clerk

Approved this ____ day of _____, 2020.

FOR PERRY:

**CITY OF PERRY, GEORGIA,
Acting by and through its Mayor and Council**

Mayor

Approved as to form:

City Attorney

(SEAL)

Attest: Clerk

Approved this ____ day of _____, 2020.

FOR WARNER ROBINS:

CITY OF WARNER ROBINS, GEORGIA,
Acting by and through its Mayor and Council

Mayor

Approved as to form:

City Attorney

(SEAL)

Attest: Clerk

EXHIBIT A

OWNERSHIP SHARES

<u>Member</u>	<u>Ownership Share</u>
City of Byron	8.49%
City of Cochran	18.03%
City of Hawkinsville	17.35%
City of Perry	15.97%
City of Warner Robins	40.16%

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the zoning is changed from City of Perry R-3, Multi-family Residential District to City of Perry R-Ag, Residential-agricultural District, and the city's zoning map is amended accordingly relative to property of DAVID STORY, described as follows:

All that tract or parcel of land lying and being in Land Lot 270 of the 13th Land District of Houston County, Georgia, being known and designated as Parcel D2-5A containing 43.990 acres, as shown on plat recorded in Plat Book 76, Page 84, Clerk's Office, Houston County Superior Court. Said plat is incorporated herein by reference and made a part hereof for a more complete and accurate description.

Aforesaid property being known as 96 Hay Road, Perry, GA 31069 under the present system of numbering in Houston County, Georgia.

**Deed Reference: Deed Book 8452, Page 256-257, said Clerk's Office
Tax Map Parcel No. 0P0340 057000
Street Address: 96 Hay Road, Perry, GA 31069**

SO ENACTED this 1st day of December, 2020.

CITY OF PERRY, GEORGIA

BY: _____
RANDALL WALKER, Mayor

ATTEST: _____
ANNIE WARREN, City Clerk

1st Reading: November 17, 2020

2nd Reading: December 1, 2020

A RESOLUTION OF THE COUNCIL OF THE CITY OF PERRY, GEORGIA, REQUESTING THE GEORGIA GENERAL ASSEMBLY TO ADOPT LOCAL LEGISLATION FOR THE CITY OF PERRY, GEORGIA, TO INCREASE THE HOTEL/MOTEL EXCISE TAX UNDER O.C.G.A. § 48-13-51(b); REQUESTING THE GEORGIA GENERAL ASSEMBLY TO ADOPT LOCAL LEGISLATION FOR THE CITY OF PERRY, GEORGIA, TO AUTHORIZE THE ASSESSMENT AND COLLECTION OF A TECHNOLOGY FEE BY ITS MUNICIPAL COURT; TO AUTHORIZE THE MAYOR TO EXECUTE ALL NECESSARY ACTS TO ACCOMPLISH THE INTENT OF THIS RESOLUTION; TO PROVIDE AN EFFECTIVE DATE OF THIS RESOLUTION; AND FOR OTHER PURPOSES

WHEREAS, the governing body of the City of Perry, Georgia consists of its Mayor and Council; and,

WHEREAS, within the City of Perry there currently exists a seven percent (7%) Hotel/Motel tax authorized under O.C.G.A. § 48-13-51(b), and,

WHEREAS, the Georgia General Assembly adopted legislation enabling municipalities and counties to increase their Hotel/motel tax up to eight percent (8%), subject to approval of the General Assembly and subject to spending restrictions identified in O.C.G.A. § 48-13-51(a)(3) and O.C.G.A. § 48-13-51(b), and,

WHEREAS, the City of Perry desires to increase its Hotel/Motel tax from seven percent (7%) to eight percent (8%); and,

WHEREAS, such tax would benefit the City of Perry by providing additional revenues for the promotion of tourism, conventions, and tradeshow, and tourism product development in the City of Perry; and,

WHEREAS, O.C.G.A. § 48-13-51(b) provides that municipalities wishing to increase such tax must adopt a resolution which specifies the subsequent tax rate, identifies the projects or tourism product development purposes, and specifies the allocation of proceeds; and

WHEREAS, the City of Perry also desires to authorize its municipal court to assess and collect a technology fee to help offset the technological costs of the court and/or police department; and

WHEREAS, the City's charter provides for the court to establish a schedule of fees to defray the costs of operation; and

WHEREAS, the Georgia General Assembly has provided for fees and surcharges for criminal penalties by statute.

NOW, THEREFORE, BE IT RESOLVED AS THAT the City of Perry hereby requests that the legislative delegation of Houston County, Georgia sponsor and introduce a local legislative act before the Georgia General Assembly authorizing the City of Perry to adopt a Hotel-Motel Excise Tax of up to eight percent (8%) authorized pursuant to O.C.G.A. § 48-13-51(b);

BE IT FURTHER RESOLVED THAT the City of Perry intends to use the proceeds of such tax for any legal purposes, to include specifically, but not necessarily limited to, promoting tourism, conventions, and trade shows by a qualified destination marketing organization designated by the City of Perry, and as defined by O.C.G.A. § 48-13-50.2(1), for such purpose;

BE IT FURTHER RESOLVED THAT an amount equal to the amount of total taxes collected which would have been collected at a rate of 5 percent shall be expended in accordance with O.C.G.A. § 48-13-51(a)(3) by a private sector non-profit organization or other entity specified in O.C.G.A. § 48-13-51(a)(3);

BE IT FURTHER RESOLVED THAT an amount equal to not less than 50 percent of the total amount of taxes collected that exceed the amount of taxes that would be collected at the rate of 5 percent shall be expended for promoting tourism, conventions, and trade shows by a

private sector non-profit organization designated as the destination marketing organization for the City of Perry, as defined by O.C.G.A. § 48-13-50.2(1), and in accordance with O.C.G.A. § 48-13-51(b)(5)(A);

BE IT FURTHER RESOLVED THAT any remaining amount of taxes collected that exceed the amount of taxes that would be collected at the rate of 5 percent which are not otherwise expended for promoting tourism, conventions, and tradeshow by the destination marketing organization shall be expended for tourism product development, as defined in O.C.G.A. § 48-13-50.2(6), and in accordance with O.C.G.A. § 48-13-51(b)(5)(B); and

BE IT FURTHER RESOLVED THAT the City of Perry hereby requests that the legislative delegation of Houston County, Georgia also sponsor and introduce a local legislative act before the Georgia General Assembly authorizing the City of Perry's municipal court, through its clerk, to assess and collect a technology fee as a surcharge to each criminal and quasi-criminal fine paid; and

BE IT FURTHER RESOLVED THAT the authorized uses of said technology fee will be defined; and

BE IT FURTHER RESOLVED THAT provisions be made for maintenance of the technology fees in a segregated account; and

BE IT FURTHER RESOLVED THAT any and all resolutions, or any part thereof, in conflict with this resolution are hereby repealed. This resolution shall be effective December 1st, 2020.

So RESOLVED this 1st day of December, 2020.

CITY OF PERRY, GEORGIA

By: _____
RANDALL WALKER, MAYOR

[City Seal]

Attest: _____
ANNIE WARREN, CITY CLERK

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the zoning is changed from City of Perry C-2, General Commercial District to City of Perry C-1, Highway Commercial District, and the city's zoning map is amended accordingly relative to property of PARKWAY FARMS, LLC, described as follows:

Tract 19:

All that tract or parcel of land situate, lying and being in Land Lot 84 of the 10th Land District in Houston County, Georgia and being known and designated as Tract 19, containing 16.770 acres, as is shown on a plat of survey prepared by Richard L. Jones, Georgia Registered Land Surveyor, dated March 10, 2000, and recorded in Plat Book 55, Page 145, Clerk's Office, Houston Superior Court. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto for all purposes.

Tax Map Parcel No. 0P41A0 180000

Said property is rezoned subject to the following conditions:

- 1. Development of the property, including the outparcel, shall not include uses with the outdoor display of merchandise, outdoor entertainment uses, vehicle sales and services uses, recreational vehicle parks, campgrounds, industrial services uses, manufacturing and production uses, or warehouse and freight movement uses; and**
- 2. The property shall be developed substantially in compliance with the Rezoning Site Plan Scheme 1, prepared by Carter Engineering Group, dated 10/16/2020.**

SO ENACTED this 15th day of December, 2020.

CITY OF PERRY, GEORGIA

BY: _____
RANDALL WALKER, Mayor

ATTEST: _____
ANNIE WARREN, City Clerk

1st Reading: December 1, 2020
2nd Reading: December 15, 2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF PERRY, GEORGIA, FOR THE PURPOSE OF AMENDING APPENDIX A, LAND MANAGEMENT ORDINANCE, OF THE CODE OF THE CITY OF PERRY, ARTICLE 4, USE REGULATIONS; AMENDING SECTIONS 4-1.2, TABLE OF USES AND 4-3.3, COMMERCIAL USES, REVISING SUBSECTION (D) RELATIVE TO STANDARDS FOR A RECREATIONAL VEHICLE PARK; TO REPEAL ALL CODE PROVISIONS, ORDINANCES, OR PARTS THEREOF, IN CONFLICT HERewith; AND FOR OTHER PURPOSES

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the Land Management Ordinance of the Code of the City of Perry is amended as follows:

1.

By amending the use type of a campground and a recreational vehicle park listed in Table 4-1-1: Table of Uses of Section 4-1.2 of the Land Management Ordinance to a special exception use, said Table to be amended as shown in Exhibit "A" attached hereto and incorporated herein by reference.

2.

By deleting subsection (D) of Section 4-3.3 in its entirety and replacing it to read as follows:

Sec. 4-3. Standards for specific uses.

4-3.3. Commercial uses

(D) Recreational vehicle park. This use is intended to provide commercial rental parking spaces and sites for recreational vehicles (RVs), including motor homes, travel trailers, pick-up campers and tent trailers; to provide goods and services customarily needed by occupants of the park; and to assure reasonable standards for the development of facilities for the occupancy of recreational vehicles on a temporary basis, ranging from short overnight stops to longer destination-type stays of several days to weeks. All recreational vehicle (RV) parks within the City of Perry shall be governed by the following regulations:

1. Minimum Area for Recreational Vehicle (RV) Parks and rental spaces.
 - a. Minimum Park Area. The minimum size of an RV park shall be three (3) acres.
 - b. Rental Space Size. Minimum rental space size for those spaces having utility hookups shall be one thousand five hundred (1,500) square feet. Minimum rental space size for those spaces not having hookups shall be nine hundred (900) square feet. Minimum rental space size shall not include any area required for access roads, off-street parking, service buildings, recreation areas, office and similar RV park needs.
 - c. Rental Pads. A minimum of eighty percent (80%) of all spaces shall be equipped with a surfaced area of not less than ten (10) feet by forty (40) feet, containing hookups for water, sewer and electricity. Surfacing shall consist of gravel, asphalt or concrete. Where gravel surfacing is used, the design of the gravel pad shall be approved by the administrator to maintain proper drainage and minimize dust. Where provided, each RV unit shall be parked entirely on the surfaced area so that no part thereof obstructs any roadway or walkway within the RV park. Those spaces not equipped with such a surfaced area, intended for occupancy by recreational vehicles not having self-contained toilet, lavatory or bathing facilities, shall be equipped with a gravel pad, the design of which shall be approved by the administrator, of not less than ten (10) feet by twenty-five (25) feet for RV unit parking and a hookup for water. Spaces equipped with such a gravel pad shall not exceed twenty percent (20%) of the total number of spaces in the RV park.
2. Setback Requirements. Each rental space shall meet the following setback requirements:

- a. Fifty (50) feet when abutting a State or Federal highway or designated major arterial;
 - b. Twenty-five (25) feet when abutting a public right-of-way other than (a) above;
 - c. Twenty-five (25) feet when abutting any property line other than (a) or (b) above;
 - d. There shall be a minimum distance of ten (10) feet provided between RV units parked side by side;
 - e. There shall be a minimum distance of ten (10) feet between RV units parked end to end;
 - f. There shall be a minimum distance of twenty (20) feet between any RV space and any building.
3. **Streets.** Streets or roadways and parking areas within the RV park shall be designed to provide safe and convenient access to all spaces and to facilities for common use by park occupants, and shall be constructed and maintained to allow free movement of emergency and service vehicles at all times, and shall be graded to drain and surfaced with asphalt or concrete, the design of which shall be approved by the administrator, to maintain proper drainage. All interior roadways shall be at least twenty-three (23) feet in width for two-way traffic, and at least twelve (12) feet in width for one-way traffic. A forty-five (45) foot turning radius shall be required on all curves, to allow access by emergency vehicles. Any bridges within the development shall have a capacity of at least sixteen (16) tons, to allow access by emergency vehicles. Road grades shall not exceed six (6) percent. Access into the park from a public street shall meet the same design standards as those of the public street, for a distance of forty (40) feet from the property line into the development. All roadways and walkways within the park shall be adequately lighted at night, to provide safe access.
4. **Frontage.** All rental spaces shall have a minimum frontage of twenty (20) feet along an interior roadway.
5. **Sanitary facilities.** Every RV park shall be provided with one or more service buildings equipped with flush toilets, lavatories, showers and laundry facilities meeting minimum state Health Department standards.
6. **Sanitary disposal stations.** Every RV park shall contain at least one sanitary disposal station for the sole purpose of removing and disposing of wastes from holding tanks in a clean, efficient and convenient manner.
- a. Each sanitary station shall consist of a drainage basin constructed of impervious material, containing a disposal hatch and self-closing cover, and related washing facilities.
 - b. The disposal hatch of sanitary station units shall be connected to the sewage disposal system. Related facilities required to wash holding tanks and the general area of the sanitary station shall be connected to the RV park water supply system.
 - c. Each sanitary station shall have a sign posted stating "Danger - Not to be used for drinking or domestic purposes."
 - d. Sanitary stations shall be approved by the county health department.
7. **Utilities.** All utilities shall be placed underground.
- a. **Water supply.** Every RV park shall connect to a public water system. Each rental space equipped with sewer and electrical hookups shall also be equipped with two water outlets, to provide connection for the RV and a garden hose. All other rental spaces shall be equipped with one water outlet. Water supply shall be installed in compliance with City of Perry specifications. Fire hydrants shall meet minimum standards adopted by the City of Perry.
 - b. **Sanitary sewer.** A minimum of eighty percent (80%) of all rental spaces shall be equipped with a hookup to a public sewage system and installed in compliance with City of Perry specifications.
 - c. **Electricity.** A minimum of eighty percent (80%) of all rental spaces shall be equipped with an electrical outlet supplying at least 110 volts, or 110-220 volts, installed in accordance with applicable state electrical codes.
8. **Refuse disposal.** The storage, collection and disposal of refuse shall be performed so as to minimize accidents, fire hazards, air pollution, odors, insects, rodents or other nuisance conditions. All refuse shall be stored in durable, washable and

nonabsorbent metal or plastic containers with tight-fitting lids. Such containers shall be provided at the rate of at least one thirty (30) gallon container, secured in a rack or holder, for each rental space, or an equivalent storage capacity in centralized storage facilities. Adequate refuse collection and removal shall be the responsibility of the park owner.

9. Landscaping. Landscaping, screening and buffering shall comply with the provisions of Section 6-3 and 6-4 of this chapter. In addition to buildings located on the site, rental pads shall be removed from the overall site area for the calculation of tree unit density. Rental pads shall not count toward interior parking lot landscaping.
10. Open space. Open space for common areas, playgrounds and other recreational uses shall be provided at the rate of at least ten percent (10%) of the gross area of the RV park, and shall be of sufficient size and distribution as to be a functional part of the entire development plan. Open space shall not include any area designated as a roadway, RV rental space, storage area, swimming pool, yard area surrounding the caretaker's or manager's residence, or any area required for setbacks as set forth in Subsection (D)(2) of these regulations
11. Structural Additions. Temporary structures such as canvas awnings, screened enclosures, or platforms, which are normal camping equipment, may be erected but must be removed when the rental space is vacated. No other structural additions shall be built onto or become a part of any RV.
12. Storage Sheds. No storage sheds shall be allowed within an RV rental space.
13. Fires. Fires shall be made only in stoves and other equipment intended for such purposes and placed in safe and convenient locations, where they will not constitute fire hazards to vegetation, undergrowth, trees and RVs. No open fires are allowed.
14. Tents. Tents shall be permitted, and their number shall be limited to one tent per rental space. Areas for group tent camping may be established, with the following provisions:
 - a. The area set aside for such group use is not a part of any designated open space;
 - b. An adequate number of parking spaces is provided;
 - c. The area is served by one or more water outlets; and
 - d. The area is located no further than three hundred (300) feet from a service building.
15. Registration of Occupants. It shall be the responsibility of the owner or manager of the RV park to keep a current record of the names and addresses of the owners and/or occupants of each RV space, the make, model, year and license number of each RV and motor vehicle by which it is towed, the state, territory or country issuing such licenses, and the arrival and departure dates of each occupant. This record must be made available for inspection to all appropriate agencies whose duties necessitate acquisition.
16. Additional Standards for Special Exception. In addition to the standards for granting a special exception, the applicant requesting special exception for an RV park shall demonstrate conformance with, and the Planning Commission and the City Council shall find:
 - a. That the site is in conformance with sound planning principles and the land use plan for that area, as set forth in the comprehensive plan;
 - b. That the site has an acceptable relationship to the major thoroughfare plan of the City, and is accessible to recreational vehicles without causing disruption to residential areas; and
 - c. That the proposed recreational vehicle park will not overload utility and drainage facilities.

3.

BE IT FURTHER ORDAINED that all ordinances and Code sections, or parts thereof, in conflict with the foregoing are expressly repealed; and that should any provision of this ordinance be rendered invalid by any court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of this governing authority.

SO ENACTED this 15th day of December, 2020.

CITY OF PERRY, GEORGIA

By: _____
Randall Walker, Mayor

Attest: _____
Annie Warren, City Clerk

1st Reading: December 1, 2020

2nd Reading: December 15, 2020

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

Table 4-1-1: Table of Uses

Key: "P" = Permitted Use; "S" = Special Exception Use; "C" = Conditional Use; Blank Cell = Prohibited Use

Use Category	Use Type	Zoning Districts																	Additional Regulations								
		Residential							Nonresidential							Form Based Code?											
		R-AG	R1	R2A	R2	R3	RMH	OC	IN	C1	C2	C3	LC	M1	M2	GU	IMU	MUC		NMU	FBR						
Residential Uses	Single Family dwelling, detached	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	Sec. 4-3.1(A)	
	Single Family dwelling, attached				P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
	Two Family dwelling				P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
	Multi-family dwelling < 7 units					P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
	Multi-family dwelling > 6 units					S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S		
	Manufactured home	P																									
	Manufactured home park																										Sec. 4-3.1(B)
	Manufactured home subdivision																										
	Dwelling in a commercial building							C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	C	Sec. 4-3.1(C)
	Family personal care home	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Group Living	Boarding house									P	P ¹																
	All other uses					S				P	P	P								P	P	P					
Accessory Use	Residential Business	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	Sec. 4-4.3(D)
Public and Institutional Uses																											
Community Service	All Uses	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
	Child learning center (19+ persons)	S			S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
	Group daycare home (7-18 persons)	S			S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
Education	Preschool	S			S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
	Business school						S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
	College or university						P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
Government	School, public or private	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	S	
	Trade school																										
	Detention facility																										
	Emergency response facility																										

Use Category	Use Type	Zoning Districts												Form Based Code?					Additional Regulations								
		Residential						Nonresidential						IMU	MUC	NMU	FBR										
		R-As	R1	R2A	R2	R3	RMH	OC	IN	C1	C2	C3	LC					M1		M2	GU						
Maintenance, storage, and distribution facility																											
Police substation																											
Post office																											
Health Care	Hospital											P	P	P													
	Medical facility other than hospital											P	P	P													
Institutions	Religious institution	S	S	S	S	S	S	S	S	S	S	P	P	P	S												
	Congregate personal care home											P	P	P													
	Alternative/post incarceration facility											S															
	Rehabilitation facility											P	P	P													
	All other uses											P	P	P													
Parks and open space	Cemetery, columbarium, mausoleum	S										P	P	P	P												
	Community Garden	P	S	S	S	S	S	S	S	S	S	P	P	P	S	P	P	P	P	P	P	P	P	P	P	P	
	Golf course	S	S	S	S	S	S	S	S	S	S																
Transportation Terminals	Park	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
	Airport/heliport/landing strip																										
Utilities	All other uses																										
	Communication tower, freestanding	S										P	P	P	S												
	Communication tower on existing structure																										
	Utility, major	S	S	S	S	S	S	S	S	S	S																
	Utility, minor	S	S	S	S	S	S	S	S	S	S																
Commercial Uses	Brewpub																										
Eating Establishments	Drive-in restaurant																										
	Restaurant with drive-through window																										
	Restaurant with indoor and outdoor seating and/or food service areas																										

Use Category	Use Type	Zoning Districts												Form Based Code?	Additional Regulations						
		Residential						Nonresidential													
		R1	R2A	R2	R3	RM	OC	IN	C1	C2	C3	LC	M1	M2	GU	IMU	MU	UM	FBR		
Retail Sales and Services	Restaurant with indoor seating only																P	P	P		
	Restaurant with no seating																	P	P	P	
Offices	All uses																				
	Outdoor Entertainment																				
	Parking, commercial																				
	Parking lot																				
Use Category	Parking structure																				
	Automobile parts store																				
	Bank, financial institution, ATM																				
	Bar, nightclub																				
	Barber shop, beauty shop																				
	Casino or gambling establishment																				
	Civic club																				
	Convenience store																				
	Convention and exhibition facility																				
	Event venue	S																			
	Farmers' market	S																			
	Flea market																				
	Fortune telling																				
	Funeral home, mortuary																				
	Grocery store																				
	Health club, spa																				
	Indoor entertainment facility, general																				
	Kennel or veterinary clinic, indoor and outdoor																				
Kennel or veterinary clinic, indoor only																					
Landscape nursery																					

Service and Industrial Uses																									
Use Category	Use Type	Zoning Districts										Additional Regulations													
		Residential					Nonresidential						Form Based Code ²												
		R-As	R1	R2A	R2	R3	RMH	OC	IN	C1	C2	C3	LC	M1	M2	GU	IMU	MUC	NMU	FBR					
Agricultural Operations	Farm winery	S									S'				P	P				S	S			Sec. 4-3.4(A)	
	Riding stable/academy	P									P ¹				P	P									Sec. 4-3.4(A)
	All other uses	P	S	S	S	S	S			S	S'				P	P									Sec. 4-3.4(A)
Industrial services	Contractor's office with on-site storage/fabrication									P					P	P				P	P	S			
	Truck stop or travel plaza									P					P	P									
	All other uses									P					P	P									
Manufacturing and production	Artisan production establishment									P					P	P				P	P				
	Brewery, distillery										P	S			P										
	Heavy manufacturing															P									
Mining operations	Light manufacturing, general									P					P	P									
	All uses															S									
Research and development	All uses																								
	All uses								P		P	P	S												

Use Category	Use Type	Zoning Districts										Additional Regulations													
		Residential					Nonresidential						Form Based Code ²												
		R-As	R1	R2A	R2	R3	RMH	OC	IN	C1	C2	C3	LC	M1	M2	GU	IMU	MUC	NMU	FBR					
Warehouse and freight movement	Outdoor storage lot								C					C	C		P	S							Sec. 6-3.7(A)
	Truck or freight terminal								P					P	P		P								
	Warehouse									P				P	P										
Waste services	Junk yard														S										
	Recycling drop-off center													P	P	P									
Wholesale sales	Waste disposal or treatment operation													S	S	P									
	Contractor's materials													P	P		P								
	Wholesale establishment													P	P		P								

1 - 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.

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

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

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the zoning is changed from Houston County R-1, Single-family Residential District, to City of Perry R-3, Multi-family Residential District, and the city's zoning map is amended accordingly relative to property of William Edmond Smith, III and Daphne Smith, described as follows:

All that tract or parcel of land situate, lying and being in Land Lot 214 of the 10th Land District of Houston County, Georgia, being known and designated as Tract "A" containing 38.92 acres as shown on plat of survey prepared by McLeod Surveying, Marty A. McLeod, Georgia Registered Land Surveyor No. 2991, titled Tract "A" William Edmond Smith, III, Daphne Smith & Tract "A-1" William Edmond Smith, Jr., dated September 18, 2020 and recorded in Plat Book _____ Page _____, Clerk's Superior Court, Houston County, Georgia. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto.

Said property is rezoned subject to the condition that multi-family uses shall not be developed on the property.

This rezoning shall become effective on January 1, 2021, in accordance with O.C.G.A. § 36-66-4(d)(4).

SO ENACTED this 1st day December, 2020.

CITY OF PERRY, GEORGIA

BY: _____
RANDALL WALKER, Mayor

ATTEST: _____
ANNIE WARREN, City Clerk

1st Reading: November 17, 2020

2nd Reading: December 1, 2020

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS as follows:

WHEREAS, proper application to annex property to the City of Perry, Georgia has been made by Chad Bryant of Bryant Engineering, on behalf of William Edmond Smith, III and Daphne Smith, the owners of the land hereinafter described as follows:

All that tract or parcel of land situate, lying and being in Land Lot 214 of the 10th Land District of Houston County, Georgia, being known and designated as Tract "A" containing 38.92 acres as shown on plat of survey prepared by McLeod Surveying, Marty A. McLeod, Georgia Registered Land Surveyor No. 2991, titled Tract "A" William Edmond Smith, III, Daphne Smith & Tract "A-1" William Edmond Smith, Jr., dated September 18, 2020 and recorded in Plat Book _____ Page _____, Clerk's Superior Court, Houston County, Georgia. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto.

Said property is annexed subject to the condition that multi-family uses shall not be developed on the property.

NOW THEREFORE, pursuant to the act of the General Assembly of the State of Georgia 1962, Page 119; 1969, Page 504 the following described property is annexed to the City of Perry and the precinct boundary is changed accordingly.

This annexation shall become effective for ad valorem tax purposes on December 31, 2020, and for all other purposes shall become effective on January 1st, 2021.

SO ENACTED this 1st day of December, 2020.

CITY OF PERRY, GEORGIA

(SEAL) BY: _____
RANDALL WALKER, MAYOR

ATTEST: _____
ANNIE WARREN, CITY CLERK

1st Reading: November 17, 2020
2nd Reading: December 1, 2020

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the zoning is changed from Houston County R-1, Single-family Residential District to City of Perry R-3, Multi-family Residential District, and the city's zoning map is amended accordingly relative to property of WILLIAM EDMOND SMITH, JR., described as follows:

All that tract or parcel of land situate, lying and being in Land Lot 214 of the 10th Land District of Houston County, Georgia, being known and designated as Tract "A-1" containing 10.66 acres as shown on plat of survey prepared by McLeod Surveying, Marty A. McLeod, Georgia Registered Land Surveyor No. 2991, titled Tract "A" William Edmond Smith, III, Daphne Smith & Tract "A-1" William Edmond Smith, Jr., dated September 18, 2020 and recorded in Plat Book _____ Page _____, Clerk's Superior Court, Houston County, Georgia. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto.

Said property is rezoned subject to the following conditions:

1. Multi-family uses shall not be developed on the property;
2. A 35' wide buffer with landscaping that meets requirements of LMO Sec. 6-3.5(D)(1)(c) shall be provided along the east property boundary; and
3. Residential lots adjacent to the east property boundary shall be a minimum of 12,000 square feet in area.

This rezoning shall become effective on January 1, 2021, in accordance with O.C.G.A. § 36-66-4(d)(4).

SO ENACTED this 1st day of December, 2020.

CITY OF PERRY, GEORGIA

BY: _____
RANDALL WALKER, Mayor

ATTEST: _____
ANNIE WARREN, City Clerk

1st Reading: November 17, 2020
2nd Reading: December 1, 2020

ORDINANCE

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS as follows:

WHEREAS, proper application to annex property to the City of Perry, Georgia has been made by Chad Bryant of Bryant Engineering, on behalf of William Edmond Smith, Jr., the owner of the land hereinafter described as follows:

All that tract or parcel of land situate, lying and being in Land Lot 214 of the 10th Land District of Houston County, Georgia, being known and designated as Tract "A-1" containing 10.66 acres as shown on plat of survey prepared by McLeod Surveying, Marty McLeod, Georgia Registered Land Surveyor No. 2991, titled Tract "A" William Edmond Smith, III, Daphne Smith & Tract "A-1" William Edmond Smith, Jr.," dated September 18, 2020 and recorded in Plat Book ____ Page ____, Clerk's Superior Court, Houston County, Georgia. Said plat and the recorded copy thereof are hereby made a part of this description by reference thereto.

Said property is annexed subject to the following conditions:

1. Multi-family uses shall not be developed on the property;
2. A 35' wide buffer with landscaping that meets requirements of LMO Sec. 6-3.5(D)(1)(c) shall be provided along the east property boundary; and
3. Residential lots adjacent to the east property boundary shall be a minimum of 12,000 square feet in area.

NOW THEREFORE, pursuant to the act of the General Assembly of the State of Georgia 1962, Page 119; 1969, Page 504 the following described property is annexed to the City of Perry and the precinct boundary is changed accordingly.

This annexation shall become effective for ad valorem tax purposes on December 31, 2020, and for all other purposes shall become effective on January 1st, 2021.

SO ENACTED this 1st day of December, 2020.

CITY OF PERRY, GEORGIA

(SEAL) BY: _____
RANDALL WALKER, MAYOR

ATTEST: _____
ANNIE WARREN, CITY CLERK

1st Reading: November 17, 2020
2nd Reading: December 1, 2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF PERRY, GEORGIA, CHAPTER 3, ALCOHOLIC BEVERAGES; AMENDING SECTION 3-11, GENERAL REGULATIONS TO ALCOHOL LICENSES; ADDING SUBSECTION (R) TO REQUIRE A PUBLIC HEARING BEFORE COUNCIL FOR APPLICATIONS FOR NEW LICENSE LOCATIONS; TO REPEAL ALL CODE PROVISIONS, ORDINANCES, OR PARTS THEREOF, IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES

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

1.

By amending Section 3-11- General regulations to alcohol licenses, by adding the following subsection as follows:

(r) *Public hearing required before Council for applications for a new license location.* Prior to the issuance of a license under this Chapter, a public hearing is required before Council for applications for a license to sell alcoholic beverages at a new location. A new location is a location or premises where alcoholic beverages have never been previously sold or where alcoholic beverages have not been sold within the two (2) years immediately preceding the date of the application.

BE IT FURTHER ORDAINED that all ordinances and Code sections, or parts thereof, in conflict with the foregoing are expressly repealed; and that should any provision of this ordinance be rendered invalid by any court of law, the remaining provisions shall continue in force and effect until amended or repealed by action of the municipal governing authority.

SO ENACTED this 1st day of December, 2020.

CITY OF PERRY, GEORGIA

By: _____
Randall Walker, Mayor

Attest: _____
Annie Warren, City Clerk

1st Reading: November 17, 2020

2nd Reading: December 1, 2020

AN ORDINANCE OF THE COUNCIL OF THE CITY OF PERRY, GEORGIA, FOR THE PURPOSE OF AMENDING THE CODE OF THE CITY OF PERRY, APPENDIX A, THE LAND MANAGEMENT ORDINANCE, AMENDING SECTION 1-4 RELATING TO THE DOWNTOWN DEVELOPMENT OVERLAY DISTRICT BOUNDARIES

THE COUNCIL OF THE CITY OF PERRY HEREBY ORDAINS that the Land Management Ordinance of the City of Perry is amended as follows:

1.

By amending Section 1-4.- Official zoning district map, to add subsection 1-4.6. as follows:

1-4.6. *Downtown Development Overlay District Boundaries.* The Boundaries of the Downtown Development District shall be identical to the boundaries of the geographical area as depicted in Exhibit "A" attached hereto dated November 2020, a copy of said exhibit to be attached to and replace the exhibit on the resolution activating the Downtown Development Authority of the City of Perry which Resolution was adopted by the Mayor and Council on the 17th Day of November, 1981. Said exhibit is incorporated into said Resolution, as may be hereafter amended by reference.

The portion of said property designated as "Proposed Downtown Development District Parcels" on Exhibit "A" shall be considered an overlay district and as such an overlay district shall consist of the zoning, land use and regulatory controls in effect for said property as of December 15, 2020.

SO ENACTED this 15th day of December, 2020.

CITY OF PERRY, GEORGIA

By: _____
Randall Walker, Mayor

Attest: _____
Annie Warren, City Clerk

1st Reading: December 1, 2020

2nd Reading: December 15, 2020

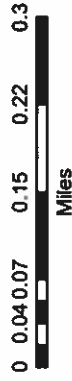
Perry Downtown Boundary



Where Georgia comes together.

Legend

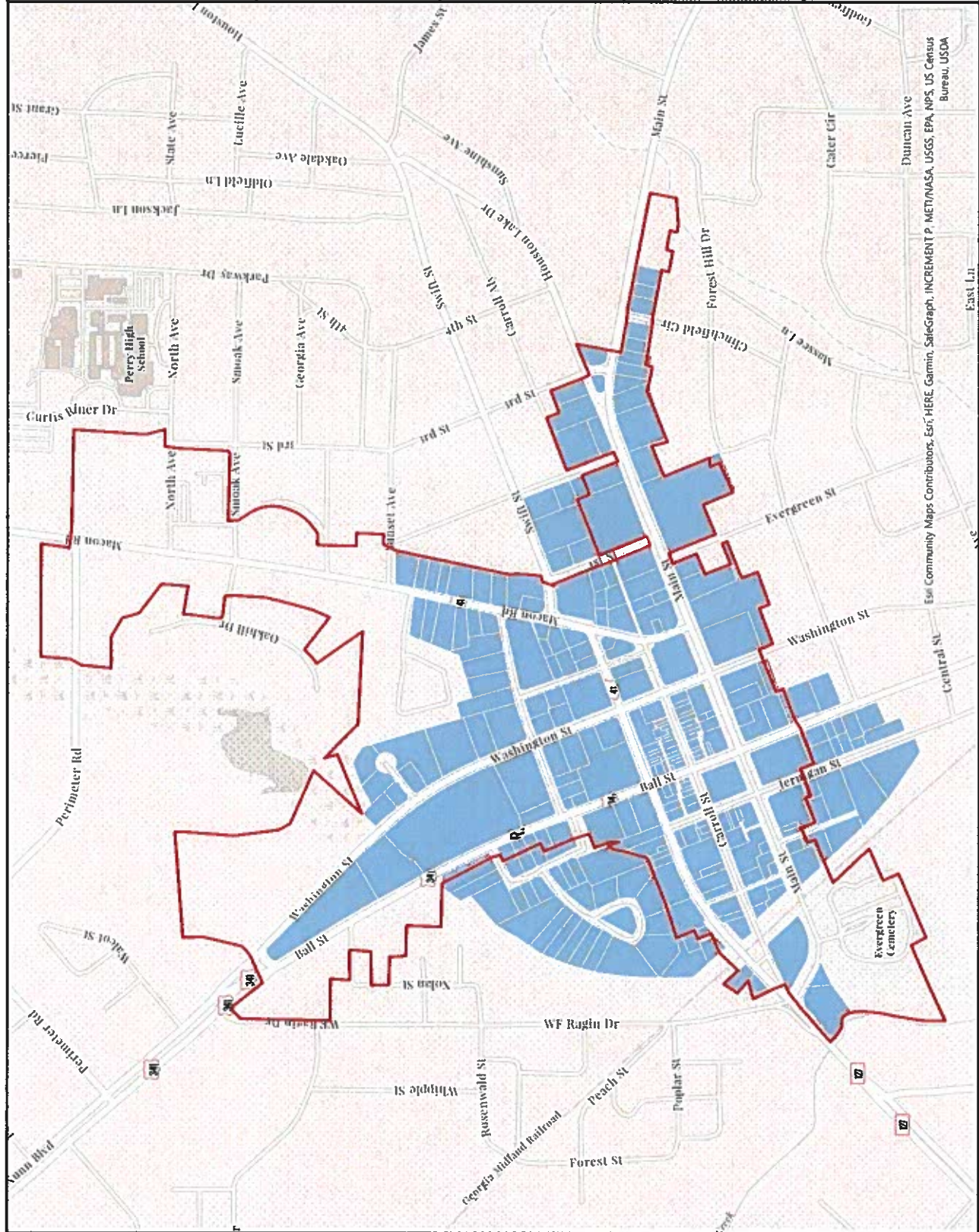
-  Current Downtown Development District
-  Proposed Downtown Development District Parcels



Middle Georgia Regional Commission
 175 Emery Highway Suite C
 Macon, Georgia 31217
 (478) 751-6180
info@mg-rc.org
<https://middlegeorgia.org>

This map was compiled by the Middle Georgia Regional Commission (MGRC) in November 2020. The information on this map is derived from a variety of proprietary data sources, including MGRC but not limited to other organizations. Primary data sources include the following: MGRC, Houston County GIS, and ESRI. The information on this map is for general informational purposes only. MGRC does not warrant, represent, or guarantee the accuracy, timeliness, or completeness of the information provided herein and shall assume no liability for errors, omissions or inaccuracies on the map. Please contact the MGRC Technology Services Department for more information about the map.

Filename reference: Perry Downtown Boundary.aprx



Bid Submittal Summary Sheet

Bid Title/Number: 2021-07 Utility Terrain Vehicle (2)

M&CC Meeting Date: December 1, 2020

Funding Source: Solid Waste Fund - 50%
General Fund - 50%

Budgeted Expense? Yes

Responsive Bidders:		Bid Amount	
Lasseter Tractor		\$	46,000.00
Planet Cycle Kawasaki		\$	49,496.00

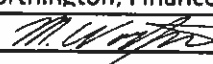
Posting Sources:

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

Department Recommendation:

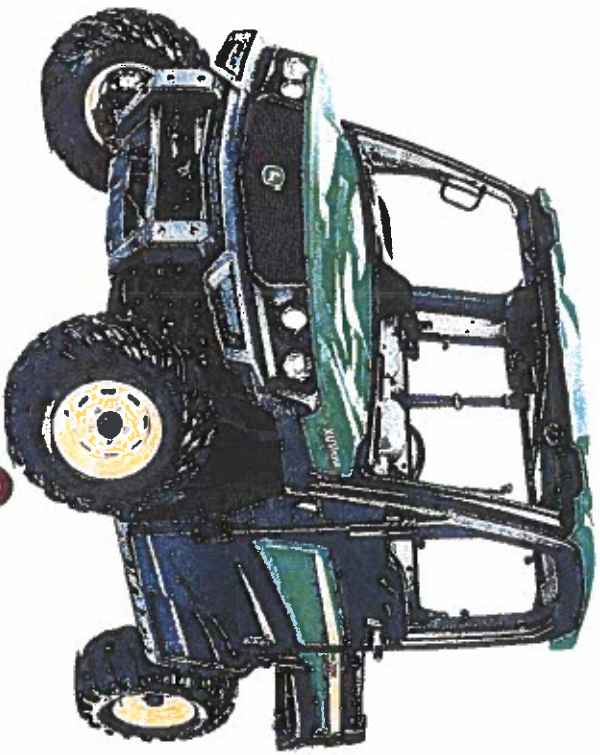
Vendor:	Lasseter Tractor
Amount:	\$ 46,000.00
Department:	Vehicle Maintenance
Department Representative:	Bob Taylor, Vehicle Maint Manager

Purchasing Agent Recommendation:

Vendor:	Lasseter Tractor
Amount:	\$ 46,000.00
Purchasing Agent:	Mitchell Worthington, Finance Director
Signature:	

BID 2021-07: COUNTY TRAILER VEHICLE

- **Funding:**
 - Solid Waste Fund (50%)
 - General Fund (50%)
- **Responsive Bidders:**
 - Lasseter Tractor \$46,000.00
 - Planet Cycle Kawasaki \$49,496.00
- **Staff Recommendation:**
 - Award to Lasseter Tractor in the amount of \$46,000.00



Where Georgia comes together.