

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

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

2. Roll.

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

Elected Official Absent: none

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

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

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

Media: Lauren Harris - Houston Home Journal

3. Invocation and Pledge of Allegiance to the Flag:

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

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

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

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

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

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

6. Citizens with Input.

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

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

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

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

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

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

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

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

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

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

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

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

Opposed: none

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

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

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

For: none

Opposed: none

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

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

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

8. Review of Minutes: Mayor Randall Walker

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

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

9. Old Business: Mayor Randall Walker

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

10. Any Other Old Business:

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

10b. Council Members - none

10c. City Attorney Brooke Newby - none

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

11. New Business: Mayor Randall Walker

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

11d. Special Events Application(s):

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

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

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

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

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

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

12. Council Members Items:

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

13. Department Heads/Staff Items.

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

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

14. General Public Items: none

15. Mayor Items:

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

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