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January 5, 2021

PRE COUNCIL AGENDA

5:00 PM

PERRY ARTS CENTER

1121 MACON ROAD, PERRY, GA 31069

1. Call to Order: Mayor Randall Walker, Presiding Officer.
2. Roll:
3. Items of Review/Discussion: Mayor Randall Walker
 - 3a. Discussion of January 5, 2021 council meeting agenda.
 - 3b. Office of the City Manager
 1. Consider postponing the start of youth basketball program until January 18, 2021 due to COVID cases – Mr. L. Gilmour.
 2. Consider shift of animal control functions from Police Department to the Department of Public Works – Mr. L. Gilmour.
 3. Consider elements of City's 200th Birthday – Mr. L. Gilmour.
 4. Review criteria for the Downtown Development Authority of the City of Perry – Mr. L. Gilmour.
 5. Consider intersection improvements at North Davis Drive/Park Avenue/Greenwood Avenue – Mr. L. Gilmour.
4. Council Member Items:
5. Adjourn.



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OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: Mayor / Council
FROM: Lee Gilmour, City Manager ^{LG}
DATE: December 29, 2020
REFERENCE: Shift of functions

The Perry Police Department has approached the Administration requesting it suggest to Council shifting the animal control functions to the Department of Public Works. This was originally recommended in the proposed FY-2021 Operating Budget. With the upcoming retirement of Major Phelps and the Department's focus on succession planning, it feels it should focus on law enforcement functions.

The Administration concurs with the request. It has no impact on the operating budget.



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OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: Mayor / Council
FROM: Lee Gilmour, ^{LG} City Manager
DATE: December 29, 2020
REFERENCE: 200-year birthday

The City of Perry's 200th year birthday is coming up in 2024. The Administration recommends Council:

1. Approve the establishment of a commission to work with partners on the activities to celebrate the birthday.
2. Designate the old water plant structure at the intersection of Main Street and General Courtney Hodges Boulevard as the City of Perry historical museum.



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OFFICE OF THE CITY MANAGER

MEMORANDUM

TO: Mayor / Council
FROM: ^{LG} Lee Gilmour, City Manager
DATE: December 29, 2020
REFERENCE: Authority review

Per your August 3, 2020 direction the Council appointed organization data for the Development Authority of the City of Perry is:

Legal Authority

See attached 8/10/2020 memo.

Purpose of Authority

Revitalize and redevelop the central business district. To accomplish this the Authority may purchase / lease property and dispose thereof, finance projects, borrow money and issue revenue bonds, apply for and use federal, state, profit and non-profit grants, contract with legal entities and make loans.

Member Restrictions

See attached 12/3/2020 memo.

Current Appointment Process

See attached 12/3/2020 memo.

Staff Assigned

See attached 8/13/2020 memo.

Issues with Members

See attached 8/13/2020 memo.

Accomplishments

See attached 8/13/2020 memo.

Suggestions for Improvements

See attached 8/12/2020 memo. Additionally, the Administration recommends Council as a whole appoint members since the State law controls the term of each member.



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Office of the City Manager
Economic Development

To: Lee Gilmour, City Manager

From: Ashley Hardin, Economic Development Manager

Date: August 13, 2020

Re: Data Request-DDA

1. Legal Authority: Downtown Development Authority of the City of Perry
O.C.G.A. § 36-42-4 Creation of authorities; appointment and terms of directors; quorum.
2. Current Operational Process: Regular scheduled monthly meetings the 4th Monday of each month. Special Called meetings held as needed. Staffed by the Economic Development Manager and administrative support is provided by an administrative assistant. Every January, a chairman, vice chair and secretary/treasurer are elected by the directors. The chairman leads the meeting. The chairman, vice chair or two directors may call a special called meeting.
3. Member Restrictions: Directors are comprised of 7 members and appointed by city council members. The directors' terms shall match the term of the appointing Council Member. Directors shall be: 1. Taxpayers residing in the municipal corporation for which the authority is created. 2. Owners or operators of businesses located within the downtown development area and shall be taxpayers residing in the county in which is located the municipal corporation for which the authority is created, OR 3. Persons having a combination of the qualifications of 1 and 2, provided however, that one of such directors may be a member of the governing body of the municipal corporation. Not less than 4 (four) of the directors with the qualifications specified shall be person who either have or represent a party who has an economic interest in the redevelopment and revitalization of the downtown development area. One director appointed to the board may reside outside the county, IF they own a business in the Downtown Development area and reside in the state of Georgia. If an appointed director (who resides outside the county) ceases to own a business in the downtown district or no longer resides in the state, then the director must relinquish his/her seat on the board. Directors are required to participate in DDA basic training within 12 months of their appointment.



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**Office of the City Manager
Economic Development**

4. Accomplishments for the past two years:

- Became Rural Zone certified. Hosted Rural Zone Lunch & Learn (May 2019) for property owners, business owners, accounting and tax professionals, developers, and others with an interest in the downtown development area. Approximately 50 were in attendance. Educated and hand-held business owners and property owners on Rural Zone certification and sent forms to state. Neary \$400,000 has been captured in Rural Zone tax credits with another dozen companies identified to certify in 2020.
- Obtained a \$10,000 tourism grant from Georgia Power for restaurant equipment for Oliver Hazard's.
- Acted as a flow-through entity for Gap financing through DCA'S Downtown Revolving Loan Fund Program for the redevelopment of 809 Carroll St. in the amount of \$88,000.
- Entered into an agreement with the city to implement a natural gas incentive reimbursement program for new, unique restaurants' gas equipment and installation (50% reimbursement) for commercial kitchens.
- Educated entrepreneurs and investors on the DDA internal revolving loan program. The DDA has \$20,000 to loan out. The first applicant submitted application materials in June and a second applicant will apply in August 2020.
- Sold DDA lot for higher than asking price for infill development project.
- Worked with Georgia Power and data companies to formulate a cost-effective plan for the Pole Removal project on the DDA lot. Requested restricted DDA funding from Mayor & Council to move the project forward. The pole removal was a contingency for the property sale. Actively working with the new property owner on DDA internal and state loan programs and introduced the property owner to local builders to obtain quotes for competitive construction pricing.
- Engaged with the Middle Georgia Regional Commission for a DDA Master Plan refresh, which includes revisions to downtown boundaries. This plan also utilizes heavy community engagement along with Main Street and the Planning commission to develop a plan for directors to utilize as a guide for the future. Expected final plan October/November 2020.
- DDA is the flow-through entity for Main Street façade grant program and Resiliency Grant program developed by Main Street for Covid19 relief for the local downtown business community.



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Economic Development**

5. Issues with members of the organization: Attendance is an issue when appointments are made based on district residency and other elements only. Even after having attended training and hearing from experts that the DDA does not need to be and should not be developers if private investment and redevelopment is occurring, some directors still think the DDA should overpay for property and be developers, even though they lack the funds for these endeavors.
6. Suggestions for improvements: Once the Master Plan is finalized, the DDA should focus on small attainable projects and facilitate alongside redevelopment (currently happening and staff is educating directors on this) and move away from the mindset of being developers. Educate council on selecting directors who fulfill requirements and are committed to giving input, attending and participating in meetings. Explore additional DDA funding streams so that larger project assistance could happen (Examples: higher loan funding, grant funding for Main Street programs, constructing a downtown water feature that children can experience, playground, sidewalks on Jernigan, etc.) Perhaps this funding stream could come from Short term rentals licenses and occupational taxes in the downtown district (Airbnbs for 902 commerce). If the DDA owned property (a building) and had a business incubator/co-working/retail space, this could be another revenue stream option.
7. The city of Perry Downtown Development Authority's (DDA) mission is to serve as a catalyst for economic growth and development in Perry's Downtown Overlay District. Directors are committed to the improvement and revitalization of downtown Perry. The DDA has constitutional powers to buy and sell property and assist businesses through a variety of methods, including, but not limited to assisting with Revolving loans funds to support projects, locally or through the state, disbursement of grants (natural gas incentive, Main St. Façade Grant, tourism grants, etc.) and other eligible projects.




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Office of the City Attorney

To: Randall Walker, Mayor
Lee Gilmour, City Manager

CC: Robert Smith, Assistant City Manager

From: Brooke P. Newby, City Attorney 

Date: December 23, 2020

Re: Research Relative to Statutory Requirements for Membership and Appointment to the DDA

Dear Mayor Walker and Mr. Gilmour,

This memo is responsive to your request to review the statutory provisions for membership and appointment to the Downtown Development Authority of the City of Perry (“DDA”). In 1972, the Georgia Legislature passed a local law for the City of Perry which established the Perry Redevelopment Authority. The purpose of this authority was to redevelop the downtown area. In 1981, the legislature passed the “Downtown Development Authorities Law.” Pursuant to said law the City of Perry, on November 17, 1981, adopted a resolution establishing the Downtown Development Authority of the City of Perry. In 1982, the legislature repealed the law which had established the Perry Redevelopment Authority.

Accordingly, the legislation which controls the DDA is contained in Chapter 42 of Title 36 of the Official Code of Georgia Annotated.

O.C.G.A. § 36-42-4 provides that the downtown development authority shall consist of a board of seven directors and that, following initial appointments, the terms for directors appointed or reappointed after July 1, 1994, shall be for a term of four (4) years. The term of a director who is also a member of the governing body of the municipal corporation shall end which such director is no longer a member of the governing body of the municipal corporation.

We need to review, and consider revising, the DDA’s bylaws to ensure compliance with state law. The bylaws currently provide for the DDA to be managed by, “seven (7) persons who are appointed by the City Council to terms which will match the term of the appointing Council member; thereby, Board members shall hold office for a period of four (4) years, with staggered terms that expire January 20 every four (4) years.” With vacancies, this language relative to “matching the appointing Council member” could have directors being appointed and serving less than a four (4) year-term as required by state law.

§ 36-42-7 establishes the qualifications of directors, stating directors shall be:

- (1) Taxpayers residing in the municipal corporation for which the authority is created;
- (2) Owners or operators of businesses located within the downtown development area and who shall be taxpayers residing in the county in which is located the municipal corporation for which the authority is created; or
- (3) Persons having a combination of the qualifications specified in paragraphs (1) and (2) of this subsection;




provided, however, that one of such directors **may** be a member of the governing body of the municipal corporation.

Additionally, subsection (b) of §36-42-7 provides that, “not less than four of the directors having the qualifications specified in subsection (a) of this Code section shall be persons who, in the judgment of the governing body of the municipal corporation, either have or represent a party who has an economic interest in the redevelopment and revitalization of the downtown development area. Successors to the directors shall be appointed by the governing body of the municipal corporation.”

Subsection (c.1) provides an exception to allow one director appointed to the board to reside outside of the county, provided, however that such appointed director owns a business within the downtown development area and is a resident of the State of Georgia. If subsequently to his appointment to the board pursuant to this exception, the director ceases to own a business within the downtown development area or reside in the State of Georgia, such director shall relinquish his seat on the board. O.C.G.A. § 36-42-7(c.1).

Please do not hesitate to contact me with any questions.



 Saunders Engineering Consultants, Inc. 104-C Curry Road, Centerville, GA 31028 (478) 953-1228 (478) 953-1244 Fax		SCALE  Graphic Scale in Feet						CONCEPT # 1 CITY OF PERRY, GEORGIA		SHEET # 1 TOTAL SHEETS 1	
		DATE REVISIONS DATE REVISIONS		DATE REVISIONS DATE REVISIONS		CITY OF PERRY, GEORGIA SAUNDERS ENGINEERING CONSULTANTS, INC.		PROJECT NO. DRAWING NO. SHEET NO.		DATE TIME	

PARK AVENUE REALIGNMENT



Saunders
Engineering
Consultants, Inc.

Estimate of Probable Construction Cost

Park Avenue Re-Alignment
SEC Project # 1187
December 16, 2020

GDOT Item Number	Unit	Description	Quantity	Unit Price	Extension
150-1000	LS	TRAFFIC CONTROL	1	\$8,000.00	\$8,000.00
210-0100	LS	GRADING COMPLETE	1	\$18,000.00	\$18,000.00
310-1101	TN	GR AGGR BASE CRS, INCL MATL	270	\$40.00	\$10,800.00
402-3130	TN	RECYL ASPH CONC 12.5MM SUPERPAVE ,GP 2 ONLY ,BITUM MATL& H LIME	175	\$90.00	\$15,750.00
402-3190	TN	RECYL ASPH CONC 19 MM SUPERPAVE ,GP 1 OR 2 ,BITUM MATL& H LIME	70	\$90.00	\$6,300.00
413-1000	GL	BITUM TACK COAT	100	\$3.25	\$325.00
441-0014	SY	DRIVEWAY CONCRETE -4 IN TK	220	\$36.00	\$7,920.00
636-1033	SF	HWY SIGNS, TP 1, MATL, REFL SHEETING TP 9	36	\$17.00	\$612.00
636-1036	SF	HWY SIGNS, TP 1, MATL, ,REFL SHEETING TP 11	36	\$17.00	\$612.00
636-2070	LF	GALV STEEL POSTS, TP 7	120	\$8.00	\$960.00
653-1501	LF	THERMOPLASTIC SOLID TRAF STRIPE, 5 IN, WHITE	858	\$0.40	\$343.20
653-1502	LF	THERMOPLASTIC SOLID TRAF STRIPE, 5 IN YELLOW	470	\$0.40	\$188.00
653-1704	LF	THERMOPLASTIC SOLID TRAF STRIPE, 24", WHITE	48	\$6.00	\$288.00
	LS	EROSION CONTROL	1	\$10,000.00	\$10,000.00
Subtotal Construction Cost					\$80,098.20
				10% Contengency	\$8,009.82
				Engineering	\$8,810.80
Total Estimated Project Cost					\$96,918.82