

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
May 18, 2021
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 May 4, 2021 at 6:00 p.m.

2. Roll.

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

Elected Official Absent: none

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

Departmental Staffing: Brenda King - Director of Administration, Bryan Wood – Director of Community Development, Mitchell Worthington – Finance Director, Chief Lee Parker - Fire and Emergency Services Department, Chief Steve Lynn – Perry Police Department, Sedrick Swan – Director of Leisure Services, Ansley Fitzner – Public Works Superintendent, Anya Turpin – Special Events Administrator, Ashley Hardin – Economic Development Administrator, Holly Wharton – Community Planner, and Chad McMurrian – Engineering Services Manager.

Media: Brianna Sheffield – Houston Home Journal

Guest(s): Rachana Patel, Bill Camp – Raymond James & Associates, Inc., Stephen Swinson – Gray Pannell & Woodward LLP, Sandy Kusada, Alexy Starling, Dylan Wingate, Draper Watson, Leon Watson, Chenelle Colon, Raven Colon, Timothy and Allison Thompson, Jeffery and Christine Jordan, Curt Eckman, Keith Beckham, Guy Storm, Javan Frazier, Hugh Hill, Leon Jackson, John Christy, Jeff Wilson, Kelly Hillis, and David Morgan.

3. Invocation and Pledge of Allegiance to the Flag:

Council Member Peterson rendered the invocation and Council Member Albritton led the pledge of allegiance to the flag.

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

- 4a. Introduction of newly appointed Corporals Daniel Layson, Brenna Banks, and Eddrica Gary. Chief Lynn introduced the newly appointed corporals and

provided a brief bio on each corporal. Mayor and Council congratulated the corporals on their promotions.

4b. Peaches to Beaches Application. Ms. Sandy Kusuda, 1303 Forest Hill Drive, presented on the behalf of the Perry Lions Club an application to host the Peaches to Beaches Yard Sale event on August 6 & 7. Council Member Peterson motioned to approve the application subject to review by the Police Department; Council Member Bynum-Grace second the motion and it carried unanimously.

4c. Mayor Walker & Council wished Ms. Mildred Mace a Happy 100th Birthday.

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

6. Citizens with Input.

Allexy Starling, 316 Shane Circle, appeared before Council relative to her Special Exception application for a residential business. Ms. Starling presented to Mayor and Council a Neighbor Consent Form signed by her neighbors in support of her in-home salon.

7. PUBLIC HEARING CALLED TO ORDER AT 6:13 p.m.: Mayor Randall Walker called to order a public hearing at 6:13 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. ANNX-188-2020. Applicant, N&D Development, LLC, request the rezoning and annexation of property from R-AG (County), Residential-Agricultural District to R-2A (City), Single-family Residential District. The property is located at 111 Hill Road; Tax Map No. 000580 034000 – Ms. H. Wharton.

Staff Report: Ms. Wharton reviewed the application including the standards for establishing a zoning classification. The Houston County Commission concurs with the request for R-2A zoning. The Planning Commission and staff recommends approval of the request for annexation with the zoning classification of R-2A, Single-family Residential District.

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

For:

Dylan Wingate, 112 Worchester Circle, is the developer and spoke in favor of the application.

Against:

Keith Beckham, 2071 Main Street, provided maps to Mayor and Council as reference resources. Mr. Beckman is not opposed to the annexation but is

opposed to the density change from R-1 to R-2A. If the property is annexed into the City, he would plea for R-1 zoning. Mr. Beckham stated the annexation is deliberately circumventing the intent of ordinance by gerrymandering 10' x 220' strip to touch approximately 10' of county property so it does not create an island in the City. Also, uses of R-AG allows him and his neighbors to do things that city residents are not available to, can use property for agricultural, livestock, etc. The new plat does not have a step up in lot size on the northside like the southside.

John Christy, 200 Chinaberry Lane, asked why the rezoning is necessary? Mr. Christy expressed his concerns, observations, and objections relative to rezoning and annexation.

Guy Storm, 117 Wellington Drive, has no problems with the developer building homes on R-1. Mr. Strom does not feel like it is a good use of land and the homes and property surrounding should be R-1. The annexation will cause an increase in traffic.

Javan Frazier, 2081 Main Street, owns horses and is afraid how his animals may react to so many homes with the annexation and rezoning to R-2A.

Hugh Hill, 109 Houston Woods, voiced his opposition to the rezoning.

Leon Jackson, 141 Hill Road, voiced his concerns relative to safety issues and increased traffic flow relative to rezoning to R-2A.

Jeff Wilson, 129 Brittany Drive, spoke about growing together and not apart.

Draper Watson, 2009 Tucker Road, opposed to annexation and rezoning.

Leon Watson, 202 Chinaberry Lane, opposed to annexation and rezoning.

Chenelle and Raven Colon, 117 Chinaberry Lane, opposed to annexation and rezoning.

Timothy and Allison Thompson, 104 Chinaberry Lane, opposed to annexation and rezoning.

Jeffery and Christine Jordan, 102 Chinaberry Lane, opposed to annexation and rezoning.

Curt Eckman, 129 Wellington Drive, opposed to annexation and rezoning.

- 7b. RZNE-189-2020. Applicant, N&D Development, LLC, request the rezoning of property from R-1, Single-family Residential District to R-2A, Single-family Residential District. The property is located at 125 Hill Road; Tax Map No. oPo480 035000 – Ms. H. Wharton.

Staff Report: Ms. Wharton reviewed the application including the standards for establishing a zoning classification. The property is located at 125 Hill Road; Tax Map No. 0P0480 035000. Mr. Wharton stated this is a request to rezone 25.52 acres from R-1 to R-2A (this is a modification from the original application which was R-3). At the informational hearing, staff recommended approval of the R-3 with the condition that development be limited to single-family residential. The Planning Commission recommended denial of the rezoning request. Based on the comments that were heard at the informational hearing the applicant revised his application and plan for the R-2A zoning classification. Staff recommends approval of the R-2A zoning classification.

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

For:

Dylan Wingate, 112 Worcester Circle, is the developer and spoke in favor of the application.

Against:

Keith Beckham, 2071 Main Street, echoed his earlier comments.

John Christy, 200 Chinaberry Lane, echoed his earlier comments.

Kelly Hillis, 2016 Chinaberry Lane, noted no objections to property remaining as R-1, original application had buffer included but not in the revised application, and referred to TriplePoint letter dated May 3, 2021.

David Morgan, 102 Oxford Circle, spoke against the petition.

Hugh Hill, 109 Houston Woods, expressed his concerns about the increase in traffic and request maintaining R-1 zoning.

Public Hearing Closed at 7:50 p.m. Mayor Walker closed the hearing at 7:50 p.m.

8. Review of Minutes: Mayor Randall Walker

8a. Council's Consideration – Minutes of the May 3, 2021 work session, May 4, 2021 pre council meeting, and May 4, 2021 council meeting.

Council Member Hunt motioned to accept the minutes as submitted; Council Member Albritton seconded the motion and it carried unanimously.

9. Old Business:

9a. Special Exception Application 0071-2021. Ms. Wharton stated this a Special Exception

Application to allow an in-home salon at 316 Shane Circle. Mayor Pro Tempore Jones motioned to approve the application with the conditions: 1) The Special Exception shall be limited to a Residential Business as an in-home salon only; 2) The Special Exception shall be limited to the applicant, Alexy Starling, and is not transferrable; 3) The applicant shall obtain a business license for the business located at 316 Shane Circle; 4) The applicant shall comply with the provisions of Section 4-4.3 of the Land Management Ordinance regarding Home Occupations and Residential Businesses, all applicable local, State, and federal laws and regulations; 5) No sign advertising the business shall be posted or displayed on the property; 6) The business shall not begin operations before 9:00 am; and 7) There shall be no appointments scheduled between 3:00 and 4:00 pm. and subject to the applicant being able to show proof of meeting State requirements; Council Member Hunt seconded the motion and it carried unanimously.

10. Any Other Old Business: Mayor Randall Walker

- 10a. Mayor Randall Walker - none
- 10b. Council Members - none
- 10c. City Attorney Brooke Newby - none
- 10d. City Manager Lee Gilmour -none

11. New Business: Mayor Randall Walker

11a. Matters referred from May 17, 2021 work session, and May 18, 2021 pre council meeting.

- 1. Approve release of a certain portion of City SPLOST 18 countywide recreation money. Council Member King motioned to authorize the release of a certain portion of City SPLOST 18 countywide recreation money; Council Peterson seconded the motion and it carried unanimously.

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

- 1. **First Reading** of an ordinance for the annexation of property to the City of Perry. The property is located at 111 Hill Road; Tax Map No. 000580 034000 – Ms. H. Wharton. *(No action required by Council)*
- 2. **First Reading** of an ordinance for the rezoning of property from R-AG (County), Residential-Agricultural District to R-2A (City), Single-family Residential District. The property is located at 111 Hill Road; Tax Map No. 000580 034000 – Ms. H. Wharton. *(No action is required by Council)*
- 3. **First Reading** of an ordinance for the rezoning of property from R-1, Single-family Residential District to R-2A (City), Single-family Residential District. The property is located at 125 Hill Road; Tax Map No. 0P0480 035000 – Ms. H. Wharton. *(No action required by Council)*

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

1. Resolution authorizing an intergovernmental agreement between the City of Perry and Perry Public Facilities Authority for the issuance of bonds to fund additions and improvements to the sewer and wastewater systems of the City of Perry, approving a bond purchase agreement, and approving the bond resolution adopted by the PPFA – Ms. B. Newby.

Adopted Resolution No. 2021-24 authorizing an intergovernmental agreement between the City of Perry and Perry Public Facilities Authority for the issuance of bonds to fund additions and improvements to the sewer and wastewater systems of the City of Perry, approving a bond purchase agreement, and approving the bond resolution adopted by the PPFA. Council Member Bynum-Grace motioned to approve the resolution as submitted; Council Member King seconded the motion and it carried unanimously. (*Resolution No. 2021-24 has been entered into the official book of record.*)

2. Resolution to amend fee schedule relative to the James E. Worrall Community Center rental rates – Ms. B. Newby.

Ms. Newby requested this item be tabled until the June 1 council meeting. Mayor Pro Tempore Jones motioned to table until June 1 council meeting; Council Member Peterson seconded the motion and it carried unanimously.

11d. Office of the City Manager

1. Recommend establishment of Senior Court Administrator job classification. Administration stated this a part of the formal management succession plan for Municipal Court. There is no one going into this position and it is not a new position being created that must be funded. Council Member Bynum-Grace motioned to establish Senior Court Administrator job classification; Mayor Pro Tempore Jones seconded the motion and it carried unanimously.

11e. Flint EMC Right of Way Easement for 3.14-acre parcel, 0P0480 050000.

Ms. Newby reported this is a request from Flint EMC for a ROW easement to install electricity across the property donated to the City by Cherokee Pecan Company. Council Member King motioned to approve as submitted; Mayor Pro Tempore Jones seconded the motion and it carried unanimously.

12. Council Members Items:

Council had no reports.

Mr. Gilmour requested Council approval to purchase the software system for Community Development Department. Council Member Albritton motioned to approve the purchase of the software system for Community Development Department. Council Member Peterson seconded the motion and it carried

unanimously.

Mr. Gilmour advised Council that the City has been awarded to participate in the vacant property leadership institute. Administration recommends Council approve the grant and the condition that the City will pay for transportation costs for participants. Council Member Bynum-Grace motioned to approve the grant and conditions as outlined by Administration. Council Member King seconded the motion and it carried unanimously.

13. Department Heads/Staff Items.

Ms. King, Mr. Worthington, Ms. Wharton, Chief Parker, Mr. Swan, Ms. Hardin, and Ms. Warren had no reports.

Mr. Wood asked for clarification of the vote relative to Special Exception Application 0071-2021, did Mayor Pro Tempore Jones include the special conditions in addition to his condition for the applicant to provide proof of meeting State requirements. Mayor Pro Tempore Jones answered yes, they were to be included.

Chief Lynn recognized Lt. Ezell and thanked Mayor and Council for their recognition of the new corporals.

Ms. Turpin announced new upcoming events, National Trails Day, and Juneteenth.

14. General Public Items:
none

15. Mayor Items:

- June 1, Pre council and Council

16. Adjournment: There being no further business to come before Council in the council meeting held May18, 2021, Council Member Albritton motioned to adjourn the meeting at 8:15 p.m. Mayor Pro Tempore Jones seconded the motion and it carried unanimously.