

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
March 1, 2022
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 March 1, 2022 at 6:04 p.m.

2. Roll.

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

Elected Official Absent: None

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

Departmental Staffing: Chief Steve Lynn – Perry Police Department, Chief Lee Parker - Fire and Emergency Services Department, Brenda King – Director of Administration, Mitchell Worthington – Finance Director, Sedrick Swan – Director of Leisure Services, Ansley Fitzner – Public Works Superintendent, Tabitha Clark – Communications Administrator, Ashley Hardin – Economic Development Administrator, Annie Warren – City Clerk, Chad McMurrian – Engineering Services Manager, and Holly Wharton – Community Planner.

Media: William Oliver – Houston Home Journal

Guest(s)/Speaker(s): Dr. Eric Smith and Ms. Darrian Woolfolk

3. Invocation and Pledge of Allegiance to the Flag: Mayor Pro Tempore King rendered the invocation, and Council Member Peterson led the pledge of allegiance to the flag.

4. Appear(s) Mayor Randall Walker

4a. Dr. Eric Smith, President of Stonebridge HOA. Dr. Smith presented to Mayor and Council a presentation relative to the citizens' concerns from Stonebridge. Dr. Smith outlines some of the areas that need improvements in the Stonebridge Subdivision. Some of the upgrades would be for the safety of the citizens of Stonebridge to have sidewalks installed on Flat Rock Road, install a playground for the kids to play, install speed bumps to slow traffic through the subdivision, and due to future growth in the area to widen Gurr Road to three lanes to help with traffic and make it safer.

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

6. Citizens with Input. Ms. Darrian Woolfolk, 926 Jeanne Street – Thanked Mayor and Council for all their support in getting Sandhill beautiful and clean. Ms. Woolfolk wanted to thank the Public Works department for their hard work. Ms. Woolfolk thanked Mayor and Council for the CDBG Grant that assisted her with upgrades to her house.

7. PUBLIC HEARING CALLED TO ORDER AT 6:30 P.M. Mayor Randall Walker called to order a public hearing at 6:30 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-007-2022. Applicant, Lynward Barrett, request the rezoning of the property from R-1, Single-family Residential, to C-2, General Commercial. The property is located at 1803 Houston Lake Road; Tax Map No. 0P41A0 024000.

Staff Report: Ms. Wharton stated this is a 3.51 acres located at 1803 Houston Lake Road. The applicant is requesting to be rezoned with the zoning classification of C-2, General Commercial. The Planning Commission and staff recommend approval of the rezoning request with the following two (2) conditions: (1). Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan, (2). Upon development of the subject property, the property owner shall grant an easement in favor of the City of Perry for landscape installation and/or maintenance along Houston Lake Road in support of the City of Perry's green corridor initiative.

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

For: Lynward Barrett spoke in favor of the request and appreciated the Council's support.

Against: none

7b. RZNE-0008-2022. Applicant, Lynward Barrett, request the rezoning of the property from R-1, Single-Family Residential, to C-2, General Commercial. The property is located at Houston Lake Road and Gray Road; Tax Map No. 0P0440 07C000 – Ms. H. Wharton

Staff Report: Ms. Wharton stated this is a 5.73-acre lot located at Houston Lake Road and Gray Road. The Planning Commission and staff recommends approval with the following conditions: (1). Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan, (2). Upon development of the subject property, the property owner shall grant an easement in favor of the City of Perry for landscape installation and/or maintenance along Houston Lake Road in support of the City of Perry's green corridor initiative.

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

For: Applicant, Mr. Lynward Barrett appreciated Council's consideration for his request.

Against: none

- 7c. ANNX-0009-2022. Applicant, Chad Bryant, request the annexation and rezoning of the property from RAG (County) to R-2A, Single Family Residential (City). The property is located at Kings Chapel Road and Gurr Road. Tax Map 000830 062000.

Staff Report: Ms. Wharton stated this is a 27.25-acre lot located on the Southwest corner of Kings Chapel Road and Gurr Road. The Planning Commission and staff recommends approval of the request with the following conditions: (1). Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan, (2). Upon development of the subject property, the property owner shall grant an easement in favor of the City of Perry for landscape installation and/or maintenance along Kings Chapel Road and Gurr Road in support of the City of Perry's green corridor initiative and (3). Sidewalks within the neighborhood shall be installed in addition to sidewalks along King Chapel Road and Gurr Road as reflected in the City of Perry Pathways Plan.

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

For: Applicant Chad Bryant stated that he appreciated the consideration of the Council and noted that the standard buffer for the property is 20-25 feet, and the homes would only be installed where the current pecan orchard is located.

Against: Julia Iacono, 101 Lasseter Ln, spoke against the annexation request due to concerns relative to the traffic study, with the growth in the area and limiting the amount of open space.

- 7d. RZNE-0014-2022. Applicant, Chad Bryant, request the rezoning of the property from R-2, Two-Family Residential, to PUD, Planned Unit Development. The property is located on Gurr Road. Tax Map oP0480 039000.

Staff Report: Ms. Wharton stated this is a 49.12-acre lot located on Gurr Road. The applicant is requesting to be rezoned to PUD, Planned Unit Development. The Planning Commission and staff recommends approval of the proposed rezoning classification to PUD, Planned Unit Development with the following conditions: (1).Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan, and (2). The applicant's conceptual site plan and staff recommended PUD standards shall constitute the approved PUD Plan and Standards for the subject property.

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

application.

For: Applicant Chad Byrant stated that topography issues are the reason for the rezoning request due to the smaller lot size requirements.

Against: Allyson Lancaster, 308 Stonegate Trl. Ms. Lancaster stated her disapproval of the request due to the amount of traffic it will create on Gurr Road and its impact on Houston County School systems.

Staff: Administration recommends that the developer be required to connect to US Hwy 341/SR 11.

- 7e. RZNE-0015-2022. Applicant, Chad Bryant, request the rezoning of the property from C-2, General Commercial, to PUD, Planned Unit Development (Residential). The property is located at US Hwy 41 South at Holly Hills subdivision. Tax Map 0P0320 075000.

Staff Report: Ms. Wharton stated this is a 27.1 acres lot located at US Hwy 41 South at Holly Hills subdivision. The applicant is requesting to be rezoned from C-2, General Commercial, to PUD, Planned Unit Development. The Planning Commission and staff recommends approval with the following conditions: (1). Future development of the subject property shall only be permitted as sewer capacity is available in accordance with the City of Perry Sewer Master Plan, and (2). The applicant's conceptual site plan and staff recommended PUD standards shall constitute the approved PUD Plan and Standards for the subject property.

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

For: Mr. Chad Bryant stated he was the applicant and would answer any questions in favor of the application.

Against: none

- 7f. RZNE-0019-2022. Applicant, John Anthony Thomson, request the rezoning of the property from R-2, Two-family Residential, to C-2, General Commercial. The property is located at 613 and 615 Martin Luther King, Jr. Drive. Tax Map 0P0270 108000.

Staff Report: Ms. Wharton stated this is a .79 acre lot located at northwest intersection of Martin Luther King, Jr. Drive and Oak Ridge Drive. The Planning Commission and staff recommends approval of the zoning change with the requested C-2, General Commercial District zoning.

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

For: none

Against: none

- 7g. RZNE-0020-2022. Applicant, Anjebhai Patel, request the rezoning of the property from C-1, Highway Commercial, to PUD, Planned Unit Development. The property is located at 1004, 1004a, and 1006 St. Patrick's Drive. Tax Map op0400 021000, op0400 022000, op0400 048000.

Staff Report: Ms. Wharton stated this is a 4.28 acres located at 1004, 1004a, and 1006 St. Patrick's Drive. The applicant is requesting the rezoning classification from C-1, Highway Commercial to PUD, Planned Unit Development. The Planning Commission and staff recommends approval with the following condition: The applicant's conceptual site plan and staff recommended PUD standards shall constitute the approved PUD Plan and Standards for the subject property.

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

For: None.

Against: None.

- 7h. RZNE-0021-2022. Applicant, Angela J Cuti, request the rezoning of the property from OC, Office-Commercial District, to C-3, Central Business District. The property is located at 900 Ball Street; Tax Map oP0040 035000.

Staff Report: Ms. Wharton stated this property is located in the proximity of Downtown Perry. The Planning Commission and staff recommend approval of the request and proposed rezoning classification.

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

For: None.

Against: None.

Staff: City Manager Lee Gilmour recommended adding the condition to have a parking lot installed on the property due to not having any parking spaces.

PUBLIC HEARING CLOSED AT 8:00 P.M. Mayor Walker closed the public hearing at 8:00 p.m.

8. Review of Minutes: Mayor Randall Walker

- 8a. Council's Consideration – Minutes of the February 14, 2022 work session minutes, February 15, 2022, pre-council meeting, and February 15, 2022 council meeting.

Council Member Bynum-Grace motioned to approve the minutes as submitted. Council Member Peterson seconded the motion, and it carried unanimously.

9. Any Other Old Business:

- 9a. Mayor Randall Walker - none
- 9b. Council Members - none
- 9c. City Attorney Brooke Newby – none
- 9d. City Manager Lee Gilmour - none
- 9e. Assistant City Manager Robert Smith - none

10. New Business: Mayor Randall Walker

10a. Matters referred from February 28, 2022 work session and March 1, 2022, pre-council meeting.

- 1. Approval for FOPAS to conduct a fundraiser at the intersection of Commerce Street and Ball Street with the restriction of no food sales. Council Member Jones motioned to approve the request as outlined. Council Member Allbritton seconded the motion, and it carried unanimously.

- 2. Approval of the disposal of bitcoins asset when appropriate with the proceeds deposited in a restricted account for the downtown project. Council Member Jones motioned to approve the request as outlined, Council Member Peterson seconded the motion, and it carried unanimously.

- 3. A resolution for a moratorium on certain townhouse developments.

Adopted Resolution No. 2022-13 for the moratorium on certain townhouse development. Council Member Jones motioned to adopt the resolution as presented; Council Member Bynum-Grace seconded the motion, and it carried unanimously. *(Resolution No. 2022-13 has been entered into the City's official book of record).*

- 4. Approval of the purchase of two pickup trucks due to availability. Mayor Pro Tempore King motioned to approve the purchase of two pickup trucks due to availability. Council Member Jones seconded the motion, and it carried 5 to 1 with Council Member Hunt abstained.

10b. Ordinance(s) for First Reading(s) and Introduction.

- 1. **First Reading** of an ordinance for the rezoning of the property from R-1, Single-family Residential, to C-2, General Commercial. The property is located at 1803 Houston Lake Road; Tax Map No. 0P41AO 024000 – Mr. B Wood. *(No action required by Council).*

- 2. **First Reading** of an ordinance for the rezoning of the property from R-1, Single-family Residential, to C-2, General Commercial. The

property is located at Houston Lake Road and Gray Road; Tax Map No. 0P0440 07C000 – Mr. B. Wood. *(No action required by Council)*.

3. **First Reading** of an ordinance for the annexation of property to the City of Perry. The property is located at Kings Chapel Road. Tax Map No. 000830 062000 – Mr. B. Wood. *(No action required by Council)*.
4. **First Reading** of an ordinance for the rezoning of the property from RAG (County) to R-2A, Single-family Residential (City). The property is located at Kings Chapel Road and Gurr Road; Tax Map No. 000830 062000 – Mr. B. Wood. *(No action required by Council)*.
5. **First Reading** of an ordinance for the rezoning of the property from R-2, Two-family Residential to PUD, Planned Unit Development (Residential). The property is located on Gurr Road; Tax Map No. 0P0480 039000 – Mr. B. Wood. *(No action required by Council)*.
6. **First Reading** of an ordinance for the rezoning of the property from C-2, General Commercial, to PUD, Planned Unit Development (Residential). The property is located on US Hwy 41 South at Holly Hills subdivision; Tax Map No. 0P0320 075000 – Mr. B. Wood. *(No action required by Council)*.
7. **First Reading** of an ordinance for the rezoning of the property from R-2, Two-family Residential to C-2, General Commercial. The property is located at 613 and 615 Martin Luther King, Jr. Drive; Tax Map No. 0P0270 109000 and 0P0270 108000 – Mr. B. Wood. *(No action required by Council)*.
8. **First Reading** of an ordinance for the rezoning of the property from C-1, Highway Commercial, to PUD, Planned Unit Development (Residential). The property is located at 1004, 1004a, and 1006 St. Patrick's Drive; Tax Map No. 0P0400 021000, 0P0400 022000, and 0P0400 048000 – Mr. B. Wood. *(No action required by Council)*.
9. **First Reading** of an ordinance for rezoning the property from OC, Office-Commercial District, to C-3, Central Business District. Tax Map No. 0P0040 035000 – Mr. B. Wood. *(No action required by Council)*.
10. **First Reading** of an ordinance to amend the City Code re Meter Specifications– Ms. B Newby. *(No action required by Council)*.

10c. Award of Bid(s):

1. Bid No. 2022-23 Scoreboards – Mr. M. Worthington.

Mr. Worthington stated his office received one responsive bid in the amount of \$53,916.00. Staff recommends awarding the bid to the responsive bidder Electro-Mech Scoreboard Company in the amount of

\$53,916.00. Council Member Jones moved to award the bid to low bidder Electro-Mech Scoreboard Company in the amount of \$53,916.00; Council Member Peterson seconded the motion, and it carried unanimously.

10d. Resolution(s) for Consideration and Adoption:

1. A resolution to Condemn Certain Lands relative to 1506 Houston Lake Road.– Ms. B. Newby.

Adopted Resolution No. 2022-14 to condemn certain lands relative to 1506 Houston Lake Road. Mayor Pro Tempore King motioned to adopt the resolution as presented; Council Member Jones seconded the motion, and it carried unanimously. *(Resolution No. 2022-14 has been entered into the City's official book of record).*

11. Council Members Items: none

12. Department Heads/Staff Items:

Ms. Fitzner reported that the Lost Gas report was due on March 1st, and since last year, the City has reported a positive of .02%.

Ms. Hardin reported that the Economic Development briefing had been sent out, and the new Chick-Fil-A opens at its new location on March 8, 2022.

13. General Public Items: none

14. Mayor Items:

March 14, 2022, at 5:00 p.m. Work session

March 15, 2022, at 5:00 p.m. Pre council and council

Mayor Walker entertained a motion to go into executive session for real estate and litigation.

15. Executive Session entered at 8:20 p.m.: Mayor Pro Tempore King moved to adjourn the regular meeting and enter into executive session for the purpose of real estate and litigation. Council Member Jones seconded the motion, and it carried unanimously.

16. Executive Session adjourned at 9:14 p.m.; Council regular meeting reconvened. Council adjourned the executive session held March 1, 2022, and reconvened into the regular meeting.

17. Adopted Resolution No. 2022-15 stated that the purpose of the executive session held on March 1, 2022, was to discuss real estate and litigation. Council Member Hunt moved to adopt a resolution stating the purpose of the executive session held on March 1, 2022, was to discuss real estate and litigation; Council Member Albritton seconded the motion, and it carried unanimously. *(Resolution No. 2022-15 has been entered in the City's official book of record).*

18. Adjournment: There being no further business to come before Council in the regular meeting held on March 1, 2022, Council Member Bynum-Grace motioned to adjourn the meeting at 9:16 p.m. Council Member Albritton seconded the motion, and it carried unanimously.