

MINUTES
REGULAR MEETING OF THE PERRY CITY COUNCIL
June 21, 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 on June 21, 2022, at 6:00 p.m.

2. Roll.

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

Elected Official Absent: Councilmember Riley Hunt.

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, Bryan Wood – Director of Community Development, Sedrick Swan – Director of Leisure Services, Ansley Fitzner – Public Works Superintendent, Tabitha Clark – Communications Manager, Amber Garrett – Communications Specialist, Alicia Hartley – Downtown Manager, and Ashley Hardin – Economic Development Administrator.

Media: William Oliver – Houston Home Journal

Guest(s)/Speaker(s): Becky Wilson- Perry CVB,

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

4. Recognition(s)/Presentation(s) Mayor Randall Walker.

4a. Recognition of Randy Christian. Mr. Gilmour stated that Mr. Christian could not attend but had earned an incentive award of \$150.00 for the concept of signage at Commerce Street and Washington Street.

4b. Introduction of new hires. Chief Lynn introduced newly hired to the police department; Kayla Neesmith, Joshua Williamson, Matthew Salter, Diana Luong, and Maxwell Webster. Mayor and Council welcomed them to the City of Perry.

4c. BRAG event.

1. Recap of event. Ms. Hartley gave Mayor and Council an update on the Brag event on June 6th. It was a well-attended event with positive feedback from

all who attended and participated in the event.

2. Hotel/tourism information. Ms. Wilson from Perry CVB stated they had over 1,300 bikers registered for the event. They had buses shuttling visitors between the Fairgrounds and downtown Perry and received no negative feedback, everyone was delighted with the event.

5. Appointments(s).

- 5a. Appointments to the Perry Industrial Building Authority. This item was tabled until Council's July 5th meeting.

6. Citizens with Input.

- 6a. Ms. Lexi Martin and Ms. Jennifer Winkle, Junior League of Perry, request to put up two library boxes. Councilmember Jones motioned to approve the request. Councilmember Bynum-Grace seconded the motion and it carried unanimously.

- 6b. Matters not on agenda. None.

7. Review of Minutes: Mayor Randall Walker

- 7a. Council's Consideration – Minutes of the June 6, 2022, work session minutes, June 7, 2022, pre-council meeting, and June 7, 2022, council meeting. (*Councilmember Albritton was absent from the June 6 and June 7, 2022 meetings*).

Councilmember Bynum-Grace motioned to approve the minutes as submitted. Councilmember Jones seconded the motion, and it carried unanimously.

8. Old Business.

8a. Ordinance for Second Reading(s) and Adoption:

1. **Second Reading** of an ordinance to rezone the property from M-2, General Industrial, to C-2, General Commercial. The property is located at 1829 Macon Road; Tax Map No. 0P0400 009000.

Deny application motion by Councilmember Peterson based on strategic planning. Councilmember Jones seconded the motion to deny, and it carried unanimously to deny.

2. **Second Reading** of an ordinance to rezone the property from R-AG, Residential Agricultural District, to PUD, Planned Unit Development. The property is located at 1824 Houston Lake Road and 1904 Hwy 127; Tax Map 0P0490 062000 and 0P0490 061000.

-Mr. Mitch Paulk, Civil Engineer for the project, spoke in favor of the request.

Adopted Ordinance No. 2022-19 to rezone the property from R-AG, Residential Agricultural District, to PUD, Planned Unit Development. Councilmember Jones motioned to adopt the ordinance as submitted. Councilmember Peterson seconded the motion and it carried unanimously. *(Ordinance No. 2022-19 has been entered into the City's official book of record).*

3. **Second Reading** of an ordinance to amend Sections 3-2.2, 4-1.2, 4-3.1, 5-1.1, 5-1.2, 5-2.1, and 5-5 of the LMO relative to Townhouse Districts and Developments Standards.

Adopted Ordinance No. 2022-20 to amend Sections 3-2.2, 4-1.2, 4-3.1, 5-1.1, 5-1.2, 5-2.1, and 5-5 of the LMO relative to Townhouse Districts and Developments Standards. Councilmember Albritton motioned to adopt the ordinance as submitted. Councilmember Jones seconded the motion and it carried unanimously. *(Ordinance No. 2022-20 has been entered into the City's official book of record).*

4. **Second Reading** of an ordinance adopting the FY 2023 Operating Budget for the City of Perry.

Adopted Ordinance No. 2022.21 adopting the FY 2023 Operating Budget for the City of Perry. Councilmember Peterson motioned to adopt the ordinance as submitted. Councilmember Jones seconded and it carried unanimously. *(Ordinance No. 2022-21 has been entered into the City's official book of record).*

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

11. New Business: Mayor Randall Walker

11a. Matters referred from June 21, 2022, pre-council meeting. none

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

1. **First Reading** of an ordinance for a Broadband Ready Community – Ms. B. Newby. *(No action required by Council).*

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

1. A resolution declaring certain assets surplus.

Adopted Resolution No. 2022-33 declaring certain assets surplus.

Mayor Pro Tempore King motioned to adopt the resolution as presented; Councilmember Jones seconded the motion, and it carried unanimously. *(Resolution No. 2022-33 has been entered into the City's official book of record).*

2. A resolution naming certain city facilities.

Adopted Resolution No. 2022-34 naming certain city facilities.

Councilmember Bynum-Grace motioned to adopt the resolution as presented; Councilmember Peterson seconded the motion, and it carried unanimously. *(Resolution No. 2022-34 has been entered into the City's official book of record).*

3. A resolution amending the City of Perry Fee Schedule.

Adopted Resolution No. 2022-35 amending the City of Perry Fee

Schedule. Mayor Pro Tempore King motioned to adopt the resolution as presented; Councilmember Albritton seconded the motion, and it carried unanimously. *(Resolution No. 2022-35 has been entered into the City's official book of record).*

4. A resolution to amend the City of Perry Position Classification Plan.

Adopted Resolution No. 2022-36 amend the City of Perry Position

Classification Plan. Councilmember Jones motioned to adopt the resolution as presented; Councilmember Peterson seconded the motion, and it carried unanimously. *(Resolution No. 2022-36 has been entered into the City's official book of record).*

5. A resolution of intent.

Adopted Resolution No. 2022-37 of intent.

Mayor Pro Tempore King motioned to adopt the resolution as presented; Councilmember Jones seconded the motion, and it carried unanimously. *(Resolution No. 2022-37 has been entered into the City's official book of record).*

6. A resolution to abate a public nuisance relative to 901.5 Jernigan Street.

Adopted Resolution No. 2022-38 to abate a public nuisance relative to

901.5 Jernigan Street. Councilmember Albritton motioned to adopt the resolution as presented; Councilmember Jones seconded the motion, and it carried unanimously. *(Resolution No. 2022-38 has been entered into the City's official book of record).*

7. A resolution to abate a public nuisance relative to 705 Ash Street.

Adopted Resolution No. 2022-39 to abate a public nuisance relative to 705 Ash Street. Mayor Pro Tempore King motioned to adopt the resolution as presented; Councilmember Jones seconded the motion, and it carried unanimously. *(Resolution No. 2022-39 has been entered into the City's official book of record).*

8. A resolution to abate a public nuisance relative to 1413 Carroll Alley.

Adopted Resolution No. 2022-40 to abate a public nuisance relative to 1413 Carroll Alley. Councilmember Peterson motioned to adopt the resolution as presented; Councilmember Jones seconded the motion, and it carried unanimously. *(Resolution No. 2022-40 has been entered into the City's official book of record).*

9. A resolution accepting donation of stormwater property from New Haven (HOA).

Adopted Resolution No. 2022-41 to accept a donation of stormwater property from New Haven (HOA). Councilmember Albritton motioned to adopt the resolution as presented; Councilmember Jones seconded the motion, and it carried unanimously. *(Resolution No. 2022-41 has been entered into the City's official book of record).*

10. A resolution accepting donation of stormwater property from Tritt Construction Co.

Adopted Resolution No. 2022-42 to accept a donation of stormwater property from Tritt Construction Co. Councilmember Jones motioned to adopt the resolution as presented; Mayor Pro Tempore King seconded the motion, and it carried unanimously. *(Resolution No. 2022-42 has been entered into the City's official book of record).*

- 11d. Approval of 2022 CHIP grant agreement with DCA and all required documents.

Councilmember Jones motioned to approve the 2022 Chip Grant agreement, subject to City Attorney review. Councilmember Albritton seconded the motion and it carried unanimously.

Adopted Resolution No. 2022-43 to approve CHIP Administration Manual (Administration Manual included (2B)). *(Resolution No. 2022-43 has been entered into the City's official book of record).*

Adopted Resolution No. 2022-44 for Homeowner Eligibility and Property Value Limits. *(Resolution No. 2022-44 has been entered into the City's official book of record).*

Adopted Resolution No. 2022-45 (6A) for Local Policies and Procedures (policies and procedures included ((6B))). *(Resolution No. 2022-45 has been*

entered into the City's official book of record).

Adopted Resolution No. 2022-46 (7A) to adopt Language Access Plan (language access plan included (7B)). (Resolution No. 2022-46 has been entered into the City's official book of record).

Adopted Resolution No. 2022-47 (9A) for Section 3 Policy included (9B)). (Resolution No. 2022-47 has been entered into the City's official book of record).

Adopted Resolution No. 2022-48 approving State Statues (State Statues included in the same document). (Resolution No. 2022-48 has been entered into the City's official book of record).

- 11e. Acquisition of replacement administration vehicle. Mr. Worthington reviewed the request for the replacement vehicle for the City Manager from Prater Ford in the amount of \$31,175.34. Funding would come from the FY 2023 GMA Lease purchase. Councilmember Bynum-Grace motion to approve the request as outlined. Councilmember Jones seconded the motion and it carried unanimously.
- 11f. New city hall approval of Solutionz contract. Mr. Smith reviewed with Mayor and Council the Solutionz contract for the new City Hall contract and recommended approval subject to City Attorney's review. Councilmember Jones motioned to approve the request as outlined and Councilmember Albritton seconded the motion and it carried unanimously.
- 11g. Approval of the Non-Exclusive Easement for Telecommunications. Video and/or Broadband Facilities for Hargray Communication as part of the Main Street Realignment project. Ms. Newby reviewed the easement agreement with Hargray Communications. Mayor Pro Tempore King motioned to approve the easement agreement as outlined. Councilmember Jones seconded the motion and it carried unanimously.

12. Council Members Items:

Councilmember Bynum-Grace stated the Juneteenth event hosted by the City was well attended, and thanks to everyone that came out.

Councilmember Jones asked for a follow-up relative to the recycling issue. Mr. Gilmour stated that the city has met with the Waste Management and using an arm lifter to pick up recycling items should address some of the issues. The city will continue to monitor.

Councilmember Jones asked about the alleyway between Main Street and Forest Hill Drive. Mr. Gilmour stated that the alleyway is private, not owned by the city.

13. Department Heads/Staff Items:

Chief Lynn stated that the Police Department had expedited the turnaround time for hiring, expecting one new hire next Tuesday and the following Tuesday.

Chief Parker stated that the Annual Water Battle is on Saturday, June 25th at Rozar Park from 10 am to 12 pm.

Mr. Swan stated that the Chess Club has 51 participants with ages from 5 years old to 76 years old, and the next meeting is on Monday.

Ms. Clark passed out the Citizen Financial report to mayor and council for FY 2021. The report is also available on the City's website and kiosk. Ms. Clark announced that Perry Points is expanding the program to use web chat and a virtual assistant.

14. General Public Items:

Mr. Bob Cunningham stated that the recycling carts dumped with a mechanical arm were used in the past and had a problem with the wheels breaking on the carts. Mr. Gilmour stated that Waste Management is responsible for any repairs but will continue to monitor.

15. Mayor Items:

No Work Session due to holiday on July 4, 2022.

July 5, 2022, at 5:00 p.m. Pre council and Council

Water Battle event this Saturday at Rozar Park beginning at 10 am.

Mayor Walker entertained a motion to go into executive session for the purpose of litigation.

16. Executive Session entered at 7:09 p.m.: Councilmember Jones motioned to adjourn the regular meeting and enter into executive session for the purpose of litigation. Mayor Pro Tempore King seconded the motion, and it carried unanimously.

17. Executive Session adjourned at 7:11 p.m., Council regular meeting reconvened. Council adjourned the executive session held June 21, 2022 and reconvened into the regular meeting.

18. Adopted Resolution No. 2022-49 stated that the purpose of the executive session held on June 21, 2022, was to discuss litigation. Councilmember Peterson moved to adopt a resolution stating the purpose of the executive session held on June 21, 2022, was to discuss litigation; Councilmember Albritton seconded the motion, and it carried unanimously. (*Resolution No. 2022-49 has been entered in the City's official book of record*).

19. Adjournment: There being no further business to come before Council in the regular meeting held on June 21, 2022, Councilmember Bynum-Grace motioned to adjourn the meeting at 7:23 p.m.; Councilmember Albritton seconded the motion, and it carried unanimously.