

CITY OF PERRY REGULAR COUNCIL MEETING
PERRY COMMUNITY BUILDING

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REGULAR CITY COUNCIL MEETING HELD ON JULY 16, 2020
INVOCATION PRESENTED BY KRAIG ELLIOTT

PRESENT: COUNCILMEMBERS, GENEVIEVE COTTRELL, KRAIG ELLIOTT,
MINDY GALBAVI, CHRISTOPHER POWELL;
MAYOR, JAMES HUGUELET AND CITY CLERK, DEVIN MILLER

ABSENT: COUNCILMEMBERS, ADAM GRASS AND TERRY WOOD

ALSO PRESENT: STUDIO 130, ALEX MALLOY

Mayor called the meeting to order at 7:04 p.m.
Mayor led the Pledge of Allegiance.

APPROVAL OF AGENDA:

07-16-20-01

Moved by Cottrell, seconded by Galbavi that the agenda be adopted as printed. Roll call vote. Cottrell, Elliott, Galbavi, and Powell voted "yes". Motion carried.

READING AND APPROVAL OF THE MINUTES:

07-16-20-02

Moved by Galbavi, seconded by Elliott that we suspend the rules, waive the reading and approve the minutes from the July 2, 2020 regular meeting. Roll call vote. Elliott, Galbavi, Powell and Cottrell voted "yes". Motion carried.

COMMENTS FROM THE PUBLIC:

Justin Horvath spoke of his approval to rezone the vacant property on Lansing Rd.

COMMUNICATIONS:

National Night Out event has been cancelled.

MAYOR REPORTS:

Mayor read a letter from SATA at last meeting. He proposed that he submit a letter on behalf of the Council approving the financial support stated in the letter, pending the amount stays in the City approved .25 millage. Council showed no objections.
Reported about selling City Cell Tower. He provided Council with financials showing that it is logical to keep the cell tower.
Reported about reimbursement from Cares Act. He let Council know that applications will be submitted to the state for payroll

reimbursement.

COMMITTEE REPORTS:

Recommendation from Planning Commission Re: Rezoning

Elliott reported that at the July 6th Planning Commission meeting it was voted unanimous to the rezoning property on Lansing Rd.

Recommendation from Planning Commission Re: Amending City Ordinance Chapter 1220

Elliott and Cottrell reported that the Planning Commission has recommended three amendments to Chapter 1220 that will update outdated sections.

PRESENTATION AND APPROVAL OF THE BILLS:

07-16-20-03

Moved by Cottrell, seconded by Galbavi that we approve the bills as presented and that payment be authorized. Roll call vote. Galbavi, Powell, Cottrell and Elliott voted "yes". Motion carried.

OLD BUSINESS:

Possible Approval of Pet Waste Receptacles w/Grant

07-16-20-04

Moved by Cottrell, seconded by Elliott to table indefinitely the subject "Possible Approval of Pet Waste Receptacles w/Grant". Roll call vote. Powell voted "no". Cottrell, Elliott and Galbavi voted "yes". Motion carried.

Possible Resolution to Adopt Water and Sewer Rates

No action taken.

Discussion/Possible Amendment of Council Rules of Procedures

No action taken.

Discussion About Becoming a 2nd Amendment Sanctuary City

No action taken.

NEW BUSINESS:

Possible Adoption of Rezoning Resolution

07-16-20-05

Moved by Elliott, seconded by Galbavi that we accept and adopt the following resolution:

WHEREAS the Perry City Planning Commission held a Public Hearing regarding the below listed proposed re-zoning petition, and;

WHEREAS, after having heard and received comments regarding the proposal, The Planning Commission issued the recommendation to the City Council that the proposed re-zoning petition be approved;

THEREFORE, the zoning classification for the below listed property is hereby amended From B-1 Commercial Business District to I-1 Light Industrial District. The City Zoning map shall be amended accordingly.

Property:

Vacant Land on Lansing Rd.

Parcel #024-58-006-000

Applicant: Motembo Foods LLC

Property Owner: Burkett Flint Land LLC

Roll call vote. Cottrell, Elliott, Galbavi and Powell voted "yes". Motion carried.

Possible First Reading of Amended Trash Ord. No. 340

07-16-20-06

Moved by Powell, seconded by Elliott that Trash Ordinance amendment #340 regarding yard waste fees and which reads as follows be placed on the next agenda for possible adoption:

THE CITY OF PERRY ORDAINS

Perry City Code Section 1082.01 is repealed and the below stated section 1082.01 is substituted in its place and stead:

1082.01. RESPONSIBILITY OF OWNERS OR OCCUPANTS.

Every owner, occupant or person in possession of a premise in the City is required to have accumulations of refuse, yard waste, trash and rubbish removed and disposed of in accordance with this chapter, other City ordinances, and in accordance with the rules and regulations promulgated under this chapter. The City shall provide for such refuse, yard waste, trash and rubbish removal services, which may include recycling services, for premises within the city. There shall be paid to the City the charges specified by the City Council for such services. The Superintendent of Public Works shall be authorized to exempt a premise from this requirement if deemed proper due to the unique nature of the property or due to extenuating circumstances.

Perry City Code Section 1082.03 is repealed and the below stated section 1082.03 is substituted in its place and stead:

1082.03. COMPLIANCE REQUIRED.

No owner, occupant, tenant or lessee of any building, structure, property or premises in the City shall store, collect, transport

or dispose of any refuse, yard waste, garbage, rubbish or other rejected, or unwanted waste materials, except in compliance with this chapter and applicable State, Federal and local laws, rules and regulations.

Perry City Code Section 1082.04 is repealed and the below stated Section 1082.04 is substituted in its place and stead:

1082.04. ESTABLISHMENT OF RATES AND FEES.

The City Council shall establish, by resolution, all rates and fees for all premises for refuse, yard waste, trash and rubbish collection and the allocation of such fees. Such rates shall be subject to revision by the City Council from time to time.

Perry City Code Section 1082.05 is repealed and the below stated section 1082.05 is substituted in its place and stead.

1082.05. RESPONSIBILITY FOR PAYMENT.

(a) In the case of premises containing more than one unit, which units are billed separately for water charges by the City Water Billing Department, fees for said collection shall be billed to the person who is the customer of the Department. In the case of premises containing more than one unit, which premises are served by a single water bill, so that occupants or tenants cannot be billed separately by the Department, fees for said collection shall be billed to the customer of the single utility bill who shall be liable for the service fee for such premises. Owners and/or occupants of premises who are not customers of the Department shall be billed individually.

(b) Although the occupant or person in possession of the premises may make arrangements with the City for payment of rates for the required service, the owner of record, as title holder, as reflected in the records of the City Assessor, shall be ultimately responsible for all said collection charges for service to the owners premises

Perry City Code Section 1082.06 is repealed and the below stated section 1082.06 is substituted in its place and stead.

1082.06 SERVICE FEE

The service fee for removal of refuse, yard waste, trash and rubbish by the City or City contractors shall be established by the City Council from time to time.

Perry City Code Section 1082.08 (a) is repealed and the below stated section 1082.08 (a) is substituted in its place and stead.

1082.08 LIENS; SPECIAL ASSESSMENTS; DEPOSITS.

(a) Charges for premises refuse collection shall constitute a lien on such premises.

All other provisions of the Perry City Code not in conflict and not amended by the above recited Amendments are ratified and remain in full force and effect.

This Ordinance shall become effective 30 days after date of adoption.

Roll call vote. Elliott, Galbavi, Powell and Cottrell voted "yes". Motion carried.

Discussion to Amend City Ordinance Chapter 1220

Council agreed to have Planning Commission's recommendations sent to the City Attorney for possible ordinance amendments.

ANY OTHER BUSINESS THAT MAY COME BEFORE COUNCIL:

None.

COUNCIL DISCUSSIONS & OBSERVATIONS:

Powell shared to everyone to be safe.

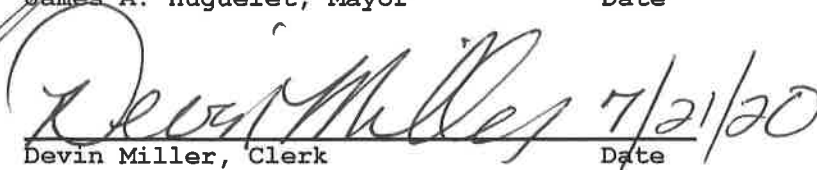
ITEMS FOR NEXT AGENDA:

1. Possible Resolution to Adopt Water and Sewer Rates
2. Discussion/Possible Amendment of Council Rules of Procedures
3. Discussion About Becoming a 2nd Amendment Sanctuary City
4. Possible Adoption of Amended Trash Ord. No. 340
5. Possible First Reading of Amendments to Chapter 1220

ADJOURNMENT: 7:58 P. M.


James A. Huguelet, Mayor

7/21/20
Date


Devin Miller, Clerk

7/21/20
Date