

**CITY OF PERRY MINUTES**  
**PERRY COMMUNITY BUILDING**

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REGULAR CITY COUNCIL MEETING HELD ON August 3, 2023.

INVOCATION PRESENTED BY Mayor Sue Hammond

Mayor called the meeting to order at 7:00 p.m.

Mayor led the Pledge of Allegiance.

PRESENT: COUNCILMEMBERS, MIKE CONNELL, CHAD FULLER,  
MINDY GALBAVI, LARRY LAMBERT, BOB PORTER  
AND STEVE WALLACE; MAYOR, SUSAN HAMMOND  
AND DEPUTY CITY CLERK, SHIRLEY SMITH

ABSENT: None.

ALSO PRESENT: TREASURER, MEGGEN GALBREATH  
SUPT. of DPW, KEVIN TYLER  
POLICE CHIEF, KYLE BAWKS  
STUDIO 130, DENNIS AND ALEX MALLOY

**APPROVAL OF THE AGENDA:**

08-03-23-01

Moved by Fuller, seconded by Wallace that the agenda be adopted as printed.

**READING AND APPROVAL OF PREVIOUS MEETING MINUTES:**

08-03-23-02

Moved by Connell, seconded by Porter that we suspend the rules, waive the reading and approve the minutes from the July 20, 2023 regular meeting.

**PRE-APPROVED REPORTS/PRESENTATIONS:**

None.

**COMMENTS FROM THE PUBLIC:**

Before public comment, Larry Lambert read a statement he prepared regarding ZO Ordinance Amendment sec 3.30 Animals in residential and agricultural districts.

Megan Beavers spoke on the portion of the ordinance regarding fostering cats. She would like to join the task force.

Crystal Patrick was concerned with the part of the ordinance that pertained to fencing. She said she had a quote for \$8,000 for just the back of her property. She was also wondering who was enforcing the fence protocol on the ordinance.

Rosa Jones, a property owner in Perry, said she works with Megan Beavers on fostering. She has rescued over sixty cats in the area around her home in the City over the last five or six years. She herself has fostered over 152 cats through the Shiawassee Humane Society and the Capital Area Humane Society.

Patience Cole, Director of Happy Feet Cat Rescue. She has been operating a pet rescue in the City for a couple years. At the current time she has 186 animals in their care, much of which are cats. They have a Department of Agriculture certified shelter and currently have 174 foster homes, 26 are in the City of Perry. She made a few suggestions on how the ordinance may be changed. Would like to be involved in task force.  
Happyfeetrescue@gmail.com

Resident commented on clarification of the current ordinance. Has read that the limit is going from four pets to two pets. All of his animals are rescues.

Rebecca Potter is concerned on the livestock portion of the ordinance. States that there are already livestock ordinance in place through the County, so the City does not really need an ordinance in place for livestock. Stated that there is already a problem with strays being dropped off after the talk of this proposed ordinance.

Randy Hazel lives on Bath Road. He was wondering why we are amending an ordinance that may or may not really be enforced. Mayor Hammond gave a narrative of how the ordinance may be enforced if there were a problem. He does not understand why the City would have a rule if the rule is not enforced. He would like to know where the permit money would go. He would be willing to serve on the task force as a volunteer.

A resident of an apartment building in the City, is very thankful for Megan and Zach Beavers, who rescued her cat. They do great work.

Lawrence Brown lives in the City. His wife owns the Shear Shed. He thinks that maybe the task force should be a way to help people who have these pets and cannot afford to build fences. He would be willing to donate his time to dig holes for fence posts. Feels we need come up with some solutions instead of focusing on the negative part of this. He and his wife would gladly donate to this cause. He stated they have a large following and last year they had 20 to 30 people who had chipped in and sponsored ten (10) families with Thanksgiving meals. He says with their clientele they definitely would be willing to help some of the foundations or fostering companies to help take care of the problem in the right way.

Miranda Wellman does not live in the city, but does have a Perry address. Wanted to get clarification why the FFA Program at the school was being added in the mesh of the ordinance. The Mayor and Larry Lambert stated that when the school notified the City of the agricultural barn being built, they met with the FFA Director and students of FFA to understand the process and added a very small amendment to the ordinance to cover them.

Zach Beavers spoke on the fostering cats. Explained the TNR (trap, ~~rescue~~ neuter, return) and ultimately how important that is. They volunteer their time and money to TNR cats. In Morrice, within just one block, they have rescued or TNR-ed 80 cats. He, along with his wife be willing to join the task force.

Alicia Reagan would like to propose a low-cost microchip program and hold people accountable for dumping their animals. It will bring money into the City and into the program. She has spayed and neutered 117 cats out of her own pocket in Shaftsbury.

Gentlemen spoke on fostering a cat that they had to hold onto for two years because of its issues. They were eventually able to find it a home. He does not feel that having a time limit while fostering is wise.

#### **COMMUNICATIONS:**

Letter read regarding Mindy Galbavi's resignation.

#### **MAYOR & DEPARTMENT HEAD REPORTS:**

TREASURER, MEGGEN GALBREATH reported the audit will be August 14<sup>th</sup> and August 15<sup>th</sup>. She presented information regarding the park bench donations. One donated by the Stiff family at Veterans Park, along with a plaque on the back. The other donation is from the Community District Library, in the name of Ken and JoAnn O'Berry Trust, who donated two benches. One at Jubilee Park and the other at Veterans Park. Both the benches are solar powered and will be equipped with WIFI. She added there are about 10,000 people who follow the Perry Community Facebook page and about only 2500 people who follow the City of Perry's Facebook page. She said if you want to get information from the City itself, she recommends to follow the City's Facebook page. She suggested that we purchase the same kind of bench donated by the Stiff family for the memorial bench in the name of Devin Miller. It is in line with the donation memorial program that was established last fall. The purchase of the bench would be just under \$2,000, which includes installation of the concrete pad, the bench and the personalized plaque.

SUPT. of DPW, KEVIN TYLER reported the issues with the water treatment plant repairs are ongoing. Going to file an insurance claim to see if insurance will help pay the cost of repairs. Lead service line inventory has replaced two galvanized services and one service that had low flow. The bad weather we have had has caused downed trees that DPW has had to clean up. DPW has filed a police report for an illegal entry into the DPW facility. Someone stole copper. DPW assisted with the new benches in the parks. DPW assisted in the fun night at the park. It was a good time. Thank you parks committee for putting that on.

DEPUTY CITY CLERK, SHIRLEY SMITH nothing to report.

POLICE CHIEF, KYLE BAWKS reported a successful National Night Out on August 1, 2023.

MAYOR mentioned there is a vacant seat on the SATA Board and if there is anyone in the audience that is a City resident who may be interested in servicing in that position to see her at the end of the meeting.

BOB PORTER reported the tree he found a Japanese tree lilac in memory of Devin Miller. The tree would be approximately \$200. Council agreed that they would like both the tree and the bench. Put on the agenda for pricing for all items, the bench, tree and the plaque for the bench.

## **COMMITTEE REPORTS:**

Mike Connell from the personnel committee is now serving as Chair for this committee since Mindy Galbavi gave her resignation. Mike read the minutes from the committee's meeting on July 25, 2023. Reviewing the City Clerk position and also the Part-time Office Assistance position.

## **PRESENTATION AND APPROVAL OF THE BILLS:**

08-03-23-03

Moved by Lambert, seconded by Fuller that we approve the bills as presented and that payment be authorized.

## **OLD BUSINESS:**

08-03-23-04

Discuss emergency services: no new information regarding this subject. Suggested no discussion and to move to the next meeting. Council agreed.

08-03-23-05

Discuss building the general fund: In lieu of time move to the next meeting. Council agreed.

## **NEW BUSINESS:**

### **Possible Acceptance of Resignation**

08-03-23-06

Moved by Lambert, seconded by Connell that we accept with regret the resignation of Councilmember Mindy Galbavi and extend our appreciation for her service, effective the end of the August 3, 2023 meeting. Carried: all yes.

### **Possible Approval of Sanitary Sewer Rehabilitation Proposal**

08-03-23-07

Moved by Porter, seconded by Fuller that we accept the proposal by Granite Inliner for an amount not to exceed \$35,845.00 for sanitary sewer rehabilitation as recommended by DPW Kevin Tyler.

04-06-23-07 **Original motion**

Moved by Galbavi, seconded by Porter that we accept the proposal by Granite Inliner for an amount not to exceed \$35,845.00 for sanitary sewer rehabilitation as recommended by DPW Kevin Tyler. Carried, all yes.

### **Mayor Appointment/Council approval of City Clerk and office assistant**

08-03-23-08

Moved by Wallace, seconded by Lambert that we approve and accept the following resolution:

RESOLVED, that whereas the City of Perry Personnel Committee has recommended to promote Deputy Clerk Shirley Smith to the City Clerk position;

WHEREAS, it is further recommended that the salary for the City Clerk position be \$52,500.00; and

IT IS FURTHER RESOLVED, that whereas based upon the recommendation of the City of Perry Personnel Committee that the promotion of Shirley Smith also creates the need for a part-time

position of Part-Time Office Assistant. It is further recommended that the posting of this position will indicate 20-30 hours per week at \$17.00 per hour. Further due to it being part-time there will be no benefits.

WHEREAS, this Part-Time Office Assistant position takes the place of the full-time position of Receptionist/AP Clerk previously held by Shirley Smith and also takes the place of a Receptionist temporary flexible part-time position created in March 2023 and filled May 31, 2023 - August 25, 2023.

THEREFORE, The City of Perry does promote Deputy City Clerk Shirley Smith to the position of City Clerk at the annual salary of \$52,500.00 and further creates a position for posting of Part-Time Office Assistant at the rate of \$17.00 per hour, 20-30 hours per week, replacing the prior positions of Receptionist/AP Clerk and Receptionist temporary flexible part-time position created March 2023. Carried: all yes.

**Possible Approval of ZO Ord 383, sec 3.30 Animals in residential and agricultural districts**

08-03-23-09

Ordinance Committee Chair Larry Lambert stated that after hearing all the comments tonight, comments on social media, articles in the local news, and emails received, I believe we would be remiss in our responsibilities to the residents of the City of Perry if we move forward on approval of amendment #383 at this time. Therefore,

Moved by Lambert, seconded by Wallace ~~that Ord No, 383 sec 3.30 which reads as follows be adopted:~~

that we postpone the possible adoption of ZO amendment 383 sec 3.30, Animals in residential and agricultural districts, for 120 days, issue a moratorium on enforcement of section 3.30 of the current zoning ordinance as it pertains to dogs and cats for 120 days (the balance of section 3.30 will remain in effect), and commission a six (6) member cross discipline task force to objectively research and develop a proposed update to section 3.30 within the 120 day period that addresses the concerns expressed with section 3.30 of the current zoning ordinance. Carried: all yes.

**ANY OTHER BUSINESS THAT MAY COME BEFORE COUNCIL:**

Brenda Ingle expressed her concern on a dead tree across from her house in front of the MacQueen House. Kevin Tyler, DPW Superintendent acknowledged Brenda's concern and is working on hiring a qualified contractor to take the tree down.

***PUBLIC COMMENT-***

None.

**COUNCIL DISCUSSIONS & OBSERVATIONS:**

None.

**ITEMS FOR NEXT AGENDA**

Public hearing ambulance assessment.

Pricing for memorial bench/plaque and tree in memory of Devin.

Old business: Discuss emergency services.

Old business: Discuss building the general fund.

Discuss election items - nine-day early voting.

**ADJOURNMENT: 8:23 P.M.**

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Susan J Hammond, Mayor Date

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Shirley Smith, City Clerk Date