

Minutes

CITY OF PERRY REGULAR COUNCIL MEETING

PERRY COMMUNITY BUILDING

This institution is an equal opportunity provider, and employer.

REGULAR CITY COUNCIL MEETING HELD IN COUNCIL CHAMBERS ON October 19, 2023.

INVOCATION PRESENTED BY Mayor Sue Hammond

PRESENT: COUNCILMEMBERS, CHAD FULLER, LARRY LAMBERT, BOB PORTER, KEENA DUNN AND JACOB PUFFER, MAYOR HAMMOND AND CITY CLERK, SHIRLEY SMITH

ABSENT: Keena Dunn and Mike Connell, excused by Mayor

ALSO PRESENT: STUDIO 130, Alex Malloy

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

Mayor led the Pledge of Allegiance.

APPROVAL OF AGENDA

10-19-23-01

Moved by Fuller, seconded by Porter that the agenda be adopted as printed. Carried all yes.

READING AND APPROVAL OF THE MINUTES

10-19-23-02

Moved by Porter, seconded by Lambert that we suspend the rules, waive the reading and approve the minutes from the October 05,2023 regular meeting. Carried: all yes.

PRE-APPROVED REPORT/PRESENTATIONS:

Chad Fuller presented the Perry's Pride Resident Award to Rob Carter of 320 Horace St. and presented the Put Your Best Face Forward Business Award to PS Mart 720 N Main St.

COMMENTS FROM THE PUBLIC:

Street light out at Polly and Lamb. City Hall will report it out Friday.

COMMUNICATIONS:

Shirley Smith handed out a flyer for the Treats on Main Street. Reported she visited the Secretary of State on Wednesday and was told the antique fire truck had never been titled. It could be sold with a bill of sale. Also report she signed a contract with Roark Galt Architects, David McDade is the architect we will be working with on the Veterans Pavilion blueprints. The cost of the blueprints will be \$3,850.00 and insurance from the tornado damage will be covering the charges. Read a disclosure from Mike Monroe, Sargent with the Perry Police Department. He will be doing tree work for the City at Jubilee Park.

MAYOR REPORTS

Mayor Hammond reported on the donations received for the disaster relief fund. We have received prior to the anonymous donor matching funds

\$10,600. Since that time the monies that will go with the fifty percent match total to \$2,000. That will become \$3,000 with the match and will bring out total to \$13,600.

COMMITTEE REPORTS

Bob Porter reported for SSESAs as reported last meeting, SSESAs decided to part ways with the Fire Chief. They hired an interim Chief, Trent Adkins. The Investigative report is on the SSESAs website.

Chad Fuller reported on information regarding the pavilion rebuild.

PRESENTATION AND APPROVAL OF THE BILLS

10-19-23-03

Moved by Fuller, seconded by Porter that we approve the bills as presented and that payment be authorized. Carried: all yes.

OLD BUSINESS

10-19-23-04

Discuss tree replacement after tornado damage

Bob Porter provided information on the trees that will be available for purchase. Agreed that we should send the information to everyone inside the City limits. Bob will check with another supplier and see if there are other trees available. Information will go out with the winter tax mailing.

Sale of 1929 Ford Fire Truck

10-19-23-05

Mayor Hammond reported she did some research with XYZ Auctioneers in Durand. We can put the car in their online auction for \$2.00. We can put a reserve on it if we would like. We can also take the car to their lot in Durand so people can look at it onsite. The auction is available online all over the state/worldwide. Mayor Hammond asked Robert Kittle to find out how much Xak will charge for an appraisal on the truck and a decision will be made at the November 2, 2023 meeting as to where we will sell the truck.

NEW BUSINESS

Mayor appointment to Planning Commission/Possible Council approval

10-19-23-06

The Mayor appoints Karen DiCarlo to the Planning Commission with a term expiring in January 2025.

Moved by Lambert, seconded by Porter that we approve the Mayor's appointment of Karen DiCarlo to the Planning Commission with a term expiring in January 2025. Carried: all yes.

Treasurer first quarter budget review

10-19-23-07

Meggen reported the first quarter budget comparison as of September 30, 2023. No suggested first quarter budget amendments.

Possible first reading ZO amendment No. 383, Definitions

10-19-23-08

Moved by Lambert, seconded by Puffer that Zoning Ordinance amendment #383 Definitions, section 2.04-C (Community Cats), section 2.17-P (Pets), section 2.21-T (TNR, TNVR), which reads as follows be placed on the next agenda for possible adoption:

THE CITY OF PERRY ORDAINS:

The City of Perry Zoning Ordinance, Section 2.04 Definition - C; Section 2.17 (P) Pets; Section 2.21 Definitions - T, is amended as follows:

Section 2.04 Definitions -C

COMMUNITY CATS

"Community Cats" is a term used to describe outdoor, un-owned, free-roaming cats. These cats can be friendly, feral, adults, kittens, healthy, sick, altered and/or unaltered. They may or may not have a caretaker.

COMMUNITY CATS - CARETAKER

A caretaker is a person who provides food, water, and/or shelter to community cats. In some instance they may provide medication or vetting to the community cat, but they are not the legal owner.

Section 2.17 (P) Pets

Any domesticated dog (excluding hybrids with wolves, coyotes, or jackals); domestic cats (excluding hybrids with ocelots or margays); domesticated rodents; non-venomous reptiles, amphibians and arachnids; fish; ferrets; captive-bred species of common cage birds or other domesticated animal except livestock. The household pet must be kept for friendship, security, or hunting purposes.

Pets do not include standard chickens of any kind or breed, poultry, goats, horses, miniature horses, or other animals commonly raised in animal husbandry.

PETS - INDOOR

Pets that are primarily housed and cared for within the confines of the owner's home / place of residence - Limited outdoor exposure is permitted for pet's exercise and care.

PETS - OUTDOOR

Pets that have outdoor exposure of more than four (4) unattended/

unsupervised hours per day.

Section 2.21 Definitions - T

TNR (Trap, Neuter, Return)

TNVR (Trap, Neuter, Vaccinate, Return)

The process that involves live-trapping community cats, having them neutered, ear-tipped for identification, and, if possible, vaccinated, then releasing them back into the outdoors. Carried: all yes.

Possible first reading Ordinance amendment No. 384, sec. 612.01 & sec. 612.04 (b)(3)

10-19-23-09

Moved by Lambert, seconded by Fuller that Ordinance amendment #384, section 612.01 & sec. 612.04 (b) (3) which reads as follows be placed on the next agenda for possible adoption:

THE CITY OF PERRY ORDAINS:

Perry City Code Section 612.01, Section 612.04 (b) (3) Dogs are hereby amended and the following is substituted in their place and stead:

612.01 DOMESTIC ANIMALS RUNNING AT LARGE.

No owner or keeper of domestic pets or animals, such as horses, mules, cattle, sheep, goats or swine, including all variations of each, and/or fowl, including chickens, turkeys, geese, ducks, etc., shall allow the same to run at large and enter or be upon any premises constituting a street, highway, public park or other public or private, other than on the premises of such owner or person, land in the City or bordering upon the City.

612.04 DOGS

(3) No person who is the owner of a dog shall permit it to be unconfined unless under the reasonable control of a person. A dog may be confined to private property by means of fencing, invisible fencing, or other restraint that doesn't inflict harm to the dog.

All other provisions of said ordinance not inconsistent with the above amendments remain in full force and effect. Carried: all yes.

Possible first reading Zoning Ordinance amendment No. 385, sec. 3.30 Animals in residential and agricultural districts

10-19-23-10

Moved by Lambert, seconded by Puffer that Ordinance amendment #385, section 3.30 which reads as follows be placed on the next agenda for possible adoption:

THE CITY OF PERRY ORDAINS:

The City of Perry Zoning Ordinance No. 385, Section 3.30 Animals in Residential and Agricultural Districts, is amended as follows:

Section 3.30 Animals in Residential and Agricultural Districts

A. Animals in the City of Perry.

1. No wild, vicious, or venomous animal shall be kept permanently or temporarily in any district except in a facility accredited by the American Association of Zoological Parks and Aquariums, or in a licensed veterinary care facility.
2. In addition to the requirements of this section, full compliance to the City of Perry Animal Ordinance - Chapter 612 is required.

B. Pets in Residential and Agricultural Districts.

Note: Restrictions imposed by property owner / landlord may apply to all aspects of Section 3.30 B.

1. Indoor Pets -(see section 2.17 Definitions - P) The City of Perry does not impose any numerical limitations on the number of indoor pets/animals. The City will only intervene if evidence of animal abuse, animal neglect, objectionable/disagreeable odors, or any health or safety conditions exists.
2. Outdoor Pets (See Section 2.17 Definitions - P)
 - a. In the R-1A, R-1B, residences within MXD, and A-1 Districts, up to four (4) pets shall be permitted.
 - b. In the R-T and R-M Districts, up to two (2) pets shall be permitted.
 - c. Any additional pets greater than the amounts specified in subsection 2 (a & b) may only be granted on a temporary basis (90 days max. - once per 12-month period) after an animal permit is issued by the Zoning Administrator. Request for a temporary permit is made using the Animal Permit Application Form (available on the City of Perry website).
 - d. Breeding shall not be permitted. However, in the instance that a pet has offspring, the litter shall be permitted to

remain on the premises for up to four (4) months to allow for adoption.

3. Pets housed both indoors and outdoors within the City of Perry are recommended to be spayed/neutered, micro-chipped, and vaccinated in accordance with the recommendations of a veterinarian.

4. The fostering of indoor pets in partnership with a rescue organization is permitted within the City of Perry. Foster pets are subject to the same standards of care as owned pets, and all city ordinances relating to the care, environment, restraint, and wellbeing of the animal are in effect.

The city permits the fostering of indoor pets. The fostering of outdoor pets is subject to the pet limits as defined in Section 3.30 - B(2).

C. Community Cats in Residential and Agricultural Districts

Caring for Community Cats within Perry is permitted by the city with the following conditions / recommendations:

- a. Food should be provided in a way that does not attract other wildlife.
- b. Shelter should be provided for harsh heat waves and colder months.
- c. Community Cat caretakers should make reasonable effort to spay/neuter community cats by participating in or reaching out for Trap, Neuter, Return (TNR) assistance.
- d. The practice of TNR, and the respective holding/caring of cats during the recovery, is permitted within the City of Perry.
- e. In accordance with MI HOUSE BILL NO. 4596 the release of feral cats is exempt from animal abandonment charges.
- f. Those that wish to participate in TNR are recommended to be certified through Michigan Humane Society, All About Animals Rescue, or equivalent associations providing training that ensures the welfare of the cat while practicing TNR.

D. Livestock in Residential Districts

1. No livestock shall be permitted in the R-1A, R-1B, R-T, R-M, or residences within MXD districts.

E. Livestock in Agricultural District

Domestic farm animals and livestock (as defined in Section 2.13 - L) solely for the personal, non-commercial use of the occupants of the premises, shall be permitted in the A1 district, subject to the following;

1. The portion of the property proposed as open space for livestock shall be entirely enclosed with a suitable fence or wall, subject to SECTION 3.13 to prevent escape of animals.

a) The Zoning Administrator may approve fences up to eight (8) feet in height provided the fence is properly setback from all adjacent properties and the entire length of the fence is screened with evergreen trees.

b) Livestock enclosures shall be located in the side or rear yards and shall not be permitted in the front yard of any property.

c) Livestock enclosures shall be setback at least fifteen (15) feet from adjacent residential properties.

2. Animal waste shall be managed to prevent odors and other nuisances.

3. Housing facilities for animals shall be structurally sound and shall be maintained in good repair to protect animals from injury.

4. All animal buildings, cages, and runs shall be of sufficient size to provide adequate and proper housing for those animals kept therein. Animal living space shall be in addition to the open space requirements set out in TABLE 3.30B, below

5. The Zoning Administrator may require additional measures for livestock management, which may include, but are not limited to, screening or buffering of livestock enclosures, active noise management, and additional facilities for animal housing.

6. Issuance of a permit shall only be granted upon completion and/or acquisition of the following documentation:

a) Application and Fee

b) Inspection of premises for proof of adequate open space, fencing, screening, and/or shelter for requested animals.

c) Authorization signature of the Zoning Administrator.

TABLE 3.30B: OPEN SPACE REQUIREMENTS FOR LIVESTOCK

LIVESTOCK ANIMAL	ANIMAL REQUIRED OPEN SPACE	
	First Animal	Each Additional Animal
Cattle	2 acres	1 acre
Goats	1 acre	1 acre
Horses & Ponies	2 acres	1 acre
Poultry	16 square feet	10 square feet
Rabbits	12 square feet	8 square feet
Sheep	1 acre	1 acre
Swine	1 acre	1 acre

F. Animal Facilities on Perry Public School Property (Managed by Perry Chapter of FFA - Future Farmers of America)

1. Animal waste shall be managed to prevent odors and other nuisances.
2. Housing facilities for animals shall be structurally sound and shall be maintained in good repair to protect animals from injury.
3. All animal buildings, cages, and runs shall be of sufficient size to provide adequate and proper housing for those animals kept therein.
4. All facilities must comply with all Shiawassee County ordinance requirements. Carried: all yes.

Christmas Lighting Contest

10-19-23-11

Move by Fuller, seconded by Lambert that we authorize \$250.00 towards Christmas Light contest winners and divide awards to 1st place receiving \$100.00, second place receiving \$50.00, third place receiving \$50.00, fourth place receiving \$25.00, fifth place receiving \$25.00 and also the judging will take place Tuesday, December 5th at 7pm. Carried: all yes.

ANY OTHER BUSINESS THAT MAY COME BEFORE COUNCIL

None.

PUBLIC COMMENT

None.

COUNCIL DISCUSSIONS & OBSERVATIONS

None.

ITEMS FOR NEXT AGENDA

Possible adoption ZO amendment No. 383, Definitions

Possible adoption Ordinance amendment No. 384, sec. 612.01 & sec. 612.04 (b)(3)

Possible adoption Zoning Ordinance amendment No. 385, sec. 3.30 Animals in residential and agricultural districts

Possible first reading ZO amendment No. 386 Land divisions

Resolution/possible approval to terminate mutual aid with Morrice

Old business: Tree replacement

Antique fire truck

ADJOURNMENT: 8:05 P.M

Susan J Hammond, Mayor

Date

Shirley Smith, City Clerk

Date