

**Tyrone Town Council
Meeting Minutes
June 3, 2021
7:00 P.M.**

Present:

Mayor, Eric Dial

Mayor Pro Tem, Gloria Furr

Council Member, Linda Howard

Council Member, Melissa Hill

Council Member, Billy Campbell was absent

Town Manager, Brandon Perkins

Town Clerk, Dee Baker

Finance Manager, Sandy Beach

Town Engineer/Public Works Director, Scott Langford

Court Clerk, April Spradlin

Office Coordinator, Ciara Willis

Corporal, Eric Minix

K-9 Officer, Bruno

Lieutenant, Eric DeLoose

Mayor Dial called the meeting to order with limited seating and broadcasted on YouTube Live at 7:00 pm, this was followed by the invocation and the pledge of allegiance. The public was invited to watch.

Approval of Agenda

Mr. Dale Millican who lives on Rollingbrook Trail spoke regarding his frustration regarding sanitation pick-up. He shared that he spoke to Council a few months ago at a public meeting concerning his displeasure with not being able to retain the sanitation contractor he was happy with. He shared his frustration with Council deciding to contract with another vendor. He added that it was a violation of his basic civil liberties. He stated that his garbage was not picked up last week. He called the vendor three times and also left a message for Mayor Dial. No one returned his call. He added that it reflected incompetence. He should be able to do business with who he wished; Council had taken that choice away. He stated that he paid for a service, not of his choosing, was not receiving the service, and had no recourse.

Council Meeting – Social Distancing/YouTube Live
June 3, 2021

He demanded that Council rectify the situation. He compared his liberty to shop at Publix versus Kroger was also not the right of the Town Council.

Mayor Dial shared that his work phone was not set up to receive voicemails. He added that his cell phone number was on the Town's website. He then gave Mr. Millican his cell phone number. Mayor Dial added that he had not ignored the voice mail, but had not received one. He stated that staff would look into the situation and for Mr. Millican to call him anytime he had a question or concern.

Approval of Agenda

Council Member Furr made a motion to approve the agenda.

Council Member Howard seconded the motion. Motion was approved 3-0.

Consent Agenda: *All matters listed under this item are considered to be routine by the Town Council and will be enacted by one motion. There will not be separate discussion of these items. If discussion is desired, that item will be removed from the consent agenda and will be considered separately.*

Approval of Minutes, May 20, 2021, Budget Workshop and regular meeting.

Approval of a Memorial Bench for Shamrock Park.

Council Member Howard made a motion to approve the consent agenda.

Council Member Hill seconded the motion. Motion was approved 3-0.

New Business

1. Consideration to award the facility Fertilization & Weed Control Contract to TruGreen for \$10,360. ***Scott Langford, Town Engineer/Public Works Director***

Mr. Langford informed Council that the Town had contracted fertilization and weed control services for Town Parks, ball fields, and facilities. The new facility was added and the end of the existing contract was this fiscal year. Public Works advertised an RFP for all areas. He added that funding would come from the Public Works' General Fund and the Recreation's budget. He stated that an RFP was advertised on the Town's website, in the Fayette County News, and on the Georgia Procurement Registry website.

Council Meeting – Social Distancing/YouTube Live
June 3, 2021

Proposals were received on May 25, 2021, and TruGreen was the only company that responded to the proposal. They would maintain the same service and make a change to add the new complex. He recommended approval.

Council Member Furr made a motion to award the bid to TruGreen for \$10,360 per year upon approval of legal review and approval of funding from the FY 2021-2022 Budget
Council Member Hill seconded the motion. Motion was approved 3-0.

2. Consideration of approval to retire K9 Bruno and place him in the care of his handler, Cpl. Eric Minix. ***Brandon Perkins, Town Manager***

Mr. Perkins informed Council that in 2016, Ohio Hog BBQ owners, Gary and Vivian Williams through a fundraiser, donated funding to purchase K9 Officer, Bruno. Bruno's first handler worked with him for the first couple of years, then he took a position with the Fayetteville Police Department. Since then, he was placed with Corporal Eric Minix. This required a second round of rigorous training. He added that Corporal Minix was resigning and taking a position with another law enforcement agency. Mr. Perkins shared that given Bruno's age and time of service, staff assessed that retiring Bruno and turning him over to the care of Corporal Minix was the best option for him at this time. He added that Bruno would be in an environment and with people that he was accustomed to and would be well taken care of. This was the normal practice when a K9 retired. Corporal Minix, Bruno, and his family were present.

Council Member Hill asked if the Town would purchase another K9? Mr. Perkins stated that the topic could be brought for discussion. Mayor Dial thanked Cpl. Minix for serving the Town, and added that K9 handling was a lot of work. Cpl. Minix thanked everyone and stated that it was a pleasure working 5 ½ years for Tyrone.

Mayor Dial inquired about reaching out to the Williams'. Mr. Perkins stated that he would.

Council Member Furr made a motion to approve the retirement of K9 Officer, Bruno and to place him in the care of Corporal. Eric Minix.

Council Member Hill seconded the motion. Motion was approved 3-0.

Staff Comments

Mr. Perkins reminded everyone about the Budget Public Hearing at 7:00 pm, on June 17th and the Budget adoption at 9:00 am, on June 24th.

Council Meeting – Social Distancing/YouTube Live
June 3, 2021

Mr. Perkins informed Council that he currently shared the frustration regarding the sanitation contractor. We have had good weeks and bad weeks. When AMWaste was checked out, they had good reviews. He added that he and Ms. Willis and Ms. Baker had met with their Director of Marketing and their Vice President of Operations last week regarding their shortcomings. They assured us that they would make improvements. He then expressed to Council that they should consider deregulating sanitation at the end of the three-year contract. He added that Peachtree City contracts with four vendors, and the citizens choose which one they want. The difference was that Tyrone was much smaller than other cities and it may not be worth the company's effort to share with other vendors. Tyrone has approximately 2,300 sanitation customers. Mr. Perkins stated that we acknowledge that we have a problem with AMWaste and it is causing undue stress for staff and contentious issues between us and the public. He added that AMWaste currently owed the Town a letter accepting responsibility for their issues. He shared that he did not want the citizens to think that staff was not taking care of these issues. We are doing all we can, and we are still under contract.

Council Member Furr asked for the length of the contract. Mr. Perkins stated that it was a three-year contract. Mayor Dial stated that they may be in over their head, and asked if it was discussed, to end the relationship amicably? Mr. Perkins stated that it would be a legal matter and that citizens had just gone through the switch recently. A few Council Members shared that they had no issues with service. Council Member Hill asked that in the future if the Town went with only one provider, could the citizens make their own choice to go with another provider? Mr. Perkins explained that cities collect franchise fees for the use of our roads. Peachtree City requires \$1 per customer and the funding was earmarked for a particular project. Complete deregulation would be difficult to manage. He gave the example of a spill, who then would be responsible. Mr. Perkins stated that there was language in the contract that could give us an out. He agreed with Mayor Dial and shared that it was great that they were growing, but they may be growing too fast.

Mr. Langford reminded everyone that Brad Konwick's last day was tomorrow, and he was a pleasure to work with. He would be missed.

Council Comments

Mayor Dial stated that he wished to hear from Mr. Davenport to add clarity regarding comments made by Mr. Millican and to further explain the sanitation topic as a whole.

Mayor Dial thanked Council Members Furr and Howard and Council Member Howard's husband for their efforts on the beautiful Veteran Park crosses.

Council Meeting – Social Distancing/YouTube Live
June 3, 2021

Mayor Dial asked staff to verify that he did not have a voicemail system, he should not be receiving voicemails, his cellphone number was on the Town's website for that purpose.

Mr. Davenport began his explanation regarding sanitation. He informed Council that in Georgia, there was a difference between counties and cities. Counties could not levy a franchise fee. Cities were municipalities created by legislators and were allowed to charge franchise fees for sanitation services. Cities also could make a sanitation agreement exclusive. Cities were typically denser, and not as populated. That was why contracts usually carried an exclusivity clause. Also with smaller cities, there would not be as many interest for several providers, it would not be worth their time. He gave the example of Peachtree City offering more than one vendor. All vendors must comply with the list of requirements including franchise fees and the \$1 per customer fee for certain projects. Peachtree City and Tyrone require a franchise fee for the use of heavy trucks utilizing their roads. Mr. Davenport stated that normally, cities went with exclusive providers, Peachtree City was an exception. Whatever works for each city, they still need to make sure they were charging a franchise fee for the use of their roads. He added that if the Town chose to go with multiple providers, there would be a more intense use of heavy trucks on your roads, as opposed to one vendor on one street, one day a week. Currently, the Town had chosen to go with one vendor, with a three-year exclusive contract. If the vendor was not performing adequately, his staff could look into the language to remedy that. He added that if the Town wished to look into multiple vendors, they would need to begin now to see if the interest for multiple vendors was there. The more vendors servicing the Town, the lower number of customers for each vendor.

Mayor Dial and Mr. Davenport shared that Mr. Millican was privy to all the forementioned information. Mr. Davenport stated that he had a conversation with Mr. Millican following the last meeting that he spoke to Council regarding his disapproval of the sanitation carrier and his lack of ability to choose. Mayor Dial stated that the Town's sanitation agreement had no bearing on his right to shop at Publix versus Kroger. Mr. Davenport agreed.

Council Member Hill asked if Mr. Millican did not approve of the current vendor's service, could he obtain another provider? Mr. Davenport stated that presently, he could not. The Town was under an exclusive contract with the current provider, and the levied franchise fee, it was not an option. Council Member Hill asked what would happen if Mr. Millican did call another vendor. Mr. Perkins stated that most vendors realized that the Town had an exclusive contract and would not contract with an individual. Mayor Dial added that it was not that Mr. Millican could not seek another provider, it was that the provider would not be allowed to service the Town without a contract.

Council Meeting – Social Distancing/YouTube Live
June 3, 2021

Council Member Howard reminded everyone that the Tyrone Museum was open and volunteers were manning the visitations. The hours of operations were Wednesday from 10:00 am – 2:00 pm. Thursdays from 6:30 pm – 8:30 pm, Saturdays from 10:00 – 2:00, and Sundays from 2:00 pm – 4:00 pm. She invited everyone to come.

Adjournment

Council Member Furr made a motion to adjourn. Motion was approved 3-0. The meeting adjourned at 7:38 pm.

By: _____
Eric Dial, Mayor

Attest: _____
Dee Baker, Town Clerk