

**Tyrone Town Council
Meeting Minutes
May 20, 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

Town Manager, Brandon Perkins

Town Clerk, Dee Baker

Finance Manager, Sandy Beach

Town Planner, Phillip Trocquet

Town Engineer/Public Works Director, Scott Langford

Police Chief, Randy Mundy

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

Council Member Campbell made a motion to approve the agenda.

Council Member Furr seconded the motion. Motion was approved 4-0.

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 workshop and regular meeting minutes, May 6, 2021.

Consideration for the appointment of the Law Office of Natalie Ashman, LLC For the Indigent Defense Contract for FY 2021-22.

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Council Member Furr made a motion to approve the consent agenda.
Council Member Campbell seconded the motion. Motion was approved 4-0.

Presentations/Recognition

LCI Update – POND & Co.

Mr. Trocquet introduced Mr. Andrew Kohr, Project Manager from POND & Co. on behalf of the Local Centers Initiative (LCI) and Downtown Master Plan. This was the first of three updates for the several-month project.

Mr. Kohr shared that he and his firm were overseeing the Town's, Town Center Plan, and gave the projected schedule. He added that the timeline began with, research and discovery, the current phase they were in was to establish a vision. It included taking the community's vision and making it a reality by drawing their ideas, and a workshop held at the Recreation Center on June 7-8. It would also include building the framework.

Mr. Kohr stated that a site visit was carried out, they held over seventeen stakeholder interviews, held their first Core Team meeting, completed a market study, established a photo gallery at Town Hall and around town, and held an April 30th public kickoff event at Shamrock Park. He shared information from the market study and stated that Tyrone's population had grown 63% between 2000 and 2010, and 13% from 2010 to 2020. Tyrone was a desirable place to live. He added that Tyrone had ground much faster than Fayette County and approximately the same as Metro Atlanta within the same period. Mr. Kohr also noted that Tyrone indicated an average housing of 2.92 people out of the local average of three. He informed everyone that Tyrone's median household income was \$105,389, slightly over the County's \$98,541. That gave Tyrone a stronger buying power and stronghold.

Mr. Kohr informed everyone that regarding housing, Tyrone lacked diversity in the types of housing offered. Tyrone's housing was almost entirely single-family homes, with no multifamily rental structures with five or more units. The median sale price in Tyrone was \$545,000, compared to \$335,000 in Fayette County. He added that the report indicated that the demand for homes in Tyrone had been high during the pandemic, but did not conclude that there was a long-term trend. He shared that his firm tried to push diversity for the types of housing, assisting in the need to downsize or upsize for a larger family. Tyrone needed a small amount of flexibility. Mr. Kohr stated that regarding commercial real estate, Tyrone had much lower rental space per square foot than the County. Tyrone also registered lower in retail space and office space.

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Mr. Kohr informed everyone regarding the real estate demand projections compared to ARC's baseline growth and the accelerated growth over time. The retail space projection per square foot indicated interesting findings. A smaller floor plan within Tyrone such as a retail space, restaurant, or shop was projecting a higher sales margin per square feet than that of a larger floor plan such as Publix. He added that Tyrone would gain more tax growth from boutique shops than a big box store. Due to the unavailability of those spaces in Tyrone, business owners tend to open their businesses in Peachtree City, or elsewhere.

Mr. Kohr moved to the stakeholder interview section of the study. They interviewed nineteen community members over four weeks in March and April of 2019. 58% of stakeholders indicated that they wanted to activate Shamrock Park. He added that currently Shamrock Park was utilized for events and as an open space, but how could the Town activate it? Stakeholders wanted to use it more for active programming. 58% of stakeholders also wanted more small shops and restaurants, coffee shops, or a local pub, keeping the small-town feel. There was a desire to connect more, and to meet somewhere with friends. 53% of stakeholders were looking to preserve the Town's history and charm, to honor the character of Tyrone. He thanked everyone for a well-attended event that had over one hundred attendees. He stated that everyone saw people that they had not seen in a while, started new relationships, and the kids loved the games. It was a good event.

He then shared the "dots". Citizens were asked to place dots on building styles, three main styles were chosen. The first was modern, wood and glass an open style with abundant light. The second shop was a more traditional style that mimicked a small cottage home with a porch. He described the third as a single or two-story shop along the street, a more official style. He shared that citizens chose a wide variety, with key takeaways. He added that other items that had many dots were a beer garden, a farmer's market and, outdoor performance space. These could also be represented at Shamrock Park as the gathering place.

Mr. Kohr then spoke regarding mobility priorities that citizens chose at the April 30th public outreach event. The top choice was to expand walkability and multiuse paths. He suggested the Town plan ahead for infrastructure to accommodate the needs and wants of the citizens regarding paths and mobility. Mr. Kohr shared the results from the comment cards. The highest priority chosen was more cart paths, then more restaurants with outdoor seating.

He then shared the next steps. The Action Planning Workshops would be held on June 7th and 8th at the Recreation Center and a Core Team Debrief at the Recreation Center on June 9th. His team would then gather all information, assess and codify.

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He added that the workshops were interactive, citizens could watch them work and ask questions. It would be fun and much would be accomplished. He thanked everyone for their time.

New Business

1. Consideration for approval of Police Department purchases through the CARES Act Funding. *Randy Mundy, Police Chief*

Chief Mundy shared that his department was requesting to purchase three cars, one from the General Fund, one from the SPLOST Fund, and a Dodge Charger, fully fitted from CARES ACT funding. Chief Mundy stated that the second purchase he was requesting was twenty-one, Trijicon, Glock Generation 5, 9mm pistols, including holsters. These pistols are equipped with lasers. He gave the example of an Officer that had attempted his Firearm Instructor Certification, which was a very difficult certification. He later passed with the new pistol. The cost for the pistols was \$15,221.79, it included the opportunity to buy back their current pistols as a trade-in. Chief Mundy shared that staff was also requesting two, car cameras that were outdated and DVD driven for an upgraded version that would upload through the cloud to WatchGuard. The cameras would always record. When an officer saw a need to record, it would record thirty seconds before. He shared that the cost was \$11,340. The two cameras were the last to upgrade.

Chief Mundy reminded Council of the desire to create a Drone program for search and rescue purposes and to also record Town events. He added that Certification Manager, Kayla Banks had spent hours researching and would train for the Certification, and would implement a policy. The cost for the DJI Mavic Drone would be \$6,970. He added that staff was just made aware that in the future, the FAA may require a transmitter. The purchase model was not equipped with one. The purchase would be delayed if the FAA required a transmitter. Additional research would then resume for a model equipped with a transmitter. Council Member Campbell inquired of the cost of a transmitter. Chief Mundy shared that the information came to them two days ago, and currently, there was not enough information regarding the transmitter or cost.

Chief Mundy then shared several other CARES ACT funding purchase requests from the Small Equipment line. Six laptops were needed, four were for patrol cars, and two were replacing desktop computers. After speaking with Mr. Perkins, it was prudent to begin moving all desktop computers to laptops, from the possibility of a similar event as COVID. That would allow everyone to work from home if needed. The cost for all laptops was \$7,708.62. Chief Mundy shared that there was a need to replace a handheld speed detector, costing \$2,150.

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Chief Mundy shared that to continue improving the department's service delivery, Lt. Nelson was requesting two kick bags, a Red Man suit, four soft batons, and four floor mats, all for hands-on training. These purchases totaled \$2,127.03.

Chief Mundy informed Council that there was a good chance that the weapons may not be delivered on time, and would be reflected in the budget. He reassured them not to worry, they were still eligible for CARES ACT funding. He added that one vehicle and possibly the weapons may appear in the budget due to the timing. However, all would still be funded by CARES ACT monies.

Council Member Furr made a motion to approve the purchases through the CARES ACT funding as presented.

Council Member Campbell seconded the motion. Motion was approved 4-0.

2. Consideration to approve Public Works' purchase of a replacement chipper.

Scott Langford, Town Engineer, and Public Works Director

Mr. Langford reminded Council of their conversation during the Budget workshop that morning, regarding the chipper. He shared that after researching a chipper that would fit all needs, including safety features and a 9-inch throat, staff located a new model for \$30,000. He added that his wish was to move quickly on the procurement due to the fiscal year-end.

Council Member Campbell made a motion to approve the purchase to replace the chipper for no more than \$30,000.

Council Member Hill seconded the motion. Motion was approved 4-0.

3. Consideration of sponsorship of grant application for Castle Lake Dam. ***Dennis Davenport, Town Attorney***

Mr. Davenport reminded Council that recently, Castle Lake dam was categorized as a Category I dam. Category I dams were regulated by the Georgia Safe Dams Program and the Environmental Protection Division (EPD). Category I dams were classified due to the volume of water and the height of the dam. If breached, there came the possibility of a loss of life downstream. He added that Council knew what costs were related to a reclassification due to the reclassification of the Pendleton dam. There are grant programs that assist with the duties and responsibilities associated with an upgraded dam. He mentioned that one grant on the books was titled, High Hazard Potential Dam. The grant pays 65% with local matching funds of 35%. The applicant could apply as a 501c3, nonprofit organization or as a local government.

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Mr. Davenport stated that he had been in contact with several members of the Castle Lake Home Owners Association, and they could not apply for a 501c3 status because they did not qualify as a charitable organization. The purpose for coming to Council tonight was to ask the Town to sponsor the grant application on their behalf.

Mr. Davenport informed Council that for any type of application that was made for federal funding through the state, there would be liability exposure. Mr. Davenport stated the through conversations with the Castle Lake Funding Group, President, Steve Castlen, much work had been accomplished by their organization. They had raised funding, obtained a design through Schnabel Engineering, and worked with the Safe Dams staff and the EPD to attack the issue. They had acquired six-month inspections and formed a good relationship with all three parties. They had also expended \$92,000, through inspections and working with Schnabel, which was a very reputable firm. The group was coming before Council due to the impending application deadline of May 28th. He shared that if the Town chose to be a sponsor of the application, there would be a risk. Usually, that would equate to, if the work was being completed properly, and were funds being utilized sufficiently. Mr. Castlen and the Castle Lake HOA seemed to be geared toward minimizing those risks. The risk was still there, however, it was currently substantially lower. He reiterated that before them was the request to sponsor the high hazard dam grant application, with a 65%, 35% split. The HOA understood that the total cost for their upgrade would be \$428,000, leaving the 65%, 35% split approximately \$278,000 and \$150,000. Mr. Davenport also shared that he believed that the Town would also be reimbursed for the cost of the application. Mr. Davenport stated that the goal of the HOA was to get the dam upgraded and maintained in a safe manner. He shared that he was also impressed with, out of forty-one homeowners that fronted the dam, thirty-five agreed to enter into the relationship, legally binding them financially. This was a very commendable position. The ask was there. He reminded Council that the process for the grant acceptance was very lengthy. It had already been a sixteen-month wait for the Pendleton dam application to receive word. He reminded Council that the Castle Lake deadline to apply was May 28th.

Mr. Davenport added the caveat that due to the limited timeframe, the Town was currently utilizing the services of Mallett Consulting, Inc. for the Pendleton dam application and suggested doing the same for Castle Lake. He added that Mr. Jaeger had a good rapport with Georgia Safe Dams and with the EPD. Mr. Davenport stated that he had reached out to Mr. Jaeger to check his availability, and Mr. Jaeger stated that he would be available for the project per Council's request. Council Member Campbell asked if the Castle Lake Funding Group would also pay for Mr. Jaeger's consulting fees. At this time, Mr. Davenport invited Attorney, and the President of the Castle Lake Funding Group, Mr. Steve Castlen to speak on their behalf.

Council Member Hill asked if there were any further steps Council could take regarding lessening the liability if they agreed to move forward. Mr. Davenport stated that assuming fifteen years down the road if something were to happen, the federal and state government had a much easier time forcing a local government to comply rather than individuals. There would be a liability, however, the Town would have held up its role as a sponsee. Monies would have been spent appropriately, the design was in accordance with Georgia Safe Dams, the construction was consistent with the design, and nothing was negligent with the project thus far. All of those issues would be in the Town's favor. All of the boxes had been checked, lessening the potential.

Council Member Furr asked about the liability timeframe. Mr. Davenport shared that the liability may always be there. Mayor Dial asked if the Town could place wording in the agreement that the Castle Lake Funding Group always be maintained, in the need for funding of future dam repairs or issues. Mr. Davenport stated, that would be prudent. He suggested a side agreement with the HOA and their Principals of the funding group.

Council Member Furr asked Mr. Castlen if the funding group was in favor of placing the 35% into an escrow fund? Mr. Castlen shared that the funding group was created solely to accept mandatory dues for dam repairs and nothing else. The organization was created only for the dam. He thanked Mr. Davenport for his time and Mayor and Council for considering the sponsorship. He agreed with Mr. Davenport regarding liability, there would always be some degree present. He added that the funding group had accomplished minimizing most. If anyone were to be liable, Schnable Engineering would be first. The second line would be Georgia Safe Dams. He added that due to the steps taken, there should be a minimal liability for the Town. Mr. Castlen stated that he would need to go back to his board regarding an additional agreement, but that the Town could approve, contingent on that agreement. They had no intention of closing the group. Council Member Furr brought back the question of an escrow account for present and future funding. Mr. Castlen stated that the only funding in the account was for dam repair and maintenance but it was possible to accomplish that request. He added that once upfront costs were paid, the maintenance cost was minimal.

Council Member Campbell inquired about the annual inspection costs. Mr. Castlen stated that every three months the dam was inspected, then every two years the dam was inspected by the engineering firm. All reports are turned in to Georgia Safe Dams. Council Member Campbell reconfirmed that the inspection costs would be funded by the funding group and the application fee would be reimbursed to the Town. Mr. Castlen stated, yes, but he would have to consult with the group first. He added that there would be funding that could go into an escrow account per the Town's wishes. Council Member Furr asked if the group had already obtained the 35%.

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Mr. Castlen stated that currently, the group would have \$211,000 in the bank once all homeowner dues were paid. He then handed Council the Castle Lake Funding Group balance sheet as of May 20, 2021. The total equity was \$211,501.69. Council Member Furr asked for reassurance regarding dues. Mr. Castlen stated that dues were due by June 1st.

Council Member Hill asked if the homeowners would be able to collect the total 35%. Mr. Castlen was confident that they could. Council Member Furr restated that she would insist that the 35% be placed in an escrow account.

Mr. Castlen introduced members of the Castle Lake Funding Group, Roger Sloan, Bill Wallace, Joyce Genter, Thomas Samboden (not present), and Bruce the engineer. Mr. Sloan spoke from the audience. He stated that currently, the group had a total of \$86,126.69 cash in the bank. Mr. Castlen stated that they were confident that the grant would be approved due to the work put in, and added that funding would continue to accumulate through the waiting period. Mayor Dial asked if the group would have \$135,000 by May 28th. Mr. Castlen stated that it would not be possible in eight days. Mayor Dial clarified that if Council Member Furr wanted the 35% in the bank by the deadline, it was not likely.

Mr. Davenport reminded Council of the Pendleton dam process; it had already been sixteen months since the application was submitted. Once the application was submitted, the Castle Lake Funding Group would have twelve to sixteen months to add funding to an escrow account. Council Member Hill asked, what would happen if the group was not awarded the grant? Mr. Castlen stated that the group would pay for it themselves as painful as that may be. Council Member Hill inquired if the group did not receive the grant, then the Town would not be accountable in any way. Mr. Castlen stated, that was correct.

Council Member Howard clarified that the homeowners paid \$5,000, and asked if that was a one-time payment. Mr. Castle shared that it was a one-time payment for now. We knew initially that they would require at least \$5,000 per homeowner. As the assessment drew nearer, it was less intrusive to acquire \$5,000 than \$10,000 to \$15,000 upfront.

Mayor Dial inquired again if the group was prepared to fund all costs and to reimburse the Town for any costs. Mr. Castlen stated that although they were not quite sure at that time what the costs would be, they were willing to do so. Mayor Dial shared that the Town was not “cheap”, we just did not want to set precedents for using Town-wide tax dollars. He added that Council wished to be respectful of the taxpayers. Mr. Castlen stated that the lion’s share of the Town’s expenses should be the preparation of the application. The group had also prepared a mock application in preparation.

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Council Member Howard asked if Mr. Jaeger would follow up once the application was submitted. Mr. Davenport stated that Mr. Jaeger would be involved in the completion of the application. He added that if there would be further involvement, he would notify Council in advance.

Council Member Campbell stated that he would consider the approval if Mallet Consulting would prepare the application, and for any inspections or future costs, the Castle Lake Funding Group would be liable, and the cost for the application would be reimbursed.

Council Member Campbell made a motion to approve as presented.
Council Member Howard seconded the motion.

Council Member Campbell amended his motion to approve the grant application agreement contingent upon the placement in the agreement of 35% of \$438,000 matching funds into an escrow account by December 31, 2021, reimbursement of expenses, and the existence of a funding group up to twenty years.

Council Member Howard amended her second. Motion was approved 4-0.

Mr. Castlen humbly and graciously thanked Mr. Davenport, and Mayor and Council, and added that it was a painful, yet fun process.

Staff Comments

Mr. Langford informed everyone that paving would begin on Tyrone Road, Monday, from Anthony Dr. to the Town limits.

Council Member Campbell asked for a sewer update. Mr. Perkins shared that the generators would be tested next week. Mr. Langford stated that the contractor would be conducting the supervisory control and data acquisition (SCADA) work. Mr. Perkins shared that the manhole located near the hardware store should be completed soon, and added that we were in the home stretch. He had not received a full-scale update in a while.

Mayor Dial asked for the latest date the cart paths would be repaved on Senoia Road from the sewer construction project. Mr. Perkins stated that he would make a call and inform them soon.

Council Comments

Council Member Howard thanked everyone who participated in the grand opening of the Tyrone Museum on Saturday. There were 137 attendees.

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She added that the new hours of operation would be Saturdays, from 10:00 am to 2:00 pm, Sundays, from 2:00 pm to 4:00 pm, Wednesdays, from 10:00 am to 2:00 pm, and Thursdays, from 6:30 pm to 8:30 pm. There is no charge but they are taking donations. She also thanked staff for their assistance.

Executive Session

Council Member Howard made a motion to move into Executive Session to review the Executive Session minutes from the May 6, 2021 meeting.

Council Member Furr seconded the motion. Motion was approved 4-0.

Council Member Hill made a motion to reconvene.

Council Member Campbell seconded the motion. Motion was approved 4-0.

Council Member Campbell made a motion to approve the Executive Session minutes from May 6, 2021.

Council Member Hill seconded the motion. Motion was approved 4-0.

Adjournment

Council Member Howard made a motion to adjourn. Motion was approved 4-0. The meeting adjourned at 8:19 pm.

By: _____
Eric Dial, Mayor

Attest: _____
Dee Baker, Town Clerk

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