Tyrone Town Council
Meeting Minutes
February 18, 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
Town Planner, Phillip Trocquet
Finance Manager, Sandy Beach
Court Clerk, April Spradlin
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. The public was invited to watch.

Approval of Agenda

Council Member Furr made a motion to approve the agenda.
Council Member Howard 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 minutes, February 4, 2021 Workshop, February 4, 2021 regular meeting.

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

Presentations/Recognition

Rushton Audit Report. Julie George, CPA, Rushton and Company

Ms. Beach introduced Ms. Julie George, Audit Manager, and Ms. Kelly Parmer, Audit Senior. She stated that they would be presenting their findings from the Town's 2019-/2020 audit, ending June 30, 2020.

Ms. George began by thanking Ms. Beach, Mr. Perkins, and all staff. She added that everyone was attentive to their requests and it went very smoothly. She stated that the official findings letter was required and the communications were specific to Tyrone. She shared that there were no new accounting policies adopted, she did not encounter any difficult dealings with management, nor any disagreements with management regarding their process. The proposed required entries were made. She then began the presentation and stated that the financial statements were the responsibility of Town Management and that representations and documents that was requested, was provided. Rushton's responsibility was to express opinions on the fair presentation of the financial statements. She added that the audit opinion could be found on pages 1-3 in the annual financial report binder. The financial statements were audited following United States Auditing Standards, and Government Auditing Standards issued by the Comptroller General of the United States. She added that their unmodified opinion, the financial statements present fairly, in all material respects, the financial position of the Town as of June 30, 2020, and the respective changes in financial position and, where applicable, cash flows for the year then ended. This opinion was also known as a clean opinion. This meant that an independent third party found The Town's financial statements were presented fairly, in all material respects.

Ms. George then moved on to the Government-wide Statements. She stated that the two sets of statements gave the reader information on the Town as a whole, which included the general fund, the SPLOST fund, narcotics funds, and the sewer and sanitation funds. She shared that the net position or balance sheet was located on pages 4-5. It details the assets, liabilities, and net position of the Town. She shared that as of June 30, 2020, the total net position for the Town was $23 Million. Ms. George stated that on page 6 of the report was the statement of activities, which indicated revenues and expenses. She detailed that in one column the functions were indicated, the next would be the program revenues which would be specific to those functions. The revenues were listed as; expenses, charges for services, operating grants and contributions, capital grants and contributions, and net expenses. General revenues included property and sales taxes. These types were not specific to public works' projects, or specific recreation fees.

Ms. George indicated that there was an increase in total net position of $3.3 Million from the previous year, to $23 Million. There was also an increase in capital contributions, due to the sewer expansion and infrastructure improvements.

Ms. George spoke regarding the general fund statements. She shared that on page 55 of the report, the revenues indicated an increase of 3% over last year. This was due to an increase in property taxes, insurance premium taxes, franchise taxes, and an increase in interest income. She added that expenditures also increased by 52%. This was mostly due to the general fund statement, which specified funding for the new building. At the fund level, it was being deducted through the capital outlay. At the government-wide level, it was being recognized as an asset. She shared that public safety, public works, and recreation decreased, while debt services and housing and development increased.

Ms. George stated that regarding the Fund Balance, it was at a very healthy 11.69 months at the end of FY20. It decreased from the previous year but was a very positive fund balance. It indicated that the money was unassigned, or not committed to being spent on any particular item or project. She shared that the 5-year graph indicated that revenues had increased for the past five years. Expenses were remaining under revenue until this year, due to the new building. She added that there was much more information regarding the general fund in the report, and shared that on page 57 under general government, the capital outlay was at $3.4 Million.

Ms. George spoke regarding the sewer fund, found on pages 64-66. The sewer fund operating revenue increased by 10% and operating expenses decreased by 0.8%. She indicated that in the prior year, expenses were due to the cost of inspection and the mapping of the sewer system. Ms. George reminded Council that there was still $50,000 remaining in the fund for any contingencies that may arise. As of FY20, there was no activity for that fund, no revenue or expenses. She recommended that Management, Council, and Legal Counsel discuss how they wish to approach the remaining balance for the future.

Ms. George moved on to Internal Controls and other matters. She stated that Rushton did not, nor were they required to, offer an opinion on internal controls. However, they do research the compliance. She shared that only a couple of items were noted, one of which was a lack of separation of duties. This had been covered in the past and was a risk. It was due to the limited size of the finance and administrative staff. She added that it was very common. She also shared that Ms. Beach, her staff and Mr. Perkins had many controls in place to improve that. Small departments usually had that risk. She recommended to continue to evaluate to strengthen the controls.

Ms. George shared that the Confiscated Assets Special Revenue Fund (Narcotics), spent more money than was budgeted, for the year. If over 3% was spent, it must be included in the report. This would require corrective action moving forward, by considering any amendments that may be needed. She added that the finding was also very common with governments. The money had been sitting there for some time, they were more than likely able to spend more that year than most.

Ms. George shared that new reporting changes were forthcoming. GASB 84 would essentially change the way the Municipal Court financial statements would look, with different verbiage. GASB 87 would change how the Town would account for operating leases such as leases for copiers. She added that it would have a broad effect on governments. She added that the Police car leases would not change as they were currently capital leases. Some terminology on the financials would change. She shared that her staff would work with Ms. Beach and her staff to see how GASB 84 would affect leases in the future. She ended by asking Council to contact her office with any questions they may have.

Mayor Dial thanked Ms. George and Ms. Parmer. He also thanked Ms. Beach for her continued hard work, and her staff Ms. Smith and also Ms. Willis for their efforts as well. Thank you for your efficiency, you are good at what you do, and you are appreciated.

Proclamation

Black History Month

Mayor Dial presented Reverend Vance, Fayette County's NAACP President, with the proclamation. He thanked him on behalf of the black community, and for Tyrone. Reverend Vance thanked Mayor Dial and shared that he was not the President of the NAACP for the black community. He added that he was the President of the NAACP for Fayette County, he represents everyone. The NAACP was different than what most people thought, it was not a black organization. It is an organization for civil rights, equality, and justice. We represent anyone that has been disenfranchised or mistreated regardless of race, gender, or religious affiliation. We are Fayette County's NAACP, representing everyone.

Public Hearing

1. Consideration and action on Transmittal Resolution No. 2020- 04 adopting Fayette County Fire Services Impact Fee Report. ***Brandon Perkins, Town Manager***

Council Member Howard made a motion to table the item to the March 4, 2021 meeting. Council Member Furr seconded the motion. Motion was approved 4-0.

2. Consideration of a petition from Living Proof Church to rezone the property at 414 Jenkins Road from E-1 (Education Institutional) to C-1 (Downtown Commercial).
Phillip Trocquet, Town Planner

Mr. Trocquet shared that Mr. Ernie Johnson was applying on behalf of Living Proof Church. The intent was to increase the flexibility for uses on the property for a future boarding and pet spa-related business. It would be affiliated with Royal Animal Rescue. He added that staff recommended approval. He stated that as part of the Planning Commission recommendation, the small trailer on the property be removed, which had since been removed. He added, that a portion of the property was owned by the Town.

Mr. Trocquet informed Council that if approved, the zoning to C-1 would be compatible with the Comprehensive Plan and the Future Development Map. C-1 also lies within the Town's Commercial Corridor character area. The surrounding zoning categories were also C-1, including the Fire Station. Mr. Trocquet stated that the uses allowed in C-1 would be compatible with the surrounding commercial properties. Any commercial uses requiring distancing or conditions due to proximity to school property would be held to those standards. He added that if any uses pertaining to alcohol were to be acquired in the future, the distance requirements would be upheld. This was especially due to the adjacent property housing the high school. He also shared that the rezoning would not reflect a negative impact on surrounding properties. He stated that the property did have some reasonable economic use as currently zoned, only if there were a demand for Educational or Institutional development. Due to the zoning, if there were a demand for other commercial uses present in the same character area, the property would be deprived of economic use currently enjoyed by others in a similar situation. He also shared that the intensity of C-1 uses was compatible with the character area and existing infrastructure and would not be burdensome. He stated that staff recommended approval with no conditions.

Council Member Campbell asked Mr. Trocquet to elaborate regarding the alcohol distance information.
Mr. Trocquet stated that the State and the Town's distance requirements for any sales or pouring of alcohol regarding to schools was 600 feet from the property line to the facility in which alcohol was sold (as the crow flies – not property lines). He added that the distance requirements would be upheld.

Mayor Dial opened the public hearing for anyone that wished to speak in favor of the item. No one spoke.
Mayor Dial opened the public hearing for anyone that wished to speak in opposition of the item. No one spoke.

Council Member Furr made a motion to approve the rezoning from Living Proof Church for the property located at 414 Jenkins Road from E-1 (Education Institution) to C-1 (Downtown Commercial).
Council Member Campbell seconded the motion. Motion was approved 4-0.

3. Consideration to approve Ordinance No. 2020-02 updating the Town's Parking Ordinance, adding shared parking agreements and proximity to public parking reductions.
Phillip Trocquet, Town Planner

Mr. Trocquet stated that the Planning Commission approved to move forward with the update. He reminded everyone that it was recently discussed at the Council workshop, due to the focus on downtown development. He added that many Georgia cities were currently doing the same. He shared that the process would be in two-phases. The first phase would include brief quick-fixes that would allow more flexibility, particularly for businesses downtown. The second would likely be presented as part of the LCI at the Council Retreat. This would allow a more comprehensive revision to the whole ordinance. He added that the primary revisions suggested for phase one were to allow shared-parking agreements between property owners and to provide a parking reduction waiver for properties within a certain distance from public parking. The revision would also allow property owners to reduce the required parking spaces by a certain percentage.

He began giving examples of the revisions, one of which was to remove the verbiage regarding parking within the front yard of any property in the O-I district. He shared that currently, in most O-I districts, parking was in the front. This would allow relief for some non-conforming uses and it could be readdressed in the Comprehensive Plan at a later date. He shared that there were design requirements for parking downtown and that ideally, parking would be in the rear of the property.

The next verbiage that was suggested for removal was regarding the location. It was suggested that "all parking facilities shall be located on the same plot with the use it serves", be removed.
It does not allow for any additional parking, be it, across the street or next door. It would not allow for shared-parking agreements or the ability to utilize public parking.

Mr. Trocquet then shared several provisions for the shared parking arrangements; the minimum required number of parking spaces for the combined uses may be reduced by twenty percent for shared parking when hours of operation overlap, off-site spaces shall be within one thousand feet walking distance of a building entrance, when the hours of operation do not overlap the parking area must contain at least the minimum required spaces of the largest individual use sharing the lot, the parking area to be shared must be owned by the owner of one of the uses or leased for at least a 20-year term or through a permanent easement by the owner of the uses being served (this provision would protect the property owner), no changes shall be made to the shared parking area to reduce the parking provided, handicap and loading spaces cannot be shared, and any proposed change in the use of a structure that shares a parking area would require proof that adequate parking was available.

Council Campbell stated that both parties would come to their agreement and the Town would not be involved. Mr. Trocquet concurred that both parties would need to reach an agreement, and also satisfy our requirements. Mr. Trocquet shared that the last item was regarding proximity to public parking. He stated that according to the LCI, the Town had plenty of downtown parking and room for more. He shared that the Town's former Town Hall and Police Department locations along with the current Town Hall location offered plenty of public parking space. He added that the Town could provide directional signage for public parking.

Mayor Dial asked for an example of shared loading spaces and how it would have a negative effect. Mr. Trocquet stated that if two restaurants shared the same loading space regarding delivery times.

Mayor Dial opened the public hearing for anyone that wished to speak in favor of the item. No one spoke.

Mayor Dial opened the public hearing for anyone that wished to speak in opposition of the item. No one spoke.

Council Member Campbell made a motion to approve Ordinance No. 2020-02 updating the Town Parking Ordinance.
Council Member Hill seconded the motion. Motion was approved 4-0.

Executive Session

Council Member Furr made a motion to move into Executive Session to discuss one (1) item of threatened litigation.
Council Member Howard seconded the motion. Motion was approved 4-0.

Council Member Howard made a motion to reconvene.
Council Member Furr seconded the motion. Motion was approved 4-0.

Adjournment

Council Member Furr made a motion to adjourn. Motion was approved 4-0.
The meeting adjourned at 7:53 pm.

By: ______________________________________ Attest: __________________________
Eric Dial, Mayor Dee Baker, Town Clerk