

**Town of Tyrone**  
**Council Meeting Minutes**  
**February 4, 2016**  
**7:00 p.m.**

Present:

Mayor Eric Dial

Council Member Ken Matthews

Council Member Ryan Housley

Council Member Linda Howard

Town Manager Kyle Hood

Town Clerk Dee Baker

Town Attorney Dennis Davenport

Mayor Pro Tem Gloria Furr was absent.

The Invocation was given by Pastor Paul Holland of Dogwood Church and followed by the Pledge of Allegiance.

**Public Comments**

David Ruddock, a Lake Windsong resident, asked that the Lake Windsong entrance sign be returned. He stated that upon completion of the cart paths last summer, Public Works Supervisor, Mr. Billy Campbell called to inform him that the bushes at the entrance were blocking the view onto Senoia Road. He informed Council that the bushes were trimmed and the golf cart path helped open the view as well. Mr. Ruddock added that two months ago Mr. Campbell called to inform him that someone complained that the entrance sign on Dogwood Trail was blocking the view onto Senoia Road. He added that in his opinion, if you pull up to the line, the sign does not block the view. He informed Mr. Campbell that the sign has been there for ten years and no one has complained and it is not a safety hazard. Mr. Ruddock stated that the sign then disappeared and they believed it was stolen. After placing a call to Mr. Campbell, it was discovered that the Town had taken the sign. Mr. Ruddock stated that he then met with Mr. Campbell to discuss an alternative to the current stone structure that would be cost efficient and look nice. Mr. Ruddock asked that the sign be returned and added that home builders are asking "What happened to your entrance sign?" He ended by stating that the Home Owner's Association (HOA) would work with the town for better alternatives.

Rebecca Stevens, a Lake Windsong resident, asked addition to Mr. Ruddock's comments regarding the sign, what the problem is with the sign, what code or ordinance it violates. It is difficult to move forward and spend money on another design without assurance that there will not be issues with the sign in the future. She added that the HOA is requesting information regarding codes for signs in order not to make the same mistake moving forward.

Tim Stevens, a Lake Windsong resident, stated that he agrees with Mr. Ruddock and Mrs. Stevens. He stated that on a ten day average there are 8,000 cars that drive by that section of road and there were only two complaints. He ended by asking “Does one or two complaints out of 8,000 justify taking a sign down?”

Pip Nelson, a Lake Windsong resident, stated that the last time she approached Council, she asked for a reduction in the speed limit on Senoia Road for .6 miles to Maple Shade Drive. She stated that she was surprised to see how quickly their entrance sign was removed but that a speed limit sign is a lot harder to move, a sign that would increase the safety of the area. Ms. Nelson asked that the speed limit be reduced before Maple Shade Drive for added safety. She asked that the Town return the Lake Windsong entrance sign.

Mayor Dial clarified that in order to change a speed limit sign there needs to be a vote by Council. Police Chief, Brandon Perkins stated that there is also a need for required scientific data and traffic studies prior to a speed limit change.

### **Approval of Agenda**

Council Member Matthews 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, January 21, 2016

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

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

### **OLD BUSINESS:**

1. Consideration for the use of Shamrock Park on June 14<sup>th</sup> & 15<sup>th</sup>, 2016 from Dogwood Church for Venture Quest, family outreach. ***Pastor Paul Holland, Dogwood Church***

Pastor Paul Holland from Dogwood Church stated that in January, Council approved June 13<sup>th</sup> for the use of Shamrock Park for Venture Quest. Pastor Holland stated that after speaking with the church staff, one more night is being requested for the use of the park, for a total of two nights. He reiterated that there is no cost to the public. He added that there will be inflatables and games and he will contact Lieutenant Eric DeLoose for security.

Council Member Matthews made a motion to approve the use of Shamrock Park for June 14<sup>th</sup> for Venture Quest.

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

## **PUBLIC HEARING:**

2. Consideration for Rezoning Application RZ 2016-001, by the property owner, Clark Properties and Investments for a 1.5 acre plat located on Tax Parcel #0736030 from Downtown Commercial (C-1) to Highway Commercial (C-2). **Kyle Hood, Town Manager**

Mr. Hood introduced the item and stated that the property owner is requesting to rezone the property from C1 Downtown Commercial to C2 Highway Commercial. The property is at the southeast corner of Senoia and Crabapple Roads, formally Garage Sale Bazaar. He added that the Planning Commission made the recommendation to approve the rezoning with no conditions.

Mayor Dial opened the public hearing for anyone that wished to speak in favor of the item.

Mr. Mike White, a resident of Peachtree City, spoke on behalf of the property owner, Terry Clark. Mr. White stated that currently, a landscape designer wishes to occupy the front portion of the building. As a condition of their lease, they would handle the landscaping of the property. Mr. White stated that the zoning that is being requested is consistent with the zoning in the area.

Ms. Connie Peacock spoke next. She stated that by allowing the C-2 zoning, the property would be used as its highest and best use. It would also be contiguous with the property south of the intersection. Having a vibrant tenant will be an asset to the community.

Mayor Dial opened the public hearing for anyone that wished to speak in opposition of the item.

Jennifer Barnett, a resident on Senoia Road spoke next. She stated that her home is adjacent to the property at 363 Senoia Road. Ms. Barnett requested that the property not be rezoned to C-2. She stated that she had been informed that an auto restoration business would be occupying the rear of the property and added that the noise and smell would be a nuisance. She stated that there are two other homes that are zoned commercial but are used as homes. She ended by adding that loud machinery would disrupt the peaceful living in the area.

Peter Barnett, also a resident on Senoia Road, stated that he can walk out of his back door and see directly into these buildings. He asked Council to deny the rezoning to C-2. He thanked Council for not recommending annexation of his property at a previous meeting. Mr. Barnett stated that his property is residential and the property next to his is residential. He added that he does not mind a commercial business next door; however, a car restoration business would impede their peaceful way of life; and doesn't want to neighbor property that has paint fumes, noise and grinders in our back yard. It is a residential area and should be treated as such.

Mr. White stated that the car restoration business owner has not signed the lease and he has stated that the business would not be performing any painting or body work. The business will only be replacing parts and performing interior and upholstery work.

Mayor Dial inquired about loud machinery. Mr. White stated that there would not be any noise or fumes, it is a 9-5 business and that the property was formally an automotive shop.

Council Member Howard asked if the business would be conducted inside or outside. Mr. White stated that it is an indoor business with garage doors.

Mr. Barnett shared his concerns with the revving of engines, air compressors and loud tools. He stated that he does not want that next to his house with his kids playing outside.

Discussion ensued regarding the zoning of the Barnett's property and the zoning in the area. Mr. Hood confirmed that the Barnett's property is zoned Highway Commercial in the Fayette County zoning district and was not annexed into Tyrone. He added that if the Clark property is rezoned C-2, then all properties located on that side of the road will be zoned C-2, from Crabapple Lane to Depot Court.

Council Member Howard made a motion to approve the Rezoning Application RZ 2016-001 by property owner, Clark Properties and Investments for a 1.5 acre plat located on Tax Parcel #0736030 from Downtown Commercial (C-1) to Highway Commercial (C-2).

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

3. Consideration and action on Resolution No. 2016-01 adopting Fayette County Fire Services Impact Fee Report. ***Kyle Hood, Town Manager***

Mr. Hood informed Council that each year Fayette County and its component municipalities are required to review their portions of the Fire Service Impact Fee Report that will be submitted to the Department of Community Affairs. The Capital Improvement Element and Short Term Work Program has been updated to reflect additions, deletions and modifications on planned projects in the five-year window contained in this year's submittal.

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 Housley made a motion to approve the resolution to adopt Fayette County Fire Services Impact Fee Report and to authorize Mayor Dial to execute transmittal documents to be included with Fayette County's submission.

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

## **NEW BUSINESS:**

4. Consideration for approval of the Tyrone Softball Association agreement. ***Kyle Hood, Town Manager***

Mr. Hood stated that in the 11<sup>th</sup> hour, Tyrone Softball will forgo a 3<sup>rd</sup> party management arrangement. The association will basically have the same contract as the Soccer Association. Tyrone Softball will not be charged an annual fee; however, the association will be responsible for the payment of water and lighting. Mr. Hood stated that the Association President, Chad Floyd has shown interest in coming back next year with a third party contract proposal.

Council Member Housley made a motion to approve the agreement as submitted and to authorize Mayor Dial to execute on the Town's behalf.

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

5. Consideration for approval to accept a hazard mitigation grant from GEMA to install a generator at the Police Department. ***Brandon Perkins, Chief of Police***

Chief Perkins stated that the Police Department has been searching for a generator and shared the importance for a Town building to have backup power in case of an emergency. He stated that he had spoken with Pete Nelms, Fayette County's EMA Director regarding Georgia Emergency Management Agency's (GEMA) Hazard Mitigation program. Mr. Nelms shared with Mr. Perkins that the Town could apply for this particular grant and that the program reimburses the bulk of the costs involved in purchasing and installing generators for government facilities. Chief Perkins stated that the Town had been approved in November and that the application process was complete. He added that all that was needed was Council's final approval of the grant to move forward. The cost of the generator will be \$21,462 of which \$3,219 is the Town's share. The Town is required to cover the total cost of the installation and the Town will be reimbursed \$18,243 once the project is complete.

Council Member Housley made a motion to approve the grant and to move forward with the project.

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

6. Consideration for approval to apply for RSVP Grant Program. ***Kyle Hood, Town Manager***

Mr. Hood stated that the purpose of the Georgia Downtown Renaissance Fund (GDRF) is to assist "local governments, downtown development authorities, urban redevelopment authorities, special districts, and nonprofit organizations with financing and technical assistance to encourage economic and small business development, historic preservation, private investment, public improvements, leadership development, training, design assistance, and financing in the effort for improving downtown districts." He reiterated that this grant is for cities that do not have development authorities, or the staff for a main street project. If selected, Tyrone would acquire a staff of 16 and resources from the University of Georgia. This will allow for administrative and technical resources for the improvement of the visual aesthetics, infrastructure, functionality and economic vitality of the Senoia Road Town Center District. He stated that on average the cost for this project ranges from \$35,000 to \$50,000. He added that the grant would allow up to \$8,500. The Town is in the financial position to fund the remainder.

Council Member Matthews made a motion to authorize Mayor Dial to execute a Cover Letter of Intent to be included in an application for participation in the 2016 Renaissance Strategic Visioning and Planning Program.

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

### **Staff Comments**

Ms. Baker stated that recently it was discovered that Tyrone had two businesses that have over 100 employees. She added that currently, the Town's occupational tax ordinance places a 'cap' of \$1,500 which equates to 100 employees. She informed Council that this year one business will save \$525 while another will save \$1,150. She stated that her research on Municode indicated that most surrounding municipality's tax businesses by gross receipts and their cap ranged from \$700 to 3 million. She stated that Fayette County shares the same maximum amount as Tyrone. She relayed to Council that she would research further upon their request.

Mr. Hood stated that the first Founders Day meeting was held this week and among the items discussed was the carnival and rides and various scheduling conflicts. Mr. Hood recommended to officially change the Founders Day weekend to October 6-8 to avoid any conflict with surrounding cities and to have a broader choice of available carnivals.

Council Member Howard inquired about current signage. Mr. Hood stated that no T-shirts or flyers have been agreed upon. The Town would need to acquire two new banners for advertisement and the sports associations would need to be made aware of the change.

Council Member Matthews made a motion to change the Founders Day festivities date to October 6<sup>th</sup>- 8<sup>th</sup>.

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

### **Council Comments**

Council Member Matthews suggested to Council that a stipend be given to Ms. Lynda Owens for a job well done for temporarily filling the open position of Recreation Events Programmer. He recommended that staff bring back an amount for Council's approval.

Council Member Matthews made a motion to authorize staff to report back with a sufficient stipend amount for Ms. Lynda Owens for final approval.

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

## **Adjournment**

Council Member Howard made a motion to adjourn. Motion was approved 3-0.

The meeting adjourned at 7:57 pm.

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Eric Dial, Mayor Pro Tem

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Dee Baker, Town Clerk