

**Town of Tyrone
Council Meeting Minutes
April 2, 2015**

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 be given by Nigel Harman with Operation Mobilization and was followed by the Pledge of Allegiance.

Public Comments

Approval of Agenda

Council Member Matthews made a motion to approve the agenda.
Council Member Housley 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, March 19, 2015

Council Member Housley made a motion to approve the consent agenda.
Council Member Matthews seconded the motion. Motion was approved 3-0.

PRESENTATIONS/RECOGNITION:

Proclamation: Safe Digging Month. *Eric Dial, Mayor*

Earth Day 2015. *Eric Dial, Mayor*

Representatives Pam Young and Nancy Howard were present to accept the Earth Day proclamation. Ms. Young thanked everyone and stated that she looks forward to celebrating in Tyrone. She added that this event is a great opportunity to teach young people and inspire them.

PUBLIC HEARING:

1. Consideration of Text Amendment TA 2015-001 to the Tyrone Zoning Ordinance Article I § 1-2 to add definitions to include a definition for Indoor Boarding Facility and to amend the definition for Kennels. **Kyle Hood, Town Manager**

Mr. Hood stated that a Public Hearing was held in September 2014 that allowed indoor pet boarding facilities as a conditional use in the downtown commercial district. He added that there is currently no definition applied for indoor pet boarding. This may lead to confusion between indoor pet boarding and kennels; which has a very specific definition. Mr. Hood stated that the specific definitions were included in the submitted paperwork. He added that the Planning Commission has recommended approval of this item as submitted.

Mayor Dial opened the Public Hearing for anyone that wished to speak in favor of the text amendment. No one spoke.

Mayor Dial opened the Public Hearing for anyone that wished to speak in opposition of the text amendment. No one spoke.

Council Member Housley made a motion to approve Text Amendment TA 2015-001 as submitted.

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

2. Consideration of Text Amendment 2015-003 to the Tyrone Zoning Ordinance Article V § 5-12 to change Auto Brokers from a permitted use in the Office Institutional Zoning District to a conditional use. **Kyle Hood, Town Manager**

Mr. Hood stated that last year this item was given conditional uses for the downtown commercial zoning district. Mr. Hood proposed that this item be moved from a permitted use to a conditional use within the Office Institutional (OI) zoning district. He added that the main condition being that all stock and trade be located inside the facility, not in the parking lot of the facility. He stated that the Planning Commission has recommended approval for this item.

Mayor Dial opened the Public Hearing for anyone that wished to speak in favor of the text amendment. No one spoke.

Mayor Dial opened the Public Hearing for anyone that wished to speak in opposition of the text amendment. No one spoke.

Council Member Matthews made a motion to approve Text Amendment TA 2015-003 as submitted.

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

3. Consideration of Text Amendment 2015-002 to the Tyrone Zoning Ordinance Article VII § 7-1 to amend the zoning categories listed for Kennels and Auto Brokers. **Kyle Hood, Town Manager**

Mr. Hood stated that currently, kennels are listed incorrectly within two zoning districts. The two districts are R-12, that does not list kennels as a conditional use and R-13, which no longer exists. He recommended that kennels be removed from R-12 and R-13. He indicated that auto brokers would be added as a conditional use in the OI zoning district. He stated that the Planning Commission recommended approval of this item.

Mayor Dial opened the Public Hearing for anyone that wished to speak in favor of the text amendment. No one spoke.

Mayor Dial opened the Public Hearing for anyone that wished to speak in opposition of the text amendment. No one spoke.

Council Member Howard made a motion to approve Text Amendment TA 2015-002 as submitted.

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

OLD BUSINESS:

4. Consideration and action on a final Resolution adopting Fayette County Fire Services Impact Fee Report. ***Kyle Hood, Town Manager***

Mr. Hood informed Council that the Town and neighboring jurisdictions have updated and submitted, with the acceptance by the Atlanta Regional Commission and the Department of Community Affairs, two smaller component pieces of our County's Fire Services Impact Fee Report. He added that the attached Resolution will be ultimately adopted by all county jurisdictions. The report will be finalized and maintained by Fayette County.

Council Member Housley made a motion to approve the final Resolution adopting Fayette County Fire Services Impact Fee Report.

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

NEW BUSINESS:

5. Intergovernmental agreement with Fayette County for conducting municipal elections. ***Dee Baker, Town Clerk***

Ms. Baker stated that every odd year, Tyrone has an election. The Fayette County Elections Department conducts and assists Tyrone with all necessary election activities. She stated that the estimated cost to conduct the 2015 Tyrone election would be approximately \$9,000.

She informed Council of the following dates: Qualifying for the election is August 31st to September 4th from 8:30 am to 4:30 pm, voter registration will close October, 5th at 5:00 pm and the election will take place on Tuesday, November 3rd from 7:00 am to 7:00 pm.

Council Member Matthews made a motion to approve the intergovernmental agreement with Fayette County for conducting municipal elections.

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

6. Consideration to approve the Comcast of Georgia Franchise Agreement. ***Kyle Hood, Town Manager***

Mr. Hood stated that the Town, as a permitting authority, is allowed by state law to charge utility companies a franchise fee. He added that some years ago the state of Georgia did an overarching agreement with many telecommunication companies; Comcast being one of them. He stated that he and Mr. Davenport performed research to assure that the Town was not currently covered by that agreement. Comcast reached out to the Town for a dually approved franchise fee agreement. Our former agreement expired but Comcast has continued to remit payment.

Mr. Hood added that revenue paid to the Town by Comcast for the past couple of years was approximately \$45,000 annually. We anticipate that that amount will continue to increase as more customers are brought online and people move into Tyrone.

Council Member Howard made a motion to approve the Comcast of Georgia Franchise agreement as submitted to be executed by Mayor Dial.

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

7. Consideration for the Sandy Creek Jazz Band the use of Shamrock Park for Jazz in the Park.
John Kelley, Sandy Creek High School Band Director.

Mrs. Tammy Proctor represented Mr. Kelley. She requested the use of Shamrock Park for Thursday, April 30th from 6:00 pm to 8:00 pm. She stated that the Jazz in the Park event also took place for Founders Day. She asked that people bring their own lawn chairs. Mr. Hood stated that Recreation recommended approval. Mrs. Proctor also requested that the banner fees be waived.

Council Member Housley made a motion to approve the use of Shamrock Park for Jazz in the Park with the Sandy Creek Jazz Band and to waive the park rental fees and banner fees.

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

Public Comments

Staff Comments

Mr. Hood reminded everyone that the Town offices would be closed for Good Friday, and to have a happy and safe Easter.

Mr. Hood updated Council on the paving project and stated that weather permitting Castlewood Road would have the base coat within the next few days. He added that the cut and patch repairs to the Castlewood cart path have been made. He informed Council that Atlanta Paving does the prep work and CW Matthews paves and stripes. Atlanta Paving will finish the cart paths when CW Matthews has completed their project. He added that Senoia Road prep work has begun as well. There have also been a few utility relocations. He informed Council that based on the first phase review, the project is ahead of schedule and under budget. Mr. Hood sought permission from Council to authorize a couple of value-added pavings. He stated that he would like to extend the intersection improvements at the Rockwood Road, Senoia Road and Crabapple Lane intersection to continue to the Town limits on Crabapple Lane. He added that he would also like to request the extension of the Rockwood Road paving to the railroad tracks. Mr. Hood stated that upon the completion of Castlewood Road, he recommends paving Rosewood Avenue with any surplus asphalt. The State has approved the funds for Rosewood Avenue with LMIG monies for next Spring, but added that with the Castlewood Road price this would allow the Town to pave Rosewood Avenue. Any other roads located off Castlewood Road and Senoia Road is subject as well, cost permitting. He added that perhaps Briarwood Road maybe partially or completely paved also. Mr. Hood requested permission to add the roads, should the money avail itself while crews are in town.

Council Member Matthews made a motion to add the areas mentioned under the scope of money budgeted for the current paving project.

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

Council Member Howard requested that the hump on Byewood Avenue be assessed.

Council Comments

Council Member Howard asked for reassurance that the homeowner's yards will be repaired from the heavy equipment damage when the paving project is completed. Mr. Hood stated that assurance was made with the homeowners in advance. Anything that is in disrepair will be made whole.

Mayor Dial inquired about the status of the culvert in need of repair on Briarwood Road. Mr. Hood replied that engineering reports will be reviewed. If the pipe in question is still structurally sound, the culvert will be repaired and paving will commence. If there is a structural deficiency, time would not allow replacing the pipe before paving the road. However, there is still money budgeted for other improvements. Mayor Dial asked for an estimated time for the culvert to be repaired. Mr. Hood stated that if the current project remains ahead of schedule and under budget, it has the potential of being completed this summer. He added that the worse-case scenario would be if enough surplus money does not exist and/or the pipe is in worse shape than he recalled, it would be next paving season. Other pipe replacements would include the two pipes under Dogwood Trail near Dogwood Church's entrance.

Executive Session

Adjournment

Council Member Housley made a motion to adjourn. The meeting adjourned at 7:33 pm

Eric Dial, Mayor

Dee Baker, Town Clerk