

**Town of Tyrone**  
**Council Meeting Minutes**  
January 2, 2014

**Present:**

Mayor Eric Dial  
Mayor Pro Tem Gloria Furr  
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 Dial called the meeting to order at 7:00 p.m. The Invocation was given by Council Member Howard, followed by the Pledge of Allegiance.

**Public Comments**

**Approval of Agenda**

Council Member Housley made a motion to approve the agenda with a correction for the re-appointment of Dennis Davenport to read “Approval of re-appointing McNally, Fox, Grant & Davenport”.

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, December 5, 2013

Approval of re-appointing Sharon Pierce as the Municipal Judge. *Kathy Bright, Municipal Court Clerk*

Approval of re-appointing Adam Shoemaker as the Town Solicitor. *Kathy Bright, Municipal Court Clerk*

Approval of re-appointing Dennis Davenport as the Town Attorney. *Eric Dial, Mayor*

Approval of re-appointing Mallett Consulting, Inc. as the Town Engineer. *Eric Dial, Mayor*

Approval of the re-appointment of John Woody to the Fayette County Development Authority for a three year term (2014 – 2016). **Eric Dial, Mayor**

Approval of the “Fayette County News” as the legal organ for the Town of Tyrone. **Kyle Hood, Town Manager**

Consideration of approval to hire Dallas Wayne Cardell to fill an open police officer position. **Brandon Perkins, Police Chief**

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

**PRESENTATIONS/RECOGNITION:**

**Oath of Office**

Ken Matthews, Council Member Post #3

Tyrone’s Municipal Court Judge, Sharon Pierce administered Council Member Matthew’s oath to office. Judge Pierce stated that 2013 was her 25<sup>th</sup> year as Tyrone’s Judge.

**PUBLIC HEARING:**

1. St. Stephens Development has applied for a variance for property tax ID # 0726043. The property located at tax ID# 0726043 is zoned Highway Commercial (C-2) with a Planned Commercial Overlay. This Public Hearing is to consider a variance to have the 60’ landscape buffer reduced by 50% and to have the 50’ building front yard setback reduced by 50%. **Kyle Hood, Town Manager**

Mr. Hood informed Council that the Planning Commission recommended approval.

Mayor Dial opened the Public Hearing. No one spoke in favor.  
Mayor Dial asked if anyone wished to speak in opposition. No one spoke.

Council Member Matthews shared his concern with the current set-back for the Waffle House.  
Mayor Dial stated that after speaking with Ms. Rimi, both properties have the same 60’ set-back.

Gordon Shenkle, Planning Commission Chairman stated that according to his research, from the edge of the pavement to Waffle House is approximately 100 feet. The preliminary site plan also indicates 100 feet as well.

Mr. Hood stated that the request for reduction is from the edge of the property line not to the Hwy 74 right-of-way.

Council Member Furr made a motion to approve both variances for the property located at Tax ID # 0726043 zoned Highway Commercial with a Planned Commercial Overlay.  
Council Member Howard seconded the motion. Motion was approved 4-0.

**OLD BUSINESS:**

**NEW BUSINESS:**

2. Election of Mayor Pro Tem 2014. *Eric Dial, Mayor*

Council Member Howard made a motion to elect Gloria Furr for Mayor Pro Tem. Council Member Housley seconded the motion. Motion was approved 4-0.

3. Consideration of a resolution to grant oversight to the 911 Communications Board of the future naming of streets. *Brandon Perkins, Police Chief*

Chief Perkins stated that the County's Resolution is a proposal for the cities to grant their jurisdiction to the 911 Board for the naming of city streets. Each city will have a representative or two on the 911 Board. This process will limit the duplication of street names in the County so there is no confusion. This will not take power away from the cities. Mr. Davenport drafted the original resolution. The Town needs a clean copy for the Mayor to execute on the Town's behalf.

Council Member Matthews made a motion to authorize Mayor Dial execute the resolution to grant oversight to the 911 Communications Board of the future naming of streets. Council Member Housley seconded the motion. Motion was approved 4-0.

4. Consideration of approval of Courtware/Priority payment systems software agreement. *Kathy Bright, Municipal Court Clerk*

Ms. Bright stated that this agreement has been a year in the making. Court has been accepting online payments for six years, 41% of all payments comes from online payments. The request that we receive most often is that individuals want to pay by credit or debit card in person. This company is associated with Courtware, our Court and Police Department software. There is no cost to the Town. There would be a 4% convenience fee for the use of a credit or debit card. Citizens can still pay by cash or money order as well. With this service we will have the ability to expand also to accept credit or debit cards for golf cart permits or alcohol background checks. Ms. Bright stated that other municipalities that have used this service are very pleased. She also indicated that she met with Ms. Beach in Finance and she is satisfied with the proposal as it relates to accounting.

Council Member Housley made a motion to approve the contract for Courtware/Priority Payment Systems for card processing services.

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

**Public Comments**

**Staff Comments**

Ms. Baker informed Council that all alcohol licenses have been renewed for 2014 and only 50% of Occupational Taxes have renewed to date.

Mr. Hood announced that Town offices will be closed Monday January 20<sup>th</sup> for the observance of Martin Luther King Jr.'s Birthday.

Mr. Hood stated that there is an RFP (request for proposals) out to let for the right-of-way mowing and other landscape maintenance in the Town. These bids are due Friday, January 24<sup>th</sup>.

Next month is our "Work Session" (retreat). The first date was slated as February 11<sup>th</sup>. The Chief and Major will be out of town for their winter conference. An alternative date would be Thursday the 13<sup>th</sup>. He asked Council to relay back to him regarding the dates.

Mr. Hood updated Council regarding the use of the new time clocks. He stated that currently all departments with the exception of the Police Department were utilizing the new time clocks with no additional complaints.

Chief Perkins stated that the Police Department has not used the time clocks. Chief Perkins stated that he has gone through every scenario with the officers and cannot find a way around the issues discussed. It is designed more for an office setting.

It was discussed and agreed upon that the Police Department would continue on as usual without a time clock.

### **Council Comments**

### **Executive Session**

### **Adjournment**

Council Member Furr made a motion to adjourn. Motion was approved 4-0.

Meeting adjourned at 7:20 p.m.

By: \_\_\_\_\_  
Eric Dial, Mayor

Attest: \_\_\_\_\_  
Dee Baker, Town Clerk