

Town of Tyrone
Council Meeting Minutes
March 21, 2013

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
Finance/HR Manager Penny Hunter
Town Attorney Patrick Stough
Town Clerk Dee Baker

Mayor Dial called the meeting to order at 7:00 p.m. The invocation was given by Frank Fortunato from Operation Mobilization. The invocation was followed by the Pledge of Allegiance.

Public Comments

Approval of Agenda

Council Member Matthews made a motion to approve the Agenda with the change to #4 to read as follows; Consideration of the use of Shamrock Park by Flat Creek Baptist Church. 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, March 7, 2013

Consideration of hiring Susan Bolling for the part-time Library position. *Kyle Hood, Town Manager*

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

PRESENTATIONS/RECOGNITION:

Proclamation: Sandy Creek Mock Trial Recognition. *Eric Dial, Mayor*

Mayor Dial presented the proclamation to several members of the Sandy Creek Mock Trial Team and to Mr. Chris Cannon.

PUBLIC HEARING:

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

Mr. Hood briefed Council regarding the yearly participation in the establishment of the Fayette County Fire Service Impact Fee as it related to capital improvement plans and short-term work programs. Mr. Hood stated that per the request of Mr. Pete Frasin, Fayette County Planning and Zoning Director, staff has reviewed and updated information that is included in the subject study and the plan is ready for adoption, through resolution of each governing authority.

Mayor Dial opened the public hearing for anyone speaking in favor of the Resolution. No one spoke.

Mayor Dial opened the public hearing for anyone speaking in opposition to the resolution. No one spoke.

Council Member Housley made a motion to adopt the resolution for the Town's participation in the establishment (continuation) of a Fayette County Fire Service Impact Fee as submitted. Council Member Matthews seconded the motion. Motion was approved 4-0.

OLD BUSINESS:

2. Consideration of the amended changes to the Golf Cart Ordinance. *Kyle Hood, Town Manager*

Mr. Hood updated Council concerning the discussions staff has had with legal regarding this item. Chief Perkins suggested that the driving age be raised above Peachtree City's 12 year limit to 15 years giving more reassurance.

Discussion took place regarding the golf cart driving age.

Councilmember Matthews made a motion to keep the reciprocal agreement with Peachtree City and have the driving age limit at 12 years of age with a licensed adult and 15 years with a drivers permit.

Motion dies for lack of a second.

Discussion ensued regarding the 3 year renewal process. Mr. Hood stated that the renew process would be phased in for anyone that has had a permit 3 years or longer.

Council then engaged in a conversation regarding electric scooters found in section 36-76.

Council Member Furr made a motion to pass the golf cart ordinance with the following changes; the driving age allowed is 12 years and up with an accompanying adult and 15 years with a drivers permit, renewal period to occur every 3 years, on page 5 section 36-75 delete sections “c” and “e”, and to allow “electric scooters”.

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

3. Update on Town Hall’s building accessibility and function review. ***Kyle Hood, Town Manager***

Mr. Hood informed Council regarding Safebuilt’s report on Town Hall’s most immediate needs in relation to building and surrounding grounds improvements.

No motion was needed.

NEW BUSINESS:

4. Consideration of the use of Shamrock Park by Flat Creek Baptist Church. ***Jerry Cross, Flat Creek Baptist Church***

Council Member Housley made a motion to allow Flat Creek Baptist Church the use of Shamrock Park on Thursday May 2, 2013 from 4:00 pm to 7:00 pm.

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

FINANCE REPORT:

5. Finance Report for the Month ended February, 2013. ***Penny Hunter, Finance/HR Manager***

Ms. Hunter presented the finance report for the month ended February, 2013.

She stated for the month ended February, 2013, the Town has completed 66.67% of its budget year. Revenue realized to date is \$2,115,157 against a budget of \$3,629,100; this amount represents 58.28% of budgeted revenue. Revenue is down \$51,386 for the same month one year ago (\$2,166,544 for February, 2012).

Property tax receipts are currently \$133,619 lower than at the end of February, 2012. Business taxes are currently at 95.52% of budget or \$449,991 compared to \$436,121 from the prior year.

The total expenditures to date are \$1,782,530 (49.12% of budget) compared to \$1,849,956 for the same month one year ago. This is a decrease in overall expenditures compared to last fiscal year of \$112,424.

The Town currently has 15.28 months of operating revenue for the General Fund in Reserves against 2013 budgeted monthly expenditures of \$302,425.

Ms. Hunter stated that the state department of audits report was returned with a very good evaluation. Two minor issues were sighted, neither of which were in reference to the audit. The issues were regarding presentation of statistical reporting.

Public Comments

None.

Staff Comments

Mr. Hood stated that the engineering specification documents for the sidewalk and storm water drainage portions of the LMIG project have been advertised for bidding. The resurfacing will remain separate as we await our request to use 2 years of money.

Mr. Hood stated that he sensed concerns regarding the livestock definition and wished for Council to feel comfortable regarding the inclusion of chickens, as was amended and adopted. If this issue were to be reconsidered it would need to go through another public hearing process beginning with the Planning Commission. Council expressed a desire to revisit the issue.

Mr. Hood brought to the attention of the Council that in the code of ordinance, the language for advertising requirements for rezoning and variance applications were not consistent with the language in the zoning ordinance. Other concerns were the number of days for advertising and how many minutes are allowed for public comment. He stated that he would converse with legal and bring back a text amendment at a later date.

Mr. Hood stated that Library Director, Patty Newland wished to thank Cindy Ferrill, Kathy Kirby, Marge Garrett and Diane Johnson for covering the staff shortage. Ms. Ferrill thanked Kathy Kirby and Marge Garrett for working on a project that would save the Library approximately \$1,000. She also thanked Cindy Ferrill who is in charge of children and youth services for hosting a new program, The Lego Exposition. The last program had an attendance of approximately 90 participants.

Mr. Hood stated that Kathy Bright, our Court Clerk, wished to express thanks to April Spradlin, the Police Department's Public Safety Clerk. Mr. Hood relayed that Ms. Spradlin received a call from an Ohio commercial truck driver that had received a "failure to appear" notice from a 1994 incident. April contacted the Georgia Department of Driver Services to no avail. She then went beyond her normal duties and wrote a letter to the Georgia DDS on behalf of the truck driver and corrected the issue. Ms. Bright stated that all of us can only hope to speak with someone like April, when we call an agency for assistance.

Council Comments

Mayor Dial gave an update regarding the closing and the repurposing of Tyrone Elementary School. Currently there are three options; a) an art center, b) a church, and c) a business incubator. The property would need to be rezoned in order to move forward. He stated that the school superintendent, the chamber president and he would travel to Carroll County to survey their business incubator on April 12, 2013. This property does belong to the Fayette County Board of Education however they are giving the Town a say.

Executive Session

Pursuant to O.C.G.A. § 50-14-4 (b) of the Open and Public Meetings Act, Council will meet in Executive Session to discuss pending litigation and to review the Executive Session minutes from the February 7, 2013 meeting.

Council Member Furr made a motion to enter into executive session to discuss pending 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.

Council Member Matthews made a motion to approve the Executive Session minutes from the February 7, 2013 meeting.

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

Adjournment

Council Member Matthews made a motion to adjourn.

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

By: _____
Eric Dial, Mayor

Attest: _____
Dee Baker, Town Clerk