

**Tyrone Town
Council Meeting Minutes
Thursday April 7, 2016
7:00 PM**

Present:

Mayor Eric Dial

Mayor Pro Tem Gloria Furr

Council Member Ken Matthews

Council Member Linda Howard

Town Manager Kyle Hood

Police Chief Brandon Perkins

Town Clerk Dee Baker

Town Attorney Dennis Davenport

Council Member Ryan Housley was absent.

The Invocation was given by Pastor Howard Dial from Berachah Bible Church 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 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, March 17, 2016

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

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

PRESENTATIONS/RECOGNITION:

Proclamation: Confederate History and Heritage Month.

Council Member Matthews read the proclamation. Mr. Freddy Jones was in attendance to accept the proclamation.

Alcohol Awareness Month

Council Member Howard read the proclamation. Ms. Pam Reid, Executive Director of AVPRIDE, and Ms. Becky Smith, Executive Director of Fayette FACTOR, were in attendance and accepted the proclamation.

Earth Day 2016

Mayor Dial read the proclamation. Brad Konwick, Tyrone Environmental Planning Technician, and Ms. Pam Young, Executive Director of Southern Conservation Trust, accepted the proclamation.

PUBLIC HEARING:

Consideration of Text amendment 2016-01 to the Tyrone Zoning Ordinance, Article VI § 6-7 Fences and Walls. *Kyle Hood, Town Manager*

Mr. Hood stated that a routine complaint that the planning and zoning department hears from builders and buyers of homes is the limited availability to fence their entire property with some amount of privacy. A review of neighboring communities' standards was performed. The Planning Commission held a public hearing on March 24th to gather public input on the recommended changes to fencing height minimums and allowable materials. Mr. Hood referred to Section 6-7 in the Town Zoning Ordinance entitled Fences and Walls. This section pertains to walls, fences, and entrance structures located in the front yard of AR and all other residential zoning districts as well as residential and nonresidential subdivisions entrance walls and fences. He pointed out sections that needed verbiage added and removed as indicated by strikethroughs and underlined text.

Mayor Dial advised that in section B1, after wrought iron, "chain link or other wire materials" has been added. Additionally in section E1, the word "and" after requirement should be removed.

Mr. Davenport informed Council that currently the standard fence height is 4 feet. Anything over 4 feet requires 50% visibility and is very difficult to enforce. Mr. Davenport cautioned Council on safety and traffic issues of allowing solid 8 feet fences in most front yards. Mr. Davenport also explained that provisions need to be built into sections A-E if Council wants to maintain a 4 foot fence in the front yard.

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 Howard inquired about the reasoning why fence height has come to the attention of the Council. Mr. Hood stated that the initial concern is typically from a home builder.

They are usually the first point of contact; however, Home Owner's Associations have even more restrictions. He discussed possible exceptions such as homes located within the AR district with more acreage and homes set back off the road.

Mayor Dial asked Mr. Hood to share his recommendation for the front, side and back fence height. Mr. Hood stated that based on discussions with interested parties, side and rear would be 6 feet and 8 feet under certain circumstances, such as a pool. Anything fence over 6 feet should require a variance. He added that in regards to materials, another option is to add chain link fence that is the green or black vinyl-coated. A wooden or poly-vinyl is typical for a backyard fence. Mayor Dial reiterated that if Council makes the height restrictive, home owners can ask for a variance.

Council Member Furr shared her opinion that fences should not be over 4 feet, especially in the front yard.

Council Member Howard asked if this would be restrictive to a certain lot size. Mr. Davenport replied, "No."

Council Member Matthews shared that 5 feet should be appropriate.

Mr. Davenport made reference to the current language as it states that the Town allows fencing 4-8 feet with 50% visibility, not including chain link fences. With the inclusion of chain link fences the visibility requirement goes away. He added that Council needs to agree on maximum height for front and side yard.

Council Member Matthews stated that he does not have an issue with going 8 feet on the side yard. Mayor Dial brought to the attention of Council that some homes could have two front yards.

Council Member Furr made a motion to approve the information presented with the condition of allowing an 8 foot fence in the backyard and a 4 foot fence for the front and side yards.

Council Member Howard seconded the motion. Additional discussion ensued.

Council Member Furr amended the motion to allow 8 foot fencing on the back and side yard. Motion dies for lack of a second motion.

Discussion took place regarding height and visibility.

Mayor Dial suggested making the ordinance more restrictive and allowing home owners to apply for a variance. Mr. Hood stated that it seems as though the issue stands with the 8 foot height requirement. He recapped that Section A is the requirement of all residential fences, Section B is the requirement for all fences 4 feet and under and Section C has the height restrictions. Mr. Hood added that the motion Council Member Furr made by capping the height at 8 feet eliminates certain sections entirely. While Section C2 and Section E1 needed to be changed.

Mr. Davenport added that Section C is not limited to front yard. He added that he will stream line the ordinance according to the motion.

Council Member Howard stated that she could not see this to be conducive in all residential areas. Mayor Dial started the conversation regarding fence issues in the past and how neighbors would feel to have a “monstrosity of a fence” next door. Council Member Matthews mentioned properties zoned AR with horses is currently exempt from most requirements.

Council Member Howard made a motion to table the item for 30 days.
Council Member Furr seconded the motion. Motion was approved 3-0.

OLD BUSINESS:

NEW BUSINESS:

1. Consideration for signage at Shamrock Park for Alcohol Awareness Month. ***AVPRIDE Representative***

Ms. Smith approached Council with the request to place two banners at Shamrock Park in observation of Alcohol Awareness Month at no charge. This is in conjunction with the Social Hosting Ordinance that Council passed in January. She added that the ordinance stated that parents are not to host parties that allow underage drinking. Mr. Hood stated that with this banner request comes the waiving of fees and with the stipulation that if another event is taking place and the space is needed for other signage, the banners will come down temporarily.

Council Member Howard made a motion to approve the placement of the banners at Shamrock Park waiving permit fees, with the condition of the removal of the banners during other Town sponsored functions.

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

Ms. Reid thanked Mayor and Council. She then introduced the Social Hosting video and added that the community came together to show the severity of underage drinking. She stated that the video is on YouTube. Representatives from Fayette County, Peachtree City, Fayetteville and Tyrone Detective Andrea Johnson-McCoy are in the video speaking about the consequences of hosting these types of parties. Ms. Smith invited Council to attend the 7th Annual PCA Fayette Benefit Dinner, on Tuesday, April 26, 2016 for the prevention of child abuse. She shared the website for more information. Ms. Reid also informed everyone of AVPRIDE’s fundraising benefit “Hawaiian Run Thingy” on Saturday, April 16, 2016.

2. Consideration to approve Georgia Cities Week Resolution No. 2016-02.

Dee Baker, Town Clerk

Ms. Baker informed Council that the Georgia Municipal Association’s (GMA) Georgia Cities week is in two weeks and the Town will be hosting their third annual Touch-A-Truck event at Burch Elementary for their students. The event will be held Friday, April 22nd from 12-2. Ms. Baker stated that the participants in the event would be Fayette County Fire and Emergency Services, Tyrone Police Department, Fayette County Public Works, Tyrone Public Works and Air Method’s LifeLine Helicopter and Emergency Personnel. This is a great opportunity for elementary students to learn about the duties of emergency and public works personnel.

Council Member Matthews made a motion to approve Resolution No. 2016-02.
Council Member Howard seconded the motion. Motion was approved 3-0.

3. Consideration and action on a final Resolution (No. 2016-03) adopting Fayette County Fire Services Impact Fee Report. *Kyle Hood, Town Manager*

Mr. Hood reported that the Atlanta Regional Commission and Department of Community Affairs have reviewed the preliminary submission of this report and no changes are necessary. He added that with this resolution, Fayette County and the Towns of Brooks, Tyrone and Woolsey will meet all eligibility requirements for renewal of their Qualified Local Government status.

Council Member Furr made a motion to approve Resolution No. 2016-03 to adopt the Tyrone subsection of the final version of the Fayette County 2015 Annual Fire Services Impact fee Report as submitted.

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

Public Comments

Mr. Morris Kelly who lives on Ridge Road spoke regarding fences. He stated that he is a home builder and developer and if the Town decides to approve 6-8 foot fences in the front and side yard, fences tend to become an eyesore from the lack of upkeep, even the vinyl chain link fences. He stated that he suggests keeping the 4 foot fencing in the front only and 6-8 feet fences from the front corner, side and back only. Six months is not catastrophic for the variance process if you want to build a higher fence.

Staff Comments

Recreation Events Programmer, Mitch Bowman, asked for Council's consideration of waiving the rental fees for the use of Shamrock Park on April 22nd at 6:00 pm for the Tyrone Soccer League (TSL) coaches' game. He stated that the TSL will provide a movie after the game at no charge to the public. TSL will supply all equipment needed.

Council Member Furr made a motion to approve the use of Shamrock Park for the Tyrone Soccer League coaches' game on April 22, 2016 with all applicable fees waived.

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

Mr. Bowman stated that another reason Mr. Kelly was there is that he is putting together an event on April 23rd in conjunction with the Wounded Warrior Ride at Shamrock Park. This event is to honor all veterans and bring attention to Post Traumatic Stress Disorder (PTSD) treatment. Among the vendors will be clothing vendors and car clubs. The event will be from 11:00 am – 4:00 pm, after the Wounded Warrior Ride. Mr. Bowman asked that the fees be waived for this event.

Council Member Furr asked how do we inform the public. Mr. Bowman stated that he has posted the flyer on the website and Facebook page, passed out flyers, contacted Burch and Crabapple Elementary Schools. The schools have been asked to make and bring posters to show their support.

Council Member Howard asked for a timeline of events.

Mr. Hood informed Council that the organization has city specific activities scheduled such as a Braves game, swimming with the dolphins at the Georgia Aquarium and a controlled environment ride within the gates of Stone Mountain Park. Tyrone is one half of the Atlanta ride. They will start at Southern Crescent Church on Dogwood Trail. The participants will take Tyrone Road, Adams Road, Sandy Creek and Ellison Roads to Swanson Road before taking a break at the Way of Life Church on Senoia Road. The group will ride together down Senoia Road through the Town Center District before returning to the church. There will be approximately 50-60 wounded veteran riders along with support staff and service trucks. There will be a rolling road block from surrounding law enforcement. This is a homecoming of sorts for veterans that have come through the Veterans Affairs (VA) medical process. Mr. Hood and Mr. Bowman invited everyone to line the streets to welcome and support the riders that would be cycling down Senoia Road at approximately 10:15 that Saturday.

Council Member Matthews made a motion to waive the applicable fees for Mr. Kelly's car show at Shamrock Park on April 23, 2016.

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

Ms. Baker informed everyone that the deadline to register to vote for the General Primary Election is April 26th. Early voting will take place Monday - Friday, 8:00 am - 5:00 pm in the Tyrone Council Chambers, Peachtree City Library, and the Fayette County Election's office. She added that citizens can also vote on Saturday, May 14th from 9:00 am - 4:00 pm at the Election's office only. Election Day is Tuesday, May 24th from 7:00 am - 7:00 pm at your precinct only.

Council Comments

Mayor Dial informed everyone that the Peachtree City Council directed their staff to begin sewer discussions with Peachtree Water and Sewer Authority (WASA), Town of Tyrone and Fairburn for additional sewerage capacity.

Mr. Hood introduced Mr. Len Romano, the President and CEO of Christian City. Mr. Romano has agreed to be the Tyrone representative for the Chamber's Government Affairs Committee. We will keep Mr. Romano abreast of the goings on in Tyrone.

Executive Session

Council Member Matthews made a motion to move into Executive Session to review the Executive Session minutes from the March 3, 2016 Council Meeting.

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

Council Member Howard made a motion to reconvene.

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

Council Member Howard made a motion to approve the March 3, 2016 Executive Session minutes.

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

Adjournment

Council Member Matthews made a motion to adjourn. Motion was approved 3-0. The meeting adjourned at 8:12 pm.

Eric Dial, Mayor

Dee Baker, Town Clerk