

**Town of Tyrone
Council Meeting Minutes
July 17, 2014**

Present:

Mayor Eric Dial
Mayor Pro Tem Gloria Furr
Council Member Ken Matthews
Council Member Linda Howard
Town Manager Kyle Hood
Town Clerk Dee Baker
Town Attorney Dennis Davenport

Council Member Housley was absent.

Mayor Dial called the meeting to order at 7:00 p.m. The Invocation was given by Mayor Dial, followed by the Pledge of Allegiance.

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, June 19, 2014

Consideration of an Administrative Variance for Fayette County Fire Station signage.
Kyle Hood, Town Manager

Consideration for New Hire and Personnel Salary adjustments. *Kyle Hood, Town Manager*

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

PRESENTATIONS/RECOGNITION:

PUBLIC HEARING:

1. Public Hearing for the consideration of an alcohol application submitted by Vivian L Perry-Williams to serve wine and malt beverages at The Ohio Hog Company, Inc. located at 1492 Hwy 74 Suite 6D, Carriage Oaks Drive.

Mrs. Baker stated that Mrs. Perry-Williams applied for the alcohol license. It was reviewed and requirements were met. The Town placed legal ads and placed signage to advertise the public hearing. Mrs. Baker stated that staff recommends approval. She stated that if Council passes the application, this would be the Town's seventh restaurant with an alcohol license. She added that there are four stores, two event centers, one wholesaler and one distiller with licenses in the Town.

Mayor Dial opened the public hearing for anyone that wished to speak in favor of the item. No one spoke.

Mayor Dial then opened the public hearing for anyone that wished to speak in opposition of the item. No one spoke.

Council Member Matthews made a motion to approve the alcohol license application for Mrs. Perry-Williams for the Ohio Hog, located at 1492 Hwy 74 Suite 6D, in the Publix Shopping Center.

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

2. Public Hearing for the consideration of Text Amendment TA 2014-05 to the Tyrone Zoning Ordinance Article V section 5-13. ***Kyle Hood, Town Manager***

Mr. Hood stated that throughout the year, the Planning Commission has made an effort to unify the language of the Zoning Ordinance. This particular item pertains to the conditional uses, permitted uses and accessory uses in the Educational/Institutional zoning. The Planning Commission reviewed this item on June 26th and recommended the following: the original sixteen uses be reduced to a specific five. The remaining uses and one current permitted use, gymnasiums, will be changed to accessory uses. The two remaining uses, Churches and other places of worship and Home Occupations will continue to be permitted uses.

Mayor Dial opened the public hearing for anyone that wished to speak in favor of the item. No one spoke.

Mayor Dial then opened the public hearing for anyone that wished to speak in opposition. No one spoke.

Council Member Furr made a motion to approve the Text Amendment as presented.

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

OLD BUSINESS:

NEW BUSINESS:

3. Consideration of a request to reduce the speed limit on W.Crestwood Road from 35 mph to 25 mph. *Brandon Perkins, Chief of Police*

Chief Perkins stated that he had received a complaint from a resident on Crestwood Road regarding the excessive speeds. They contacted Town staff, due to illness and other factors, no one can attend this evening. Those that were contacted and informed of the situation were in favor of the reduction. West Crestwood is posted at 35 miles per hour (MPH) same as Senoia Road. Similar situated streets are posted at 25-30 MPH range. Mr. Perkins stated that per the complaint, a SMART trailer was placed on West Crestwood in both directions.

He relayed his findings. Eastbound, the 85th percentile was 40 MPH; 39% of the vehicles were exceeding the speed limit. Westbound, the 85th percentile was 39 MPH; 39% were exceeding the limit. The issue is not chronic speeding. It is high for the area, especially for pedestrians. Chief Perkins recommended the reduction from 35 to 25 MPH to bring the 85th percentile down. We will give the public 30 days' notice with a trailer, flags and publication.

Council Member Howard inquired as to the length of Crestwood Road. Mr. Perkins stated that it is approximately 1 mile. Council Member Furr stated that she has received complaints as well.

Council Member Furr made a motion to reduce the speed limit on West Crestwood Road from Senoia Road to Magnolia Drive from 35 MPH to 25 MPH.

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

4. Discussion and consideration regarding Georgia's House Bill 60. *Brandon Perkins, Police Chief*

Chief Perkins reminded Council that he sent an email to them on May 14th explaining House Bill 60. The law went into effect July 1, 2014. Part of the law makes it legal for several places, including government buildings to carry firearms. Our legal department has also sent out their interpretation of the law. Chief Perkins stated that it is his recommendation is for Town employees (other than Police Officers) not to be permitted to carry a firearm inside the Town buildings. Currently, the only place within the Town that the public cannot carry a weapon to is the courtroom due to security and a metal detector. This law makes it legal for government employees to carry weapons, however; Council has the right to implement government policies. Chief Perkins stated that he has no problem with employees locking their weapons inside their vehicles. Chief Perkins stated that the current employee handbook states that employees cannot have certain items at worksites, and that language is not clear. Perkins asked Council for direction to update the employee handbook, through a memo from Mr. Hood.

Mayor Dial reiterated that Chief Perkins is not trying to dictate the law but to suggest that employees keep their weapons inside their personal vehicles and not inside Town buildings.

Chief Perkins stated that if Council decided to allow employees to carry firearms, he could work with that. He mentioned that finding another city that allows it, will be difficult. He discovered a sample policy from the City of Suwanee. They are not permitting it. Chief Perkins stated that he believes that this is a smart choice to make for the Town.

Suwanee also has a secondary policy that states that if an employee encounters someone that is armed, they can seek an alternative to that meeting. Mayor Dial sought Mr. Davenport's opinion, if the Town prohibits employees carrying guns within the work place. Mr. Davenport stated that this is part of their responsibility as an employer to govern the relationship of the employee. If the decision is to prohibit firearms, both on and off duty, on Town property, you certainly can do that. He added that he is aware of another local city has just approved that wording. The firearm can be secured within their own vehicles. Chief Perkins interjected that his main concern is the lack of training, and does not want someone caught in cross-fire by overreaction.

Council Member Matthews made a motion to direct staff to create a policy regarding Georgia's House Bill 60 and return to Council for a final decision.

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

Public Comments

Staff Comments

Mrs. Baker gave a "shout out" to Town volunteer Richard Overholt for assisting with the migration of information for various reports due to the Department of Revenue and the Department of Audits and Accounts.

Mr. Hood stated that there will be a vacant position with the Planning Commission. Mr. Cary Dial and his family are moving out of Tyrone city limits. Mr. Hood asked Council's permission to run an ad for this position.

Council Member Furr made a motion to run an ad for the vacant Planning Commission position. Council Member Matthews seconded the motion. Motion was approved 3-0.

Mr. Hood stated that he is currently preparing a draft letter to be sent out to all property owners that will be potentially affected by cart path expansion. He asked for Council's assistance with property owners that they feel would be better reached in person.

Mr. Hood stated that he has just received back the final terms and conditions for our project application with the State Road and Tollway Authority. We will have three years to draw down 2.6 million dollars. The Town was approved for a fifteen year payback, which is the maximum allowed. We also received a historically low interest rate of 2.48% and is only paid on monies drawn down. We will have three years to expend all money or all money that we need. The

remainder will go back to the state and we will not be charged interest. He added that we will begin prep work in the fall and bid out the work in winter for better asphalt pricing.

Mr. Hood informed Council that it is millage rate adoption season. He stated that in the next two weeks we should receive this year's digest from the tax commissioner. We will plan to openly discuss the matter at the August 7th meeting. We will advertise to approve the millage rate on August 21st.

Mayor Dial asked Mr. Hood, if we do not reach the estimated amount through the paving of Senoia and Castlewood Roads when the bids come in, are we allowed to expand the parameters of our work? Mr. Hood stated that he has asked that very question and has not received a response. He stated that it would be in our best interest to include the remainder of Senoia Road for the paving project.

Council Comments

Council Member Furr asked Mr. Hood for an update on the Shamrock Bridge improvement project. Mr. Hood stated that we have received all but the final approval to proceed. The project has been given to an outside engineering firm. We have no reason to believe that the final submittal would not be approved. Council Member Furr shared her concerns with the project being performed during Founder's Day. Mr. Hood assured her that that should not be an issue.

Council Member Furr informed Council of her findings regarding the cost for sewer expansion. As stated in the minutes of a past Council meeting, "Mr. Brooks (from Peachtree City Water and Sewer Authority-WASA) opened the discussion for the possibility of additional sewer. He shared the current and future map of where the sewer system is located and where additional sewer could be added, along with a second route and cost of each. Option one (no detours) would cost \$1,314,200 and option two (detoured route) would be \$1,517,500 depending on the route. He stated that the initial cost would be at least three million dollars including engineering costs and property acquisition." Council Member Furr stated that she believe we cut ourselves short with 1.5 million dollars with the Capital Improvement Projects line for the budget.

Mayor Dial asked Mr. Hood his opinion regarding the Shamrock Bridge improvements timeline. Mr. Hood stated that it should be completed by next June but anticipates a much sooner completion.

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 review one item of pending litigation.

Council Member Furr made a motion to enter into executive session to discuss one item of pending litigation.

Council Member Matthews 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.

Adjournment

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

The meeting adjourned at 8:05 pm.

By: _____
Eric Dial, Mayor

Attest: _____
Kyle Hood, Town Manager