

**Tyrone Town Council
Meeting Minutes
Thursday May 4, 2017
7:00 PM**

Present:

Mayor Eric Dial
Council Member Ken Matthews
Council Member Ryan Housley
Council Member Linda Howard
Interim Town Manager/Police Chief Brandon Perkins
Town Clerk Dee Baker
Planning and Zoning Coordinator Phillip Trocquet
Finance Manager Sandy Beach
Town Attorney Dennis Davenport

Mayor Pro Tem Furr was absent

Mayor Dial called the meeting to order. Mayor Dial performed the Invocation; it was followed by the Pledge of Allegiance.

Public Comments

Mr. Eric Imker, a Peachtree City resident, stated that he wanted to raise awareness of an issue that would affect Tyrone. He stated that traffic would affect Dogwood Trail within the next five to six months due to the construction of McDuff Parkway in Peachtree City. On the west-side of Highway 54 near the Coweta County boarder, McDuff Parkway travels north and ends two mile down. He informed Council that over the last several years a bridge was built over the railroad track to connect McDuff parkway to Senoia Road, just past the Tyrone city limits. When the bridge is complete, citizens from several thousand homes and from Coweta County who normally would travel from McDuff Parkway and take a left onto the Highway 74 to head north, instead of catching all the lights will be using the McDuff Parkway as a shortcut. The intent was for traffic to move from North Kedron Drive onto Highway 74. This will not happen. Instead, traffic will take a left on Senoia Road and head north onto Dogwood Trail to Highway 74. This will affect the Tullamore and as far west as the Windsong subdivisions. Tyrone citizens will be heavily impacted and will not be able to get out of their neighborhoods in the mornings. The reason traffic will travel in this path, travelers will be stopped by three other traffic lights onto Highway 74 near the railroad track bridge. Instead, travelers will take the route with one traffic light from Highway 74 and Dogwood Trail. Mr. Imker stated that his purpose was not to present a solution; however, he had spoken with residents from the Tullamore subdivision and they were aware of the situation.

He relayed that they suggested possible solutions to the Dogwood Trail road; add a left turn lane or a left turn light. I encourage Mayor and Council to meet with Peachtree City Council to consider a joint initiative to find a solution.

Approval of Agenda

Council Member Howard made a motion to approve the agenda.

Council Member Matthews 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, April 20, 2017

Consideration to change the title of the Recreation Events Coordinator. ***Sandy Beach, Finance/HR Manager***

Consideration to approve the renewal of the Title VI agreement with the Georgia Department of Transportation. ***Dee Baker, Town Clerk***

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

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

Presentations/Recognition:

Public Hearing:

1. Consideration of a text amendment to Section 113-190, pertaining to “Conditional use approval”, of Article VII of the Zoning Ordinance of the Town of Tyrone, to establish conditions for the following uses: (1) automotive parking establishments, (2) golf cart sales and service, and (3) outdoors sports facilities and swimming pools; and to revise conditions for the following uses: (1) miniature golf courses and (2) tennis courts, clubs and facilities. ***Phillip Trocquet, Planning and Zoning Coordinator***

Mr. Trocquet stated that in 2014 upon recommendation from the Planning Commission, Council adopted several ordinances in regards to uses in the C-1 and C-2 Zoning Districts, primarily as a housekeeping process. It was discovered that several uses were listed as conditional uses and did not have conditions attached to them. Steps were taken to add conditions to those uses when necessary or even re-designate those uses as permitted uses, it was determined that no conditions were necessary. In 2015, the current Zoning Ordinance was readopted; however the conditions aforementioned were not included. Mr. Trocquet recommended approval of the changes.

Council Member Howard inquired about the “no outdoor activities after 11:00 pm” condition as it related to the noise ordinance. Chief Perkins cleared up any misconceptions regarding the noise ordinance. He stated that the noise ordinance is in effect from 7:00 am to 11:00 pm but also is restricted to any noise outside of the immediate listening area; not only time based but distance based. Someone could be issued a violation for playing their radio too loud during the day.

Council Member Howard initiated a discussion regarding the differences between closing arcades at 9:00 pm, tennis courts at 11:00 pm and public park closing times. Mr. Trocquet stated that the park times of operation are controlled administratively and parks usually are open from dusk till dawn. Tennis courts could be privately owned or Town owned, arcades could be privately owned. Each use could have different conditions attached. Council Member Howard shared concerns regarding the possible future construction of tennis courts at Redwine Park as it relates to the noise ordinance. Chief Perkins stated that if the noise emanates from the immediate listening area, it would be considered a violation. Mr. Trocquet stated that the 11:00 pm noise ordinance time does not need to coincide with the hours of operation.

Council Member Howard shared her concern regarding what will indeed be placed at Redwine Park in the future and the hours of operation. Mr. Trocquet stated that he felt confident that the action of this item would not adversely affect Council Member Howard’s concerns with the neighborhood park. Mr. Trocquet stated that administratively, staff has control over hours of operation for each Town Park. “Tennis courts and facilities” applies to private and public uses. These are separate from the “outdoor activities” conditions listed. Council Member Howard asked if a subdivision had tennis courts, can they make their own hours of operation? Mr. Trocquet stated that they could if they cease operation at 11:00 pm.

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 Matthews made a motion to amend Section 113-190 to establish conditions for Outdoor Sports Facilities and Swimming Pools, Miniature Golf Courses, and Tennis Courts, Clubs and Facilities Automotive Parking Establishments and Golf Cart Sales as conditional uses. Council Member Howard seconded the motion. Motion was approved 3-0.

2. Consideration of a text amendment to Section 113-128, pertaining to “Downtown commercial district (C-1)”, of Article V of the Zoning Ordinance of the Town of Tyrone, to re-designate the following conditional uses as permitted uses: (1) general building contractors, (2) hardware sales, (3) indoor sports facilities, and (4) special trade contractors; and to re-designate the following permitted uses as conditional uses (1) dog grooming shops and (2) electric transformer stations, gas regulator stations and telephone exchanges. ***Phillip Trocquet, Planning and Zoning Coordinator***

Mr. Trocquet stated that this item would revise the permitted and conditional uses in the C-1 Downtown Commercial Zoning District. All uses that are permitted in the C-1 district are also permitted in the C-2 Highway Commercial Zoning District.

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 Housley made a motion to amend Section 113-128 to re-designate General Building Contractors, Hardware Sales, Indoor Sports Facilities, and Special Trade Contractors from conditional uses as permitted uses in the C-1 Zoning District.

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

Mr. Trocquet stated that this item would re-designate Dog Grooming facilities, Electric Transformer Stations, Gas Regulator Stations and Telephone Exchanges from permitted uses to conditional uses in the C-1 District.

Council Member Howard initiated a conversation regarding the conditions of Dog Grooming facilities, Kennels and Veterinarians. Mr. Trocquet stated that depending on the use and zoning, there could be several conditions attached such as: setback distances, outdoor conditions such as fencing and whether the business would be allowed dog “runs” or leashes, no breeding or boarding may not be allowed, constant supervision would be required, a one hundred foot setback from residential zoning may be required, odor and noise control and state regulations would be required and outdoor versus indoor activities. Mayor Dial asked hypothetically, if a Dog Grooming facility would want to be placed next to Shamrock Kitchen downtown, would it be allowed according to our ordinance. Mr. Trocquet stated that based off the ordinance other than a one hundred feet setback from residential zoning, there would be no conditions according to the current Zoning Ordinance.

Mr. Trocquet stated that Electric Transformer stations are typically placed where power lines are run. This would be less of what use is allowed but more of what conditions to assign. We can do what we can to make them less unsightly.

Mayor Dial asked if a Dog Grooming shop were to be placed next to Shamrock Kitchen, could a noise condition be added? Mr. Davenport stated that additional conditions could be placed on uses by Council at a later date. Mayor Dial reiterated that with the current actions on these items, the conditions would be stricter than they currently are. Mr. Trocquet offered that additions could be drafted. Mr. Davenport relayed that there is currently a Dog Groomer in Town that would be grandfathered in if additional conditions were administered.

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 Housley made a motion to amend Section 113-128 to re-designate Dog Grooming, Electric Transformer Stations, Gas Regulator Stations and Telephone Exchanges from permitted uses to conditional uses in the C-1 Zoning District.

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

It was the consent of Council that Mr. Trocquet advertise a Public Hearing to further discuss additional conditions to be placed on Dog Grooming facilities.

3. Consideration of a text amendment to Section 113-129, pertaining to “Highway commercial district (C-2)”, of Article V of the Zoning Ordinance of the Town of Tyrone, to re-designate landscaping services from a conditional use to a permitted use; to re-designate the following permitted uses as conditional uses: (1) health clubs and day spas and (2) miniature golf courses; and to add the following uses as conditional uses: (1) outdoor sports facilities and swimming pools and (2) tennis courts, clubs and facilities. *Phillip Trocquet, Planning and Zoning Coordinator*

Mr. Trocquet stated that the item amends Section 113-129 which is part of the C-2 Highway Commercial District. Currently, there are no conditional uses for landscaping services. This would re-designate the use to a permitted use.

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 Housley made a motion to amend Section 113-129 to re-designate Landscaping Services from conditional uses to permitted uses in the C-2 Zoning District.

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

Mr. Trocquet informed Council that the next motion would amend Health Clubs, Day Spas and Miniature Golf Courses from permitted uses to conditional uses.

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 Housley made a motion to amend Section 113-129 to re-designate Health Clubs and Day Spas and Miniature Golf Courses from permitted uses to conditional uses in the C-2 Zoning District.

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

Mr. Trocquet stated that the next motion would add Outdoor Sports Facilities and Swimming Pools as conditional uses.

Mayor Dial opened the public hearing for anyone that wished to speak in favor or 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 Matthews made a motion to amend Section 113-129 to add Outdoor Sports Facilities and Swimming Pools as conditional uses in the C-2 Zoning District.

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

Old Business:

New Business:

Public Comments:

Staff Comments:

Chief Perkins stated that CMIT, the current email provider, is charging a fee of \$50 each time an email is activated or deactivated, which has added up to \$350 at times. He stated that because we do not have administrative rights, we depend on CMIT. He recommended staying with CMIT for our IT services but changing to Rackspace.com for our email service. Rackspace.com charges the same per month as CMIT, however staff would have complete control in regards to email setup. He gave the example as the former Town Manager's email would be forwarded to the new Town Manager, the process would be seamless.

Council Member Housley made a motion to transfer to Rackspace.com for the Town's email provider.

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

Mr. Trocquet passed out the new ten year comprehensive plan to Mayor and Council. He stated that he and Mr. Hood collaborated on the report from the Atlanta Regional Commission (ARC).

He asked Council to review the draft plan and to share any concerns within two weeks of review for submission to ARC then approval from the Department of Community Affairs; particularly the future land use map.

Upon their review, it would return to Mayor and Council for a final adoption. He informed them that the map is color coordinated according to Zoning Districts. Mayor Dial reiterated that the document was a “once in a decade document” and that Mr. Trocquet did a fine job preparing the document. Mr. Trocquet added that the twenty year plan came out initially in 2007; this plan was the halfway point.

Council Comments

Council Member Matthews stated that the former Town Manager and a citizen spoke regarding placing Fayette Daybreak Rotary signage at the entrance of the Town along Highway 74, due to the involvement the Rotary has with the Town. Council Member Matthews stated that he understood that Mr. Hood gave permission to have Public Works erect the signs on existing posts. When the signs were produced it was discovered that this issue may need to come to Council for approval.

Mayor Dial posed the questions, where would the signage be placed and does the Town need an area designated for civic group signage. Chief Perkins stated that he was unaware of any civic groups located in Tyrone but that this could cause other organizations coming to Town to want their signage erected also. He stated that he was unaware of any. Fayette Daybreak Rotary has been gracious to the Town but is not located within the Town. Council Member Matthews stated that their address was in Town. Council Member Housley stated that there are Boy Scouts and Girl Scouts groups. Council Member Matthews stated that the signs have been made and the only existing sign post was being used by A Abby Group, Inc. and the Sandy Creek state champs sign. Council Member Housley suggested an area near Town Hall highlighting local civic groups. Chief Perkins mentioned that if the sign is too large for a sign post then it would fall under the Georgia Department of Transportation right of way regulations. Mr. Trocquet stated that he would use a computer program to place a sign at different locations in Town in order to assist with the decision making.

Council Member Matthews made a motion to direct staff to explore the issues aforementioned regarding the placement of civic signage and to report back.

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

Council Member Matthews asked Ms. Beach if the issue regarding the parking and gate fee monies from last year’s Founders Day Festival had been rectified. Ms. Beach stated that it had not and relayed that the item needed to go through Council for a vote and it had not. She reminded Mr. Matthews that Founders Day was in arrears \$14,000 - \$16,000. She added that she still needed to come to Council by the end of the fiscal year to request monies from the General Fund in order to rectify the shortage. Council Member Matthews stated that he recalled an agreement between Recreation and Rotary last year, that if Rotary would work the parking lot they would receive half of the earnings from the gate fee.

Ms. Beach stated that according to the Founders Day minutes, it did not specify an amount of monies nor a percentage and no information was found. Mayor Dial stated that if the commitment had been made that the issue needed to be addressed. Mr. Davenport concurred with Ms. Beach; staff would return to Council after research was complete.

Executive Session

Council Member Matthews made a motion to move into Executive Session to review April 11, 2017 Executive Session Minutes and one (1) personnel item.

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

Council Member Howard made a motion to reconvene.

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

Council Member Housley made a motion to approve the April 11, 2017 Executive Session Minutes Council Member Howard seconded the motion. Motion was approved 3-0.

Adjournment

Council Member Matthews made a motion to adjourn. The meeting adjourned at 8:45 pm.

Gloria Furr, Mayor Pro Tem

Dee Baker, Town Clerk