

**Tyrone Town Council
Meeting Minutes
Thursday June 1, 2017
7:00 PM**

Present:

Mayor Eric Dial

Mayor Pro Tem Gloria Furr

Council Member Ken Matthews

Council Member Ryan Housley

Council Member Linda Howard

Interim Town Manager/Police Chief Brandon Perkins

Town Clerk Dee Baker

Town Attorney Dennis Davenport

Planning & Zoning Coordinator Phillip Trocquet

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

Public Comments

Approval of Agenda

Council Member Housley made a motion to approve the agenda.

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, Budget Workshop May 16, 2017 and
May 18, 2017

Approval to renew the Indigent Defense contract with Public Defender's Office Griffin Judicial
Circuit for FY 2017-18

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

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

Public Hearing:

1. Consideration to adopt a resolution to annex properties located at 1919 Highway 74 & 1925 Highway 74 into the incorporated limits of the Town of Tyrone.

Phillip Trocquet, Planning and Zoning Coordinator.

Mr. Trocquet stated that property owner, Wade Lester applied for an annexation and subsequent zoning of the two unincorporated Fayette County properties. Both properties were currently zoned R-70 (Residential) within the County. He added that it was proposed that the parcels be annexed and rezoned to O-I (Office Institutional) within Tyrone's Town limits. Mr. Trocquet stated that the properties were never annexed into the Town during the time period when River Oaks subdivision, Wendell Coffee Golf Center, and other properties were incorporated. As a result, the town limits essentially circumvented the properties on three sides, creating what looked like an island of unincorporated Fayette County surrounded by the incorporated limits of Tyrone. He added that the Fayette County Board of Commissioners voted "not to object" to the annexation and rezoning on April 25, 2017. Tyrone Planning Commission also recommended approval. He added that the existing land use for both properties was unoccupied residential. To the North of the properties is zoned C-2, (Commercial) South CR-2, (Conservation Residential) East CR-2 and West (North Point Office Park) is zoned O-I (Office Institutional). Both properties are one acre lots. The future zoning is compatible with the zoning map, with the Future Land Use Map and within the qualifications of the Highway 74 Overlay District. Mr. Trocquet stated that staff recommended approval of the annexations.

Mr. Davenport advised to continue on with the presentation of the rezoning.

2. Consideration to rezone properties located at 1919 Highway 74 & 1925 Highway 74 to O-I (Office-Institutional). *Phillip Trocquet, Planning and Zoning Coordinator.*

Mr. Trocquet outlined four items required per the Town Ordinance:

1. Whether the zoning proposal is in conformity with the comprehensive land use plan and policies contained therein. Mr. Trocquet stated that it was staff's opinion that the annexation and zoning proposal was in conformity with the comprehensive land use plan, future land use plan, and future development map. The current properties, once annexed into the Town, would be classified as "Community Gateway" character area and the proposed use of the property as professional office space was consistent with permitted uses in the O-I zoning district.

2. Whether the zoning proposal would adversely affect the existing use or usability of adjacent or nearby property.

Mr. Trocquet informed Council that it was staff's opinion that the zoning proposal to O-I (Office Institutional) would not adversely affect the existing use or usability of adjacent or nearby properties. Permitted uses within the O-I zoning district were reserved for lower-intensity commercial businesses which typically have low noise and traffic thresholds. Businesses associated with O-I zoning districts also retain more stringent operational guidelines than other commercial zoning districts such as C-1 (Downtown Commercial) and C-2 (Highway Commercial). These properties would also be located within the Town's Quality Growth Overlay District. The district protects visibility along the Highway 74 Corridor with more stringent architectural and landscaping requirements for any future alterations or developments to take place on the properties.

3. Whether the zoning proposal would result in a use which would or could cause an excessive or burdensome use of existing or planned streets, utilities, or schools. Mr. Trocquet informed Council that it was staff's opinion that the zoning proposal to O-I would not cause an excessive or burdensome use on existing or planned streets, utilities, or schools. The properties which were previously homes currently have public water and individual septic tanks on each of the properties. The maximum capacity should hold 6-7 people per location. Schools would not be affected as the properties were roughly 2 miles away from Sandy Creek High School. There is an anticipated impact on traffic as there would be an increase in activity on the properties. The traffic impact would be minimal as the homes would only be suitable for small offices. The O-I zoning district disallows retail locations or restaurants that typically generate larger traffic volumes.

4. Whether there are other existing or changing conditions affecting the use and development of the property which would give supporting grounds for either approval or disapproval of the zoning proposal. Mr. Trocquet stated that the subject properties were best suited for small business/office operations. Close proximity to Highway 74 without a noise barrier makes residential use less than optimal.

He ended by stating that staff recommended approval.

Mr. Davenport advised to hold the rezoning Public Hearing prior to the annexation Public Hearing and Council vote.

Mayor Dial asked if anyone would like to speak in favor of the rezoning of 1919 and 1925 Highway 74 to O-I (Office Institutional). No one spoke.

Mayor Dial asked if anyone would like to speak in opposition of the rezoning. No one spoke.

Mayor Dial asked if anyone would like to speak in favor of the annexation of 1919 and 1925 Highway 74 into the Town limits. No one spoke.

Mayor Dial asked if anyone would like to speak in opposition of the annexation. No one spoke.

Council Member Furr made a motion to approve the annexation of properties 1919 and 1925 Highway 74 into the incorporated limits of the Town of Tyrone.

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

Council Member Matthews made a motion to approve the rezoning of properties 1919 and 1925 Highway 74 to Office Intuitional (OI).

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

Mayor Dial asked Council for clarification on the procedural order of the previous two items. Mr. Davenport clarified that State law requires a rezoning public hearing prior to an annexation. Council cannot rezone a property that is not within the Town limits. A vote needed to take place initially to annex the property into the Town in order to rezone the property; they occur in conjunction with one another. He clarified that the action would go into effect July 1, 2017 and for tax purposes, the action would not be active until January of 2018.

Old Business:

3. Continued discussion regarding Sanitation services.

Sandy Beach, Finance Manager

Chief Perkins informed Council that the current Sanitation contract expires at the end of the year. He added that staff's recommendation was to prepare a Request for Proposal (RFP) process to begin in August. He added that the Sanitation expenses were quickly catching up to the revenue and that Ms. Beach had recommended a software upgrade in order to facilitate the Sanitation process more efficiently. If Council chose to move forward with an RFP, the upgrade request had been included in the budget for review. Mayor Dial reiterated that Council needed to consider a rate increase moving forward contingent upon the Sanitation bids.

Council Member Furr made a motion to direct staff to begin the preparation of a Request for Proposal for sanitation services.

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

New Business:

Public Comments

Staff Comments

Chief Perkins stated that the meeting could be his last as Interim Town Manger before he left for vacation. Upon return he would then turn his keys over to Mr. Lynn. He thanked Council for allowing him and entrusting him to serve as Interim for a second time. He gave thanks to staff for making his tenure a smooth transition. He added that this time was easier due to staff and the previous Town Manager. He thanked them for the opportunity. Council returned the sentiment.

Council Comments

Council Member Furr gave a “shout out” to Phillip Trocquet for doing an excellent job for his presentations on two separate occasions.

Mayor Dial in the absence of a full-time Town Manager stated that he would inform Council of progress on several current projects. He stated that staff had received a request for the paving of roads in the Castle Lake subdivision. He indicated that the first step would be to refer to the recently acquired road report. He indicated that Castle Lake roads ranked 3 or 4 out of 180. He relayed that Castle Lake paving was not on the Capital Improvement Project list. He stated that the requestor stated that they would not be prepared for paving if Council agreed to pave, for at least one year due to lake dredging and the placement of new water lines.

Mayor Dial stated that another citizen was having drainage problems coming from Castle Lake Court. They contested that it was the Town’s responsibility, the developer did not place curbing in so the flow continues. He asked Mr. Davenport for an update on the Drainage Policy review. Mr. Davenport replied that he had been working with the Town Engineer and should have an answer within ten to fourteen days with options.

Mayor Dial stated that there was also an erosion request from a resident in the Southampton subdivision and that staff would give them the same answer in regards to the Drainage Policy review timeline. Mr. Davenport stated that this was a similar type of compliant as it related to property ownership of easement.

Mayor Dial reported that Jonathan Lynn was to report to Town Hall on June 14, 2017. He would then leave for a previously scheduled family vacation the following week and should be back for the next Council meeting scheduled for July 6th.

Mayor Dial stated that staff had received a call from a gentleman that owns property in Fayette County, located on Highway 74 bordering Fulton County. His request was to annex into Tyrone limits. This gentleman was also meeting with Fayette County regarding other requests he had for developing his land.

Mayor Dial updated Council regarding Shamrock Park restrooms and drinking fountain. He stated that Mr. Jaeger had met with a contractor and they had gone through troubleshooting guidelines suggested by the equipment manufacturer, with no success. He stated that Mr. Jaeger stated that the manufacture suggested substituting a part within the flush valve assembly with a part designed for low pressure installations. The part had been ordered and the drinking fountain would be repaired during the same process.

Executive Session

Council Member Howard made a motion to move into Executive Session to review the May 18, 2017 and the May 26, 2017 Executive Session Minutes.

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

Council Member Matthews made a motion to reconvene.

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

Council Member Howard made a motion to approve the May 18, 2017 Executive Session Minutes.

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

Council Member Matthews made a motion to approve the May 26, 2017 Executive Session Minutes.

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

Adjournment

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

Meeting adjourned at 7:32 pm.

Eric Dial, Mayor

Dee Baker, Town Clerk