

**Tyrone Town Council
Meeting Minutes
November 4, 2021
7:00 P.M.**

Present:

Mayor, Eric Dial

Mayor Pro Tem, Gloria Furr

Council Member, Linda Howard

Council Member, Melissa Hill

Council Member, Billy Campbell

Town Manager, Brandon Perkins

Town Clerk, Dee Baker

Town Planner, Phillip Trocquet

Finance Manager, Sandy Beach

Town Engineer / Public Works Director, Scott Langford

Police Chief, Randy Mundy

Permit & Compliance Specialist, Katherine Crouch

Mayor Dial called the meeting to order with limited seating and broadcasted on YouTube Live at 7:00 pm, this was followed by the invocation. The public was invited to watch.

IV. PUBLIC COMMENTS: *The first public comment period is reserved for non-agenda items. Comments are limited to three (3) minutes. Please state your name & address. Comments that require a response may not be answered during this time. The Council or staff may respond at a later date.*

Eagle Scout Candidate, Jacob Dalton spoke regarding the Dog Park located at Fabon Brown Park. He shared that he came before Council in May to ask permission to complete the restoration of the dog park. On August 28th, he and his Troop completed the project. He thanked Mayor and Council for their support. He submitted his thank you letter. Mayor Dial thanked Mr. Dalton and his Troop.

Mr. Eric Henderson who lives on Lynnwood Ave. and works for Operation Mobilization spoke on behalf of Better Ballot Georgia and the Instant Runoff Voting method. He explained the method of voting. Voters rank their candidates on a ballot according to their choices so there would be no need for a run-off election.

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The candidate with the greatest number of votes wins, the candidate with the least amount is eliminated. This would continue until a candidate wins with more than half the votes. If your first choice did not win, it would move to your second choice. This would save taxpayers money on run-off elections and lessen the partisan divide. It would also eliminate split-votes and negative campaigning. He added that Georgia had already approved the method for military personnel. Mr. Henderson requested was that Georgia cities, including Tyrone, would consider passing a resolution approving the method to then be forwarded to state officials. He supplied information to Mayor and Council.

Mr. Taiwo Idowu, who lives on Chaparral Trace, congratulated Council Members Furr and Campbell on their election victory. He added that he prays for their success because your success is our success.

V. APPROVAL OF AGENDA

A motion was made to approve the agenda with the removal of the LCI Presentation.
Motion made by Council Member Campbell, Seconded by Council Member Furr.
Voting Yea: Council Member Howard, Council Member Hill.

VI. 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.

1. Consideration to approve minutes from the October 21, 2021, Council Meeting.

A motion was made to approve the consent agenda.

Motion made by Council Member Furr, Seconded by Council Member Howard.
Voting Yea: Council Member Hill, Council Member Campbell.

VII. PUBLIC HEARINGS

2. Consideration to hear a petition from applicant Jason Walls on behalf of the owner, GSMS Property LLC, Inc. for the rezoning of a 5.1-acre tract with parcel number 0725-035. The proposed rezoning will be from O-I (Office Institutional) to M-1 (Light Industrial). *Phillip Trocquet, Town Planner*

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Mr. Trocquet shared that the first public hearing would be from Jason Walls, representing Georgia Specialty Metal Supply (GSMS) from O-I (Office Institutional) to M-1 (Light Industrial). The second item was from the same applicant, representing New Heritage Church of God to rezone from AR (Agricultural Residential) to O-I (Office Institutional). He added that GSMS intended to relocate their growing office space and metal shop. He shared that the parcel was within the Hwy 74 Quality Growth Overlay district which required high-quality architecture, landscaping, and site design as development proposals were submitted to the Town. A traffic impact analysis may also be required by the Planning Commission. Mr. Trocquet stated that staff determined that the petition was consistent with the Town's zoning ordinance and Comprehensive Plan, he added that staff and Planning Commission recommended approval.

Mr. Trocquet stated that the petition was also compatible with the Future Development strategy. The property lies within the Hwy 74 Community Gateway Future Development Character area which listed M-1 as an appropriate zoning classification. The Community Gateway character area encouraged the "protection of scenic views along the corridor" and promoted "high standards of architecture, landscaping, and sign controls to improve corridor appearance and maintain traffic speeds and capacity through access management inter-parcel access."

Mr. Trocquet stated that regarding the Zoning Ordinance Compatibility and Impact Assessment, most of the land surrounding the property was undeveloped, with New Heritage Church of God bordering the property to the south. Adequate buffering would be encouraged adjacent to the church which was a non-residential use active on Sundays while typical business operations would be closed. He shared that staff determined that M-1 zoning would not adversely affect adjacent properties. An adequate setback and buffer would be encouraged during site planning adjacent to the church to the south and the property borders already zoned M-1 land with M-1 existing at the corner of both Kirkley Road and Sandy Creek Road along the corridor. Mr. Trocquet stated that regarding the economic use, it was staff's opinion that O-I zoning provided reasonable economic use as currently zoned, although bordering property owners existing in a similar situation were entitled to greater economic use. He shared that the M-1 zoning of the property would not create a use that would be excessively burdensome on existing infrastructure. He added that given the size of the M-1 property and the capacity of Hwy 74, it was unlikely that the zoning would result in an excessively burdensome use. The Town's ordinance also protected against any development proposal that revealed an unacceptable impact as the result of a traffic impact analysis or sewer impact analysis.

He then shared that to the south, was the New Heritage Church of God's property for rezoning. He stated that they intended to eliminate a buffer from the GSMS property. This would also give the church greater flexibility in zoning.

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Council Member Furr inquired about the access road that was discussed in the past regarding development in that particular area. Mr. Trocquet stated that regarding long-term plans for the corridor and properties that were within the county, the proposed road would travel from Kirkley Road to Thompson Road, which was within the county's Future Land Use Plan. He added that the Town was proposing to add it to the Town's Future Plan as well. Mr. Trocquet shared that staff would encourage developers to allow room in the back of the property for future connectivity. Council Member Furr shared that she assumed it would be parallel to Hwy 74, in the front of the properties. Mr. Trocquet stated that the layout of the road had not yet been identified. Developers would be encouraged to work that into their site plan as it would best work for them. Council Member Furr reiterated that she understood that there would be an access road and berm between Hwy 74 and the future development. Mr. Perkins shared that the plan was to connect an access road from Fayette County's, Thompson Road to Kirkley Road, a portion that may run parallel with Hwy 74.

Council Member Campbell inquired about the additional property to the north. Mr. Trocquet stated that the property was currently split-zoned, M-1 in the rear, and O-I in the front, it needed to be rectified. Council Member Campbell asked if there were any buffer requirements for the M-1 property. Mr. Trocquet shared that if the property was zoned commercial or industrial there would be no required buffers, only a heightened landscape requirement along Hwy 74. If the property was adjacent to residential, there would be a required buffer. He added that the applicant brought a rough rendering for architecture, which would be required for the next phase of development. The Town requires 80% brick, glass, veneer, or stone when visible from Hwy 74.

Mayor Dial opened the public hearing for anyone that wished to speak in favor of the item.

Mr. Jason Walls, P.E. from Integrated Science & Engineering, and the official agent for the owner spoke. He agreed with Mr. Trocquet's presentation. He thanked the Planning Commission for their recommendation. He shared that they would agree to tie it to Kirley Road from the rear of the property. He then introduced Mr. Jefferson Browne, Founder and CEO/President, and Paul Gresham, COO/Vice President of Jefferson Bowne Gresham Architects. He also stated that Clay and Derrick were representing GSMS.

Mr. Clay Adams, one of the three managing partners of GSMS spoke next. He shared that their sales office was located on Greencastle Road, in Tyrone and their shop was currently located in Palmetto. He added that they intended to consolidate both, in Tyrone. He stated that they specialized in miscellaneous and ornamental metals, working with the largest General Contractors in the Southeast. Last year, they gained revenue of \$4.9 Million, this year was estimated at \$14 Million, next year's estimate was \$20 Million, and in 2-3 years, \$30 Million.

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The new building would house 35-50 employees. He explained that it would be a high-tech welding facility, which was a great paying profession. They would also work with schools in the area for students that did not wish to attend college, and to start a good career, and to stay in the area. He added that the facility would be cutting-edge, and a great focal point when entering Tyrone. He added that they were excited to continue growing their business in Tyrone.

Council Member Campbell asked if there would be room for new hires in the new facility. Mr. Adams stated that they would eventually add 15-20 new hires. Council Member Campbell asked if the facility would be big enough. Mr. Adams shared that he already had his eye on the back of the property for potential growth. He added that their current growth plans would be more southeast such as Nashville, or the Tampa/Orlando area.

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

A motion was made to approve the proposed rezoning petition.

Motion made by Council Member Furr, Seconded by Council Member Campbell.

Voting Yea: Council Member Howard, Council Member Hill.

3. Consideration to hear a petition from applicant Jason Walls on behalf of the owner, New Heritage Church of God for the rezoning of a 5-acre tract with parcel number 0725-036. The proposed rezoning will be from AR (Agricultural Residential) to O-I (Office-Institutional).

Phillip Trocquet, Town Planner

Mayor Dial opened the public hearing for anyone that wished to speak in support of the item.

Mr. Jason Walls spoke on behalf of the church and Pastor Medlin. He added that the church was in full support of the project. Mr. Walls and Pastor Medlin did however speak of landscaping between the two properties.

Mayor Dial asked for the nature in which the church was approached. When he heard that the church wanted to make a zoning to change just to be a good neighbor, he wished to hear how that took place. Mr. Walls stated that he met Pastor Medlin through Mr. Adams and with good fellowship, it was simply to be a good neighbor and nothing more, no additional improvements were discussed. Mr. Adams added that it was a divine appointment. They knew some of the same people and they had a wonderful connection.

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They formed a good friendship and there was no obstacle. Mr. Adams added that he was a minister's son and that he was in support of any ministry. We are here to help them as well.

Mayor Dial then opened the public hearing for anyone that wished to speak in opposition to the rezoning.

Mr. Carl Jackson, who lives in River Oaks spoke. He shared that in his line of work, he developed 5-6 thousand-acre solar facilities and had never seen an attractive fabrication metal shop. He then asked Mr. Adams and Walls, what landscape plan they had on the table to not create a distraction on Hwy 74.

Mr. Trocquet informed everyone that Hwy 74 had an Overlay District that encompassed the entire Hwy 74 corridor. Architectural standards were higher in that area and the building needed to encompass 80% of quality materials such as brick, glass, veneer, stone, and architectural accents. The other portion would be a 20ft landscape buffer and a line of site study. He added that any visible portion had to meet the architectural and landscape standards. Representatives from Jefferson Bowne Gresham Architects shared a rendering representing a glass and brick high-tech building. The representative added that all docks and truck entrances would be concealed on the side of the building. It would also include landscaping and buffers. They had no intention of removing the trees in the front, and there would be a deceleration lane off Hwy 74. He added that the office would be an 18,000 sq. ft. two-story building which would shield the industrial building. Mayor Dial asked if the gentlemen would meet with Mr. Jackson after the meeting. They agreed. Mr. Trocquet stated that generally speaking, that was their concept plan which the Town's ordinance already dictated.

A motion was made to approve the proposed rezoning petition.

Motion made by Council Member Campbell, Seconded by Council Member Howard.

Voting Yea: Council Member Hill, Council Member Furr.

4. Consideration to hear a petition from applicant Haley Hirsch on behalf of the owner, Herman Clark, for the rezoning of a 2-acre tract with parcel number 0738-098 with property address 969 Senoia Road. The proposed rezoning will be from R-12 to TCMU (Town Center Mixed-Use).
Phillip Trocquet, Town Planner

Mr. Trocquet explained that the petition was for the rezoning of the property from R-12, 1200 ft. home size, residential to TCMU, commercial mixed-use.

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The intended rezoning was to bring the zoning of the property into greater conformity with the Town's Comprehensive Plan and Livable Centers Initiative (LCI) and to increase the value and utility of the property for the future. Mr. Trocquet stated that the property did have outstanding code violations for exterior storage of junk and debris on the property, however, the property had been working with Code Enforcement to rectify over time. The violations would continue under TCMU zoning. No development plan or proposed use had been submitted with the petition since the property was below the 3-acre threshold within the ordinance. Mr. Trocquet added that the petition was consistent with the Town's Comprehensive Plan and Future Development strategy. The property was within the Town Center District Future Development Character area which promoted pedestrian-oriented mixed-use development and zoning. Buildings were encouraged to be located along the street which was not the case currently, however, any new proposals for development including new building structures should follow the requirements in the ordinance and comprehensive plan. He added that such site plans would need to be approved by the Planning Commission.

Mr. Trocquet stated that the TCMC district allowed for a mixture of residential and light commercial uses to be developed. The proposed uses were suitable for a downtown environment and were suitable adjacent to Open Space parks and Downtown Commercial properties. He added that TCMU zoning would not adversely affect adjacent properties. Properties to the north and east were zoned C-1 which permitted higher intensity uses than TCMU. R-12 residences to the northwest were roughly 200 ft. away from the TCMU property, providing a significant buffer. He shared that a detailed site plan and building renderings should be rigorously reviewed when appropriate to ensure that the development of the property took into consideration Shamrock Park and the Town's long-term objectives with the park.

Mr. Trocquet shared that given that the Town had constructed sewer along Senoia Road as a means of encouraging commercial development downtown, single-family 1-acre zoning provided limited economic utility. He added that staff determined that a mixed-use or commercial development at that location would not result in a use that would be excessively burdensome on existing infrastructure. Sewer expansion along Senoia Road was meant to encourage increased development which TCMU encouraged great flexibility in. A detailed site plan review and perhaps traffic impact analysis would need to be created as development proposals for the property were brought to the Town.

Mayor Dial opened the public hearing for anyone that wished to speak in favor of the rezoning.

Representing Herman Clark were Attorney, Matt Tucker, and Realtor, Haley Hirsch. Mr. Clark stated that most would find a beautifully landscaped home, however, when walking the trail at Shamrock Park they would see an eyesore of an area that needed to be cleaned up. It also needed to be in line with the Town's plan. There could be specialty shops, pubs, cafes, or restaurants at that location but the zoning needed to be mixed-use. According to the pictures it was perfectly situated to finish off Shamrock Park. Ms. Haley Hirsch stated that she already had four potential buyers. Mr. Tucker stated that there had recently been a death in the family and they were ready to move on. He asked the owner, how they planned on cleaning up the property. The more it was valued, the more the sellers were willing to comply. He explained that an older couple lived there and it had been very difficult to clean the property. Mr. Tucker added that buyers were willing to invest in downtown, and the Town had a wonderful Town Planner.

Mayor Dial opened the public hearing for anyone that wished to speak in opposition to the item.

Mr. Taiwo Idowu asked if there was a condition placed on the property that it be cleaned before rezoning? He also asked if it were to be rezoned, were there conditions in place to make sure the property was cleaned.

Mr. Trocquet stated that it was not a staff comment due to the code violations would remain until the violation conditions were met. If the code violations were permanent, then it may be a condition of the rezoning.

A motion was made to approve the proposed rezoning petition.

Motion made by Council Member Howard, Seconded by Council Member Furr.

Voting Yea: Council Member Hill, Council Member Campbell.

VIII. OLD BUSINESS

IX. NEW BUSINESS

5. Consideration to approve the Farr Road paving agreement with Fayette County.
Town Engineer / Public Works Director, Scott Langford

Mr. Langford informed Council that there would be two portions of his presentation that required two separate votes. The paving of Farr Road would be a joint effort from the Town and Fayette County, both were represented by the law firm, McNally, Fox, Grant, and Davenport.

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He presented Mayor Dial and Council with a letter from Mr. Davenport expressing his beliefs that he and his firm would provide competent representation if a conflict were to arise.

A motion was made to approve the Conflict-of-Interest Agreement with McNally, Fox, Grant & Davenport.

Motion made by Council Member Furr, Seconded by Council Member Campbell.
Voting Yea: Council Member Howard, Council Member Furr

Mr. Langford stated that the Farr Road asphalt paving project was a 2017 approved SPLOST project, and funding was available. The agreement would allow the Town to work with the County. The County was currently seeking bids for the project. He shared that he would be working closely with the County on the project. When completed, the County would invoice the Town for their portion.

A motion was made to enter into an agreement with Fayette County for the Farr Road Paving Project.

Motion made by Council Member Campbell, Seconded by Council Member Hill.
Voting Yea: Council Member Howard, Council Member Furr.

6. Consideration of a bid from Playworx to install new playground equipment at Shamrock Park. *Town Manager, Brandon Perkins*

Mr. Perkins shared that during the annual Council Retreat, Ms. Brock presented the idea for new playground equipment for \$28,000, which was later approved in the budget process. He added that he approached Council later asking to supplement a portion of the cost with CARES ACT funding. The playground had needed new equipment for a long time. He stated that \$28,000 would not be enough for the playground improvement, Council had later approved the \$150,000 cost for improvement. On September 14th an invitation to bid was released and closed on October 19th. The goal was a complete renovation of the existing playground at our flagship park. The Town then received submittals from nine firms. In total, bidders provided 23 options to choose from. The options were sent to Council and selected employees for their rankings based on aesthetics and play options. Playworx Playsets option 1, was the first choice of 5 of the 9 respondents. He added that the cost of the favorite choice was \$147,695.74. The option also stipulated that the Town would be responsible for the removal of all equipment and two trees.

Mr. Perkins presented several renderings of the playground, which was ADA compliant and included swings, spinner chimes, a tree climb, a leg lift bar, ladder, and a slide to mention a few options. He repeated that it was ADA compliant and a vast improvement, he added that it was 5-12 age-appropriate. He reminded Council that the younger aged kids would utilize the playground closer to the Rec. Center and Library. It was a modular unit that could be added to.

Council Member Campbell inquired of the plans for the flooring. Mr. Perkins stated that flooring would be ADA compliant mulch for padding. He added that he had researched additional flooring which cost \$50,000-\$80,000 and would need to be upgraded later. Council Member Furr inquired about grading and leveling the area. Mr. Perkins stated that the contractor was supposed to complete the final leveling and backfilling. Council Member Campbell inquired how children with crutches or wheelchairs were supposed to maneuver on mulch. Mr. Perkins shared that the mulch should be traversable. Council Member Hill inquired about having cameras located in the area. Mr. Perkins stated that there would be a cost for that and concerns would arise from parents as to why there were cameras on the playground. He added that cameras could be installed near the pavilion for that particular area. He added that the bid was only good for thirty days, and he recommended approval contingent on legal comments and Playworx's approval. The turnaround could be up to eighteen weeks for installation.

A motion was made to award the bid to Playworx for the installation of new playground equipment at Shamrock Park contingent on their approval of legal comments.

Motion made by Council Member Hill, Seconded by Council Member Campbell.

Voting Yea: Council Member Howard, Council Member Furr.

X. PUBLIC COMMENTS: *The second public comment period is for any issue. Comments are limited to three (3) minutes. Please state your name & address. Comments that require a response may not be answered during this time. The Council or staff may respond at a later date.*

Mr. Matt Griffin who lives on Berry Hill Lane spoke regarding the playground. He stated that although the playground equipment looked great, 80% seemed to be off the ground. He shared his concerns regarding children who needed more accessible equipment. He would like to see the playground be accessible to all children of all capabilities.

Mayor Dial stated that the playground could be added to if staff saw a need for additional equipment.

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Mr. Taiwo Idowu agreed with the need for equipment for children with disabilities. He then addressed new business item #5 and asked for the protocol if there was an issue between the Town and the County. He understood there be a clause where the Town could seek other counsel. Mr. Davenport addressed his concerns by stating that if there were a conflict, he would not represent either party.

XI. STAFF COMMENTS

Mr. Perkins reminded everyone of the Town's annual Veterans Day Program at Veterans Park on Thursday, November 11th at 11:00 am.

Mr. Trocquet stated that the LCI presentation should be on the next Council agenda and that the Town was in the home stretch of the Master Plan. It would then be forwarded to the state and to the Atlanta Regional Commission (ARC).

Mr. Trocquet introduced Ms. Katherine Crouch, the Town's new Permit and Compliance Specialist. He shared that she had arrived approximately two months prior and was doing a great job with permits, compliance, and planning and zoning.

XII. COUNCIL COMMENTS

Council Member Howard shared that eighteen out of twenty-five crosses for Veterans Day had been sold and the cut-off was soon. More would be ordered for next year. Mr. Perkins added that for the application process to ask if the soldier was killed in action if so, the cross could be displayed for Memorial Day, not Veterans Day.

Mayor Dial informed everyone that a Town-Hall-type meeting was held with residents regarding the possible closure of Crabapple Lane (dirt road off Dogwood Trail). He submitted a letter to the Mayor and Council of Peachtree City on behalf of Council and the Town regarding our disapproval if the closure were to be in front of their Council. He stated for those in the audience that they could read it, and he also would make it available to citizens upon their request.

XII. EXECUTIVE SESSION

There was no need for Executive Session.

XIV. ADJOURNMENT

A motion was made to adjourn.

Motion made by Council Member Campbell.

Voting Yea: Council Member Howard, Council Member Hill, Council Member Furr

The meeting adjourned at 8:17 pm.

By: _____
Eric Dial, Mayor

Attest: _____
Dee Baker, Town Clerk