

TYRONE TOWN COUNCIL MEETING

MINUTES

March 17, 2022 at 7:00 PM

Eric Dial, Mayor

Gloria Furr, Mayor Pro Tem, Post 4

Linda Howard, Post 1

Melissa Hill, Post 2

Billy Campbell, Post 3

Brandon Perkins, Town Manager

Dee Baker, Town Clerk

Dennis Davenport, Town Attorney

Social Distancing will be observed, and seating is limited. The meeting can be accessed live at www.tyrone.org/youtube. If you do not plan to attend, please send any agenda item questions or comments to Town Manager Brandon Perkins (bperkins@tyrone.org).

I. CALL TO ORDER

II. INVOCATION

III. PLEDGE OF ALLEGIANCE

Mayor Dial called the meeting to order the Invocation preceded the Pledge of Allegiance.

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.*

V. APPROVAL OF AGENDA

Mr. Perkins asked that item #6 be removed from the agenda.

A motion to remove item #6 and approve the balance of the agenda was made.

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

Voting Yea: Council Member Howard, Council Member Furr.

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 the minutes from the February 17, 2022, Council Meeting.

A motion was made to approve the consent agenda.

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

Voting Yea: Council Member Howard, Council Member Hill.

VII. PRESENTATIONS

VIII. PUBLIC HEARINGS

2. Consideration to hear a revision of a development plan as part of the Light Industrial (M-1) Planned Industrial Park (PIP) overlay of parcel 0726-068 from applicant East Group Properties LP on behalf of the owner, Hobgood Family, LP. ***Phillip Trocquet, Town Planner***

Mr. Perkins shared that the applicant wished to withdraw the item. The proposal triggered the need for a Developments of Regional Impact (DRI) study which usually takes a couple of months.

A motion was made to withdraw the item.

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

IX. OLD BUSINESS

X. NEW BUSINESS

3. Consideration of a rate adjustment for sanitation services as requested by AMWaste.

Brandon Perkins, Town Manager

Mr. Perkins stated that a letter from AMWaste was submitted on February 10, 2022, requesting an annual Consumer Price Index (CPI) increase and a fuel surcharge. He explained that the Town's contract gave them the ability to request a CPI and it allowed them to add the fuel charge. The charges had to be in line with the All-Urban Consumers-U.S. City Average-Garbage and Trash Collection, which it did. The increase for a single can would increase from \$54.51 to \$56.07 per quarter, which was a 2.8% increase. The fuel surcharge would be 7.24% which would add another \$4.06 for customers with a single can, and \$4.62 for two cans.

AMWaste District Manager, Michael Cosman stated that the fuel surcharge could fluctuate. He shared that the increase was due last October per the contract with the Town, however, service was lacking at the time and he was fairly new to the company. He added that he did not feel comfortable asking for the increase. Since then, he felt that most of the issues had been resolved. Mayor Dial clarified that the two increases were separate. Mr. Cosman shared that the fuel charge was automatic. He asked permission to place both charges on the upcoming bill.

Mayor Dial clarified that the fuel surcharge was non-negotiable, Council was voting on the CPI. Council Member Furr stated that because of the uncertainty of gas prices, the quarterly sanitation bill could fluctuate. She asked what the ceiling was? Mr. Cosman stated that last week gas was on average \$5.26 but was steadily decreasing. Mayor Dial asked, how often would the Town address the fuel charge? Mr. Cosman stated, every quarter.

Mr. Perkins stated that it would not be Council's burden to deal with the fuel charge every month. He added that the contract allowed AMWaste to make adjustments as needed but was not allowed to increase more than 10%. Mr. Cosman clarified that if fuel increased more than 10%, they could then implement an increase. He added that the same increase could have been requested in October but he did not feel comfortable asking at that time regarding the service issues.

Council Member Furr asked about the current 7.24% increase. Mr. Cosman shared that it may change slightly due to the constantly changing fuel charge but he would communicate with Mr. Perkins. Mr. Perkins shared the verbiage from the contract, "In the event that the average cost of fuel increases over 10%, a fuel surcharge may be added. Once the rate drops below the 10% threshold, the surcharge will be removed. Calculations and adjustments shall occur quarterly". Mayor Dial elucidated that the surcharge was intended to be temporary. Council Member Campbell shared his concerns regarding the fluctuating quarterly sanitation bill for citizens. Mr. Perkins stated that the fuel charge was not debatable and did not require a vote. Before Council was the quarterly base rate increase. He explained that the fuel charge was standard in a contract due to that type of business relying heavily on fuel.

Council Member Campbell shared that citizens needed to be informed before receiving their increased bill. Mr. Cosman stated that an insert would accompany the bill explaining the increase. Mr. Perkins stated that he should receive a copy for review before it would be sent to the citizens. Mayor Dial stated that he and Council would like to see the language as well. Mayor Dial and Mr. Perkins agreed that customer service had improved. Mr. Cosman shared that the company was implementing a weekly fuel stipend for their drivers as an appreciation.

Discussions began regarding the difference between the CPI and the fuel surcharge. Mr. Davenport explained that the fuel charge may constantly change. The CPI was an annual increase per the contract every October. Council Member Campbell asked if there would be another increase in October. Mr. Cosman shared that he would be before Council again in October requesting another CPI increase. Mr. Davenport stated that the motion was only based on the CPI.

A motion was made to approve the AMWaste CPI index.

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

4. Consideration of 2023 - 2032 L.O.S.T Certificates of Distribution.

Brandon Perkins, Town Manager

Mr. Perkins informed everyone that according to Georgia law, OCGA 48-8-89, the Town was being asked to consider approval of an updated certificate of distribution for the Local Option Sales Tax (L.O.S.T.). The tax would be distributed between Fayette County and its five cities. The renegotiation was based on the 10-year Census. He added that Tyrone was currently at 6.1386% of the overall SPLOST and the proposed percentage was 6.0249%. These percentages were based on the pro-rata share of the 2020 Census.

Mayor Dial stated that while Tyrone's percentage was decreasing, our revenue was increasing. Although the split with the County stayed the same, Tyrone was growing slower compared to the other cities. He reflected that the meeting went much smoother than 10-years ago when no one could agree. This year everyone worked very well together to reach an agreement. Based on the facts, Fayetteville was growing faster than the other cities and Peachtree City was taking the biggest hit. He added that the new L.O.S.T would go into effect from 2023 to 2033. Mayor Dial shared that during the last L.O.S.T negotiations, because no one could agree, Tyrone was willing to take a smaller portion in the beginning than we deserved. It increased toward the end. This year we were thankful for what was negotiated.

A motion was made to approve the proposed 6.0249 % for the upcoming L.O.S.T. Certificates of Distribution.

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

5. Consideration and approval of a new Hotel/Motel tax ordinance.

Brandon Perkins, Town Manager

Mr. Perkins stated that the Town had never had an ordinance in place to collect an excise tax for hotels or motels. The proposal would require not only hotels and motels to pay the tax but also, any short-term rentals from companies such as Airbnb and Vrbo. The approval would require the owners to submit a 3% sales tax on the rental. This would not be a large revenue source for the Town but it would be a regulatory device relating to short-term rentals. He added that if a developer wished to build a hotel within Town limits, we would have this tax in place.

Council Member Hill asked how many Airbnb's were currently in Town. Mr. Perkins stated that at last count there were 17 that staff was aware of. Unfortunately, when you search the internet for local Airbnb's the search was limited to those that were currently available. There was one in Town that has had numerous complaints in the past. An additional ordinance would follow soon addressing more for the short-term rentals. He stated that if we are aware of 17 rentals, there were probably 25.

Fayette County currently housed software that better tracked the short-term rentals. Mr. Perkins stated that he would reach out to them to see if they would partner with us.

Council Member Howard asked who would pay the tax, Airbnb or the individual? Mr. Perkins stated that the new law required that the service would collect on the Town's behalf and then they would send us a check. This would make things easier for the operator or homeowner.

Council Member Hill expressed that she did not have a problem with the hotel/motel tax, however, she was hesitant regarding the Airbnb tax. Mr. Perkins informed Council that if a hotel/motel tax was approved, state law required that short-term rentals be taxed as well.

The tax would fall on the consumer, not the citizens that operate the Airbnb, similar to a nightly stay at a hotel. Mayor Dial clarified that the residents of Tyrone would not pay for the taxes.

A motion was made to approve the new ordinance governing the Hotel/Motel Excise Tax.

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

6. Consideration to proceed with Recommendations of the Intersection Study at Crabapple, Senoia and Rockwood Road.

Scott Langford, Public Works Director and Town Engineer

Mr. Langford informed Council that on January 11, 2022, POND & Co. completed an intersection study at Senoia/Rockwood/Crabapple Roads. A 12-hour intersection turning movement count was collected and two 24-hour counts with vehicle classifications. The daily traffic volumes along Senoia Road and Crabapple Lane were 6,898 with 2,104 vehicles a day. He added that the next phase took into consideration the Town's growth rate, factoring in a COVID-19 calculation that had been accepted by GDOT.

Mr. Langford reminded Council of the A-F grading system, A, being the best, F was failing. He explained that the current findings for the intersection reflected a C for eastbound during the am hours and an F during the pm hours. For westbound, it was a C for am and C for pm. He explained that the crash history indicated a total of 14 crashes of which, 7 were property damage only and 7 with injuries, 2 were serious and no fatalities were reported. He added that the most common crash was at the angle-end which composed 71% of the crashes.

The following section was the signal warrant analysis. No warrants were met for the need for a traffic signal. The next finding/option was information if the Town chose to leave the intersection as is. If the Town chose to take no action, in the year 2027 the am grade would reflect a D, for Rockwood and a C for Crabapple Lane.

For pm, they reflected an F on Rockwood and a C for Crabapple. In the design year of 2047, the study reflected an F for am and pm on Rockwood and a D and E for Crabapple Lane. He stated that the study indicated other alternatives. The most cost-effective would be an all-stop which reflected B and C gradings in 2027. The design year of 2047 reflected a D for am and F for pm. Another alternative would be a single-lane roundabout with an A for the entire life. An R-Cut rating would be a B in the opening year in the am and a B in the pm. The design year would be B's for am and CB for pm. The turn-lane alternative would be worse than a stop sign.

He stated that the best solution at this time would be the all-way stop. He shared a map and explained that it was only a design. It was to be controlled by LED-illuminated stop signs and rumble strips, and WB-1 Stop-Ahead signs.

They also recommended shoulder trimming and pruning, and roadway shoulders. In the southwest quadrant, traffic stripping was required. This method would be the most cost-effective. Closer to 2047 the intersection grading would begin degrading. At that point, we could look at installing a roundabout or R-Cut.

Council Member Campbell clarified that POND indicated rumble strips. Mr. Langford stated yes, and he would recommend they would not be placed along Rockwood Road and Crabapple Lane. Crabapple Lane has had a stop sign for a long time and the railroad tracks on Rockwood Road slowed cars before the intersection. Council Member Campbell then asked Mr. Langford if he could explain where the R-Cut would be placed if needed in the future. Mr. Langford stated that the lanes would need to be moved outward because they required a median. He believed the Town-owned an 80 ft. right of way along Senoia Road. It would also need a U-Turn area. Council Member Campbell inquired about the capability large trucks would have, maneuvering through that design. Both gentlemen agreed that it was not the best solution. Council Member Campbell stated that he liked the recommended design and that the speed limit still needed to be dropped on all roads. Mr. Langford reminded Council that a speed study was not performed, and clarified that a stop sign was not designed to slow drivers down. Mayor Dial agreed about having no rumble strips on Crabapple Lane and Rockwood Road. He voiced his concern regarding drivers heading north on Senoia Road, it appeared that they would not have a clear line of sight for the drivers coming from Crabapple Lane. He clarified that he did understand that the map was only a design. Mayor Dial compared the intersection line of sight to that of Castlewood Road and Senoia Road. The stop bar on Castlewood Road was set too far back. Mr. Langford assured them that he would make sure moving forward that the line of sight would be clear.

Mr. Langford stated that he would communicate with POND and have an estimated cost of construction by the next Council meeting. The purpose of tonight was to gauge Council's thoughts on the preliminary design before moving forward with the next phase.

A motion was made to proceed with the study's recommendation for the intersections of Crabapple Lane, Senoia Road, and Rockwood Road.

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

XI. 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.*

XII. STAFF COMMENTS

Mr. Perkins began a discussion regarding the large evergreen tree in front of the museum. He stated that Mr. Bowman shared his concerns regarding the size and the possibility of a future hindrance with sewer lines. He added, that type of tree did not look good when trimmed. He asked for their thoughts regarding leaving it be or placing it in the budget to have it removed.

Council Member Campbell shared that he understood that the tree had been there for a long time but that it had become so large and could be an issue for sewer lines. He added that he would also remove the tree in front of the former police station. Council Member Hill suggested trimming the tree. Mr. Perkins reiterated that the tree would not trim well. Mr. Perkins suggested that if the tree were to be removed, more could be planted along Senoia Road. This would be in line with the LCI plan. Mr. Langford shared from the audience that there was also a brown, dead spot in the top of the tree. Mayor Dial shared that this should be a decision made by the Public Works Department. Mr. Perkins agreed but added that he understood the importance of the location of the tree, being as old as it was and in front of the museum. Council Member Howard shared that some individuals had expressed their concerns regarding keeping the tree. She added that she had assessed the tree and believed that it should be removed. Council Member Furr added that there was a similar situation with an older tree located too close to the recreation center and added that it should be removed. She agreed that the tree at the former police station needed to be removed and added that there were things that the Town could do to beautify the areas after their removal. Mr. Langford stated that he would ask staff if they could remove the tree before seeking contractors. Mr. Perkins shared that if staff could not, it would be placed in the budget.

XIII. COUNCIL COMMENTS

Mayor Dial stated that he asked Chief Mundy if his department had any equipment that was beyond their use such as Kevlar vests. He shared that the department was about to surplus 10 vests. He asked Chief Mundy if he would consider sending them to Ukraine. Mayor Dial added that Chief Mundy had just received an email from the Georgia Association of Chiefs of Police regarding this. He assured everyone that the vests were still operable. It was too early for a vote due to logistics, he asked Council for their input. All agreed that it would be a good idea. Ms. Beach clarified that the vests were initially purchased with Federal Drug Funds and that aspect needed to be researched.

She added that a possibility would be to reimburse that fund from the pooled cash fund. Mayor Dial stated that was one reason why Council should not vote on the item just yet.

XIV. EXECUTIVE SESSION

A motion was made to approve the Executive Session minutes from February 17, 2022.

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

XV. 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 7:58 pm.

By: _____
Eric Dial, Mayor

Attest: _____
Dee Baker, Town Clerk