

TYRONE TOWN COUNCIL MEETING -REVISED

MINUTES

July 21, 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

Also present:

Lieutenant Philip Nelson

Finance Manager, Sandy Beach

Court Clerk, April Spradlin

I. CALL TO ORDER

II. INVOCATION

III. 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

A motion was made to approve the agenda.

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 minutes from June 29, 2022.
2. Consideration to renew the Towing agreement with Embrey's Towing, Inc.
3. Consideration to renew a contract with Aabby Group for Right-of-Way mowing.
4. Consideration to Approve the Fertilization and Weed Control Contract renewal to TruGreen for FY 22/23.

5. Approval of updates to the Town's Procurement Procedures to include language recognizing the Assistant Town Manager position.
6. Consideration to approve classifying miscellaneous police equipment as surplus so that it can be properly disposed of.

A motion was made to approve the consent agenda.

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

VII. PRESENTATIONS

VIII. PUBLIC HEARINGS

IX. OLD BUSINESS

7. Consideration to adopt a fee schedule for Town Code Enforcement Violations.
Katherine Crouch, Permit & Compliance Specialist | Phillip Trocquet

Ms. Crouch shared Town Council's desire to revisit the item from its original presentation on June 16th, to have more background information on each code enforcement violation and its associated provisions in the ordinance. She added that a fee schedule was needed to ensure that code violations were fined consistently across the board. Ordinance sections would refer to the document instead of listing specific fees within the ordinance. Mr. Trocquet added that it was staff's recommendation to move forward with approval of the fee schedule and then revisit the individual ordinances at a workshop in the future.

A motion was made to adopt the fee schedule for the Town code enforcement violations as presented.

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

X. NEW BUSINESS

8. Consideration of the adoption of a new ordinance regulating Tourist Accommodations.
Brandon Perkins, Town Manager

Tyrone currently had approximately 16 short-term rentals listed within the town limits. These were properties that were listed on websites such as Airbnb and Vrbo. He added that they were properties listed for less than a 30-day rental. He added that those types of properties were currently not regulated within the Town and needed a process for registration. Inspections were also needed for safety and to ensure that the septic system could withhold the number of visitors to that property. The process would also ensure that the allotted number of people would be regulated and no home would become a "party house". He reminded everyone of one short-term rental property that had a large number of complaints due to the pool and the large number of people that gathered for parties.

The process would help regulate those issues and only attract serious short-term property owners. The ordinance would require property owners to register with Ms. Baker as a business and continue the process through the Town Manager's office for Fire Marshal inspections, the Building Department, and Environmental Health inspections for the septic system. This would also regulate the number of people staying on the property or hosting parties. This would also give the Town the ability, if necessary, to revoke the permit or not renew it the following year. This would be similar to renewing an alcohol license each year. If there were incidents involving alcohol, the Police Chief would notify staff if there was a problem. We then could deny renewal.

Mr. Perkins thanked Mr. Davenport and his team for reviewing all of the details of the ordinance. He shared that several actions had been taken to move forward such as that ordinance and the Hotel/Motel tax ordinance. The company that managed Airbnb and Vrbo's excise taxes finally contacted staff and acknowledged that the Town had a system that would soon commence for reporting. Council Member Campbell inquired if staff would manage those taxes. Mr. Perkins stated that the short-term rental companies had large firms that handled the payment of taxes. Council Member Howard asked if the first-year inspection was their only inspection. Mr. Perkins stated that yes, they do have an annual renewal, but only one set of inspections.

Mayor Dial clarified that the ordinances were being adopted all over the country. Municipalities were adopting short-term rental ordinances and party-house ordinances. He asked if the Town's ordinance was a hybrid of both? Mr. Perkins stated that the Town's ordinance was specifically a short-term rental ordinance with the provision that limits the number of people for beds in the home. It also prevented special events and functions. Mayor Dial shared his concern for the training of the Police Officers as they would be answering the complaint calls. Mr. Perkins ensured everyone that the officers would be trained on the ordinance once it was approved. The website was near completion for implementation. Staff would also be reaching out by sending letters to the current short-term rental property owners informing them of the procedures that would be in place. He added that the entire process would not happen overnight, he gave it 30-days.

Mayor Dial asked what other county municipalities were adopting similar ordinances? Mr. Davenport shared that he knew that Fayette County had something similar in place, Peachtree City had discussed it. Mr. Perkins shared that Fayetteville currently did not have anything in place.

A motion was made to adopt Ordinance number 2022-04 which regulates Tourist Accommodations.

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

9. Approval of a fee for the registration of Tourist Accommodations.
Brandon Perkins, Town Manager

Mr. Perkins stated that Sec. 22-663, Paragraph (b) of the Tourist Accommodation ordinance required the applicant to pay a fee as part of the registration process. The language in the ordinance stated that said fee would be adopted by the Mayor and Council. He added that staff proposed a fee of \$100.00.

Council Member Campbell asked if the fee would be paid to the organization mentioned earlier. Mr. Perkins clarified that the fee would be paid directly to the Town. He added that when a renter visits the Airbnb website and they rent a room in Tyrone, that platform is responsible for collecting the 3% tax.

A motion was made to approve setting the Tourist Accommodation Permit application fee at \$100.00.

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

10. Consideration to approve a Disclosure of Possible Conflict of Interest Letter from the Law Office of McNally, Fox, Grant & Davenport for the Sewer Billing Services Agreement.

Dennis Davenport, Attorney

Mr. Davenport shared that Fayette County Water managed billing for the Town for water and sewer usage. He added that the County wished to increase its rates from \$1.62 per customer to \$1.87 which required an agreement. He reminded Council that his firm represented both Fayette County and Tyrone which also required consideration to approve a letter of conflict of interest. He added that he felt that his firm could represent both clients adequately in the matter of the agreement. He deferred to Council for their vote.

A motion was made to approve the Conflict of Interest Sewer Billing letter.

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

11. Consideration of the approval of a new Sewer Billing Services Agreement between the Town of Tyrone and Fayette County. **Brandon Perkins, Town Manager**

Mr. Perkins informed Council that Fayette County's Water Department provided sewer billing for the Town for all of its sewer customers under a written agreement. The current agreement was approved in 2014. Late last month, the County sent a letter determining the need for an increase in the amount it billed the Town per customer each month from \$1.62 to \$1.87 to cover the increasing cost of performing the service. Consequently, the approval of a new Billing Service Agreement was necessary to move forward with the new rate. He then recommended approval of the agreement for the increase.

A motion was made to approve the new Sewer Service Billing Agreement between the Town and the Fayette County Water Department.

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

12. Consideration to approve Transportation Engineering Task Order 2 Rockwood-Crabapple-Senoia Design Phase to POND. Project Number PW-2021-13-02.

Scott Langford, Town Engineer / Public Works Director

Mr. Trocquet stated that upon approval of the budget for FY21/22, the Rockwood/Crabapple/Senoia Intersection Study was completed. The project was Task Order 2 of the 2021 Transportation Engineer Service Contract with POND, Inc. The next phase of the project would be to complete the design work so construction could begin. The funding for the project would come from the 2017 SPLOST. Mr. Trocquet shared that the study was to evaluate if a 4-way stop at that location was warranted. The study came back with a necessary need. POND's quote was for the civil engineering design. He then shared a diagram that suggested stripping along Rockwood Road, LED-lit stop signs, and rumble strips along Senoia Road. He added that staff recommended approval of the Task Order.

Council Member Campbell inquired about the rumble strips. Mr. Trocquet explained that the plan was only a conceptual design. He added that for instance, there had been a stop sign on Crabapple for some time. However, along Senoia Road, drivers had not experienced a stop sign so rumble strips would be needed. Council Member Howard stated that there were also residents who lived on Senoia Road, and the rumble strips could also affect them. Mr. Trocquet shared that there may still be one resident along that section but most of the homes were used as commercial. Mayor Dial also showed concern regarding the Crabapple rumble strips. He brought attention to the line of sight on Crabapple, please make sure folks can see right and left with the new stop bar, at least 50 yards. Mr. Trocquet agreed and added that there was a berm and vegetation, the design would improve that line of sight.

Council Member Howard mentioned the unhappy citizens on Farr Road due to the improved rumble strips. Mr. Perkins stated that he did agree with the placement of rumble strips on Senoia Road but after speaking with Mr. Langford, they would be useless on Crabapple due to the stop sign being located there for so long, that travelers were used to it. Council Member Furr shared that according to the rendering, Crabapple and Rockwood Roads seemed out of line. She asked if that would be an issue. Mr. Perkins stated that part of the engineered design would offer a turning radius adjustment with a stop bar. The design would also ensure the implementation of a proper 4-way stop without a completely new realignment. Mr. Trocquet stated that a 4-way stop would ensure a line of sight. Council Member Furr shared her hesitation due to motorists still not paying attention to the implemented safety features at the Castlewood/Senoia Road 3-way stop. Mr. Perkins agreed that the intersection could have been engineered better. That intersection was land-locked; however, minor improvements could still be made.

Council Member Hill recalled discussions regarding devices to slow traffic in the area near the new Montessori school. Mr. Perkins stated that to reduce the speed in that area, an engineering and traffic study had to be performed. He added that it was the beginning of a budget year and that item was not listed. Council Member Hill posed that it was a school and the speed should be reduced in that area. Mr. Trocquet clarified that the school was classified as a daycare and they had different hours and attendance than a regular school. It did not meet the qualifications of a regular school. He added that perhaps Children at Play signs could be placed along the route. He would research further and if it did qualify, additional signage could be placed. Bottle necking was then discussed. Mr. Trocquet shared on the map that it was approximately ½ mile to the 4-way stop and should not be an issue.

A motion was made to award the Transportation Engineer Service Task Order 2: Rockwood/Crabapple/Senoia Intersection Design Phase. Project No: PW-2022-13-02 to POND, Inc. for the fee not to exceed \$20,861.

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

April Spradlin shared that her department along with the police department had their audit in June, from the Georgia Crime Information Center (GCIC). Both complied and it went very well. She also congratulated Tyrone Solicitor, Amy Godfrey for being awarded the State of Georgia Assistant Solicitor of The Year. She added that she was a huge part of their team, a great asset.

Mr. Trocquet informed Council that a property owner approached him for deannexing his property from Tyrone to Peachtree City. He added that the property was on the far south end of Tyrone along Senoia Road, a portion was located in Tyrone and a small portion was located within Peachtree City. He displayed the property indicating that it also straddled the railroad tracks. It was landlocked in Peachtree City but the access would be in Tyrone. He shared that the property owner reached out to see if the Town would be willing to go through the deannexation process at the expense of the property owner. Council Member Campbell asked if the property was vacant? Mr. Trocquet stated that there was nothing on the property. Council Member Campbell asked if Peachtree City had approached the Town? Mr. Trocquet shared that it was entirely a push from the property owner. The property owner was asking if the Town would be willing to de-annex before going to Peachtree City. They would then have to be willing to accept the property. There would need to be a Memorandum of Understanding formed. Council Member Furr asked what the property was currently zoned. Mr. Trocquet stated that it was zoned C-1 Commercial. Mayor Dial shared that Peachtree City would probably zone it residential.

Mr. Trocquet added that it could become part of the Cresswind development. All agreed that there were no objections moving forward with the deannexation.

XIII. COUNCIL COMMENTS

Council Member Campbell thanked Mr. Perkins and Mr. Trocquet for their participation in the first Home Owners Association's (HOA), Talk of The Town, that was held at Town Hall that week. He added that it was good participation for the first meeting. The topics were good and everyone was pleased with how in-depth staff covered the items. A lot goes into running a town and most people do not know most of the challenges.

Mayor Dial thanked Public Work's employees, Mitch Bowman and Roderick Jones for showing up after hours to cut and move fallen trees in the Pendleton subdivision, due to the storm.

XIV. EXECUTIVE SESSION

XV. ADJOURNMENT

A motion was made to adjourn.

The meeting adjourned at 7:38 pm.

By: _____
Eric Dial, Mayor

Attest: _____
Dee Baker, Town Clerk