

TYRONE TOWN COUNCIL MEETING

MINUTES

March 16, 2023 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:

Chief Randy Mundy

Phillip Trocquet, Assistant Town Manager

Philip Nelson, Lieutenant

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 with the removal of the More Than Moonwalks agreement under consent.

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

Voting Yea: Council Member Hill, 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. Approval of the March 2, 2023 minutes.

A motion was made to approve the consent agenda.

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

Voting Yea: Council Member Campbell, Council Member Furr.

VII. PRESENTATIONS

VIII. PUBLIC HEARINGS

IX. OLD BUSINESS

X. NEW BUSINESS

2. Consideration to adopt changes to the Town's Code of Ordinances Sections 6-1 and 6-9 to include provisions regulating the restraint (tethering) of animals within the Town limits. - **Brandon Perkins, Town Manager**

Mr. Perkins explained that a resident contacted the Town during extreme cold weather in December 2022, regarding a dog that she had observed was tied up in a backyard. When researched, the address was just outside Town limits, in unincorporated Fayette County, Ellison Road. He added that it was a reminder that the Town's ordinance did not contain sufficient provisions regulating the tethering of animals. We do have a provision against cruelty, however.

Research also revealed that Peachtree City's Chief Moon had recently worked with Jerry Collins, with Fayette County Animal Control on adding tethering regulations to their ordinance. He added that Animal Control was planning to work with all Fayette cities on similar changes to create uniformity since they handled most of the enforcement. Mr. Perkins stated that Peachtree City adopted theirs in October and Fayette County made its changes on March 9, 2023.

Mr. Perkins stated that staff believed approval of the changes would give the Town the greater ability to ensure the safety of animals within the Town limits, which was close to Peachtree City's and that mirrored Fayette County's.

He read the definition in Section 2(b)(1), *No person shall tether, fasten, chain, tie or restrain an animal, or cause such retraining of an animal to a single point, tree, fence, post, doghouse, or other stationary object except as set forth in subparagraph (b)(2) and (b)(3) below.* He added that subsection (2) spoke of a cable trolley system and then read subsection (3) a. and b. *Exemptions. The following animals are exempt from the requirements contained herein: a. Animals that are in immediate attention of a responsible and competent person while still on their property and cannot come within 10 feet of any street, multi-use path or sidewalk; and b. Animals that are under the physical control of a professional who, for compensation, trains, conditions, shows, grooms or provides medical attention.* He added that the ordinance should assist with any cruelty and should help with safety for citizens in general. He reminded Council that a redline version was sent to them for their review.

A motion was made to adopt the changes to the Town Code of Ordinances Sections 6-1 and 6-9 to include provisions regulating the restraint (tethering) of animals within the Town limits.

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

3. Consideration to award project PW-2023-01, the 2023 Roadway Resurfacing project to Piedmont Paving Incorporated. **Scott Langford, Town Engineer / Public Works Director**

Mr. Langford stated that a continued effort was being made to improve the road conditions and safety for those who travel in and about the Town. This year's asphalt resurfacing project consisted of a base bid for Full-Depth Reclamation (FDR) and paving of the Tyrone Acres subdivision, Northwood Road, Lloyd Avenue, Lynwood Road, and Howell Road. He added that an alternate was also included for the improvements to the intersection of Senoia/Crabapple/Rockwood Roads. The project was advertised, and bids were received and read aloud on March 8, 2023. The low base bid was \$1,040,673.77. The bid alternate 1, was \$20,946.55. He shared that the total for the base bid and alternate 1 was \$1,061,620.32.

Mr. Langford stated that the project would be funded through LMIG funding and was within their budget, he recommended approval. He noted that the bid tabulation was included in their packets.

Council Member Campbell asked Mr. Langford to give a quick explanation of the bid alternate. Mr. Langford reminded Council that Task Order 2, consisted of a traffic study of the Senoia/Crabapple/Rockwood Roads intersection. The study warranted a 4-way stop. He explained that two new stop signs would be placed on Senoia Road which would be illuminated and flashing. Signs would also be erected indicating the new stop signs, to stop ahead. After six months' time, the warning signs would be removed. He also shared that the intersection would be improved by paving the right turn from Rockwood Road onto Senoia Road, leaving trucks more room for turning safely.

Council Member Campbell asked if the signs would be solar-powered. Mr. Langford stated that they would be. Council Member Furr asked for a breakdown of the funding. He stated that without his budget he could only give estimates. Through LMIG would be \$120,000 from the state with our match of 30%. He stated that through the general fund, paving money was budgeted and Task Order 2 had funding for three culverts on Northwood Road from the stormwater budget. He added that he would send a better breakdown.

Council Member Howard stated that she lived on Lynnwood Road and that she recalled work being performed not too long ago. She asked if it was already time to pave. Mr. Langford informed Council that Lynnwood had a Pavement Condition Index (PCI) number of 54, which was within the milling and matching category. He added that one reason it was added was that work would be performed on Howell Road, downtown. The cost to move equipment would be lower, which made more sense. Council Member Campbell asked if all streets on the list would acquire the full-depth reclamation (FDR). Mr. Langford stated that all but Lynnwood would require an FDR.

Mayor Dial stated that he was initially concerned about the angles within the Senoia/Crabapple/Rockwood Roads intersections. Mr. Langford explained that with the creation of a 4-way stop, a driver's line of site would be closer.

A motion was made to award project PW-2023-01, the 2023 Resurfacing project, to Piedmont Paving Inc. in the total sum of \$1,061,620.32 for the Base Bid and Bid Alternate 1.

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

Valleywood Road resident, Bill Whalen shared his concern regarding citizens no longer begin able to drop packages in an outside drop box at the Tyrone Post Office. He asked if this was a federal issue or Tyrone's. He shared that it was inconvenient. Mr. Perkins stated that the operations of the post office were under federal guidance, not the Towns. Mayor Dial agreed that it was inconvenient.

XII. STAFF COMMENTS

Mr. Perkins updated Council on the Redwine Park Pickleball courts. He stated that he would begin with the bad news. About 30-40 years ago before the Town owned the property, concrete was dumped in that area, making grading difficult and options were discussed on how Council wished to move forward. He added that the engineers on the project, Keck and Wood had brought in a geotechnical engineer to assess the options. They also met with the main contractor, Headley Construction, and Mr. Langford.

Mr. Perkins shared the two options. Option 1 would be to remove the concrete down to the required grade in the current plans, then add 8 inches of a Grated Aggregate Base (GAB) to the current design. This would result in needing to slightly modify the plans, but it should not be too intensive on Keck and Wood's end. Option 2 would be to leave the concrete in place and raise the grade as needed. That option was more expensive due to the amount of material needed to be imported to make up the increased elevations.

Mr. Perkins shared the cost estimates for each option from the engineers. The contractor would then take the options to see if they could deliver service according to the estimates. Option 1 would be an estimated \$93,199.70, including a 10% contingency. Option 2 would be \$115,199.70 including a 10% contingency. He listed four assumptions from the engineer. Assumption 1, for Option 2, the exact amount of suitable fill required was unknown. 12 inches was used for the estimate. Assumption 2, for Option 2, the ramp would likely need to be relocated to the southern entrance to allow for ADA access. That would result in additional storm inlets and pipes.

Assumption 3, all costs were estimated using the costs from the original base bid and/or prices received from the contractor. Assumption 4, the cost of the handrail was an assumption based on similar projects.

Mr. Perkins then shared the good news. He stated that although not an ideal situation, funding was available. Some projects came in under budget, and there was also ARPA funding, which he would explain in detail at the Annual Planning Workshop on Tuesday. He added that the completion date of the courts would be moved due to that issue and the weather. No work could commence until more information was forwarded to him, then passed on to Council for approval.

Council Member Howard asked Mr. Langford to explain what work the contractors were doing on the pond located at Dorthia Redwine Park. Mr. Langford spoke from the staff table (low audio). He compared the pond and the increased pervious surface to a bathtub. Increasing the size of the pond, would slow the runoff with little to no overflow. Council Member Furr asked if the pond would ever become full. Mr. Langford stated that the pond would be designed to withstand a 100-year flood.

Mr. Perkins shared that 14 pews were surplus, and placed on GovDeals.com for auction and 7 were sold. He would relist the remaining 7 soon.

Mr. Perkins stated that tonight's item on tethering was a good example of citizens offering constructive information. It was a good example that staff did listen. He reiterated that if citizens had a concern, it may not always be turned around in such a timely manner but, we do listen. Many times, citizens call and staff satisfies their issues, answer their questions, or instigates change.

Council Member Furr asked for the status of the access road, and ingress/egress to the Shamrock Industrial Park. Mr. Perkins stated currently there was a building moratorium in Shamrock Industrial Park. A couple of years ago, Mr. Scott Moore, the property owner of 14 acres in the industrial park wanted the building moratorium lifted. Council made the decision to have Mr. Moore seek assistance from his surrounding business owners for an additional road, collectively. That was before the Town acquired a strip of land from Peachtree City. The Town and Mr. Moore kept in contact for a little while. Just recently he came to the Town with answers from his fellow business neighbors. The answer was unanimous, no, they did not wish to help.

Mr. Perkins stated that the Town did not have a permanent road for access. The easement that was acquired was a grassy area between to Peachtree City homes in the Cresswind subdivision, backing up to a wooded area. Peachtree City granted the access with no curb cut, so emergency vehicles would be essentially driving across their lawns. When wet, it would become an issue but doable. He added that the property was the Towns along with an easement. Business owners in that area were asked to assist with the facilitation of the egress, to which they said no. The project had fallen back on the Town moving forward. Recently, Mr. Moore shared that he had a buyer for his 14 acres. Mr. Moore asked what it would take for Council to revisit their conversation from two years ago. Mr. Perkins told Mr. Moore that he should begin by completing everything they had initially requested.

Mr. Perkins added that his concern was that there had been a couple of Fire Chief changes since their involvement. He wished to speak with Fire Marshal, Captain Piper, and Fire Chief Hill to see where they stood on the issue. He added that after speaking

with them and getting approval, he would then suggest acquiring a price for turning the strip into a dirt path and gate. He stated that public works and public safety would have keys to the gate in case of an emergency. That would give Council the ability to perhaps finally lift the moratorium.

Council Member Campbell clarified that there would be a cost to lay gravel up to the grassy knoll at the end of Town property. Mayor Dial mentioned his concerns for the two Peachtree City residents that may not be aware of the emergency cut-through. Council Member Furr asked if a chain could be placed as a deterrent. Mr. Perkins stated that because the Town only owned a portion of the easement, we would not be able to place the chain, due to a portion belonging to the HOA. The HOA could place a gate on that portion.

Mr. Perkins informed Council that he wanted it to be clear when the train was blocking the tracks, this would not be a way to get around, it would only be for emergency purposes only. The use would be extremely minimal. Council Member Furr asked if the Town had any control over the trails. Mr. Perkins stated that no, the Town had no control over the railroad. He mentioned a supreme court case currently being heard in Kansas by a municipality. The trains fall under the federal government. Council Member Hill inquired about a train schedule. Mr. Perkins stated that it constantly changed, due to their schedules. Also, by them keeping an irregular schedule could also be a safety element.

XIII. COUNCIL COMMENTS

Council Member Campbell thanked Mr. Langford and any staff that was involved in bringing electricity to the Highway 74 Town marquees on the north and south ends of town.

Mayor Dial recognized Planning Commission Vice Chairman, Dia Hunter that was in attendance, he added that being a Planning Commissioner was a thankless job and that Council appreciated them.

XIV. EXECUTIVE SESSION

A motion was made to move into Executive Session to review the March 2, 2023, Executive Session minutes.

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

A motion to reconvene was made.

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

A motion to approve the Executive Session minutes from March 2, 2023, was made.

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 7:45 pm.

By: _____
Eric Dial, Mayor

Attest: _____
Dee Baker, Town Clerk