

# TYRONE TOWN COUNCIL MEETING

## MINUTES

June 15, 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

Council Member Furr was absent

Also present:

Randy Mundy, Police Chief

### I. CALL TO ORDER

### II. INVOCATION

### III. PLEDGE OF ALLEGIANCE

### IV. PUBLIC COMMENTS: *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.*

Dia Hunter who lives on O'Connell Street asked Council to consider creating a new position for a marketing director in the next budget. Surrounding cities have this position and they could be shared between Town departments. This would take the burden off the current staff.

Edward Ray who lives on Castlewood Road stated that there was a dog next door to him that was out day and night, in the rain and cold with no water. The dog was attached to a fence with a 5 ft. rope, it's inhumane. He added that he called animal control and they said they could do nothing but site them, and site them again. He also called the realtor that owned the property to say that they were abusing dogs. The realtor shared that no one should be in the house and that they were squatters. Mr. Ray then brought the issue to the police department and they said that the residents paid someone \$6,000 and that they were not squatters. He added that the process should be easy to find out who was on your property and who paid who, following the money trail. He shared that there were 3 pit bulls that were tethered. Someone should be able to do something about it. The police said that they could be taken to court but that would take a long time. He added that Mayors in other cities claim that their city was a sanctuary city which would make what they were doing illegal. These Mayors then made up their own laws which were not conducive to other citizens. Criminals have more rights than law-abiding citizens. Mr. Ray stated that Tyrone's elected officials needed to take their grievances to Governor Kemp and tell him to change the laws or just say, "I'm the Mayor and this is what I'm going to do".

Mayor Dial stated that the Town recently passed a tethering ordinance.

Mr. Bob Boeschenstein who lives on Ashland Trail spoke next regarding the same rental property. He stated that 3 houses from the Mayor's house were squatters with barking dogs. He shared that he called the police 6 times and also the humane society. He added that there used to be 3 pit bulls, but now there were only 2. One was buried in the backyard and stated that the police officer said that the citizen informed them that the gas company dug the hole. Why would they dig 1,000 ft. away? There was a grave, Mr. Boeschenstein smelled the odor. He had pictures of 1 dog tethered and choking itself. He added, who would have known that something like that would happen in our Town. Council needed to know about it and to pass laws and to make sure that they were upheld. On a separate issue, Mr. Boeschenstein shared that the Chief of Police was unaware that a rapper moved in on Ashland Trail and that they hosted a party with 50-60 vehicles that were illegally parked on the street. He stated that Friday night at 9:00 pm, you could hear every word that was said, and that Saturday, they hosted another party. He stated that he called the police and it quieted down. Saturday's party ended at 8:00 pm. He stated that Mayor and Council needed to know who was moving into Tyrone and what was going on. He stated that the homeowner had a commercial bathroom and golf carts were chauffeuring people back and forth, it was well organized. How many times would he do this? Did he get a permit? The homeowner also had made many improvements, did he have a permit for those? He shared that he had not seen a police car in his subdivision in weeks, night or day. He added that Mayor and Council needed to know what was going on, not sitting behind a desk all the time, they needed to ride around.

## **V. APPROVAL OF AGENDA**

A motion was made to approve the agenda.

Motion made by Council Member Campbell, Seconded by Council Member Howard.  
Voting Yea: 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. Approval of the June 1, 2023 minutes.
2. Approval of Debeer Properties LLC's Stormwater Management Operations and Maintenance Agreement with the Town of Tyrone subject to receipt of missing documents prepared to staff's satisfaction. **Devon Boullion, Environmental Specialist**
3. Approval of the free Church of Christ event open to the public at Shamrock Park on June 17, 2023, from 8 am - 5 pm.

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.

## VII. PRESENTATIONS

## VIII. PUBLIC HEARINGS

## IX. OLD BUSINESS

4. Consideration to adopt the FY 2023/2024 Town of Tyrone Budget.

Ms. Beach informed everyone that a budget workshop was held on May 18<sup>th</sup>, and the public hearing was held on June 1<sup>st</sup>. No changes had been made since then. She recommended approval of the Fiscal Year 2023/2024 Budget beginning July 1<sup>st</sup>. The General Fund totaled \$17,566,991.38, and the Other Miscellaneous Funds Budget totaled \$6,086,142.40.

A motion was made to adopt the Fiscal Year 2023/2024 Town of Tyrone Budget.

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

5. Consideration to approve Change Order 2 for the 2022 Dorothea Redwine Park Phase One (Pickleball Courts) project number PW-2022-12. **Scott Langford, Town Engineer / Public Works Director**

Mr. Langford stated that construction started on the project and the contractor encountered an unforeseen condition of a large amount of concrete below the ball field surface. The Town approved Change Order Number 1 dated April 6, 2023 to remove the concrete and soil to the new court level. Additional unsuitable soils were encountered that required removal and additional fill material. The cost of that additional work was \$17,094.91. He recommended approval and that funding for the project would come from the 2017 SPLOST.

Council Member Campbell asked if Mr. Langford predicted any further issues. Mr. Langford stated that the project should gain momentum now after the rain, paving should take place this week. Council Member Campbell inquired about the base for the lounge area with the canopy. Mr. Langford stated that the section was part of Phase 1 and should be completed soon.

Council Member Hill asked why the soil was unsuitable. Mr. Langford explained that when it rains for a long period, the soil could acquire a plastic texture with a high index of shrinking and swelling, which could cause cracking in the pavement.

A motion was made to approve the 2022 Dorothea Redwine Park Phase 1 Pickleball Courts Change Order 2 for \$17,094.91.

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

6. Consideration to approve Change Order 1 for project PW-2023-01, the 2023 Roadway Resurfacing project to Piedmont Paving Incorporated. **Scott Langford, Town Engineer / Public Works Director**

Mr. Langford shared that in continuing efforts, the Town had been improving road conditions and safety for those who travel in and about the town. This year's asphalt resurfacing project was bid to resurface several roads in Town. The resurfacing required striping work to be performed. He reminded Council that early that year he came to them with an IGA with the County for crack sealing on Crestwood Road from Senoia Road to McDade. The purpose was to seal and then stripe. He wished to add the striping on another bid because the contractor already had striping in the agreement. He stated that Crestwood was approximately 3,478 centerline feet. The cost for a double yellow centerline, white edge stripes, 5 stop bars, and centerline reflective pavement markers was \$19,450.20. During construction, they also encountered unsuitable soils where they were replacing the culvert under the cul-de-sac of Northwood Road. He stated that the removal of soils and backfilling with #57 stone was 100 tons at a price of \$6,500. In addition, they also added 3 tons of Type 3 riprap at a cost of \$950 to protect from erosion at the new headwall. The cost of the items was originally going to come out of the project's Special Allowance, but since we are wanting to add the striping for Crestwood, we decided to put it all into Change Order 1. He added that the funding would come from the General Fund which was already budgeted. The total for Change Order 1, was \$26,900.20, he recommended approval.

Council Member Campbell clarified that it was two separate locations. Mr. Langford stated that yes, on Crestwood Road, from Senoia Road to McDade was .63 miles.

A motion was made to approve Change Order 1 to project PW-2023-01, the Roadway Resurfacing project, to Piedmont Paving Inc. for \$26,900.20.

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

## **X. NEW BUSINESS**

7. Consideration to approve Resolution 2023-07 for the purchase of 969 Senoia Road in the amount of \$340,000.

Mr. Davenport explained that the Town entered into a purchase and sale agreement for the property at 969 Senoia Road. As part of the closing, the closing attorney requested a resolution from the Town stating that the Town authorized the purchase of the property. He added that if Council approved, it would be presented to the closing attorney so they could check it off their list of closing documents.

A motion was made to approve Resolution 2023-07 for the purchase of 969 Senoia Road in the amount of \$340,000.

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

8. Consideration to approve the plans for Project Number PW-2023-02 Senoia Road - Spencer Road Multi-Use Path. **Scott Langford, Town Engineer / Public Works Director**

Mr. Langford explained that at the off-ramp onto Senoia Road from Hwy 74 was a wire fence separating the GDOT right-of-way and the property owner's property line. He mapped out that the multi-use cart path would begin at the bottom of the ramp and travel up the ramp along the property line to reach the top near the Publix shopping center parking lot nearest to Spencer Road connecting to the share-the-road route on Spencer. This would allow citizens to travel to Publix without crossing Hwy 74 coming from Farr Road, Handley Road, and Tyrone Road (Tyrone Road cart path system). Mr. Langford explained that the design was 90% complete and the project was ready to start the land acquisition phase. We have discussed the layout with the landowner (single owner) and they were very pleased with the layout. It would be a 14 ft. path along the easement. The total land acquisition was approximately 0.8 acres. He added that the plan approval was needed for staff and legal counsel to move forward with the land acquisition phase and then into bids. He recommended approval.

Council Member Campbell clarified that the completion of the project would give Southampton students a better way to get to Sandy Creek High School. Mr. Langford stated that yes, eventually that would happen. He added that the section near the school was also owned by the same property owner.

Mayor Dial asked for an approximate completion date. Mr. Langford explained the entire process and added that it would be around 5-6 months. Mayor Dial hoped that it would be before the cold weather. Mr. Langford stated that he would hope for good weather to speed up the project and mentioned the streetscaping and street-crossing projects that would be happening at the same time. One of the street crossings would be at the ramp and Senoia Road which would be a brick crosswalk and would have a beacon and flashing lights. He clarified that the crossing button was only for pedestrians and cyclists, not for golf carts.

Council Member Campbell asked if it would be similar to the Tyrone Road/Farr Road crossing, and he asked for clarification. Mr. Langford stated that yes, they would be similar and golf carts would be able to cross there, however, they were not allowed to push the crossing button that would trigger the flashing lights and countdown. Mr. Trocquet clarified further that there would be a sign that says for pedestrian use only, golf carts must yield to traffic. This was all for the preservation of pedestrian traffic.

Mayor Dial noted that the area between Tyrone Road and Palmetto was not a well-lit area. Mr. Trocquet shared that at each crossing, there would be additional lighting. He added that the property acquisition would be fairly simple due to only one property owner.

Council Member Campbell shared his concerns with all of the truck traffic along Senoia Road and a lot of the students would be utilizing the path to get to school.

Council Member Howard inquired about all of the trees lining the route. Mr. Langford stated that most of the trees were within the GDOT right-of-way and would be removed.

Council Member Campbell inquired about the cost of the path. Mr. Langford stated that it would be approximately \$400,000 - \$500,000.

A motion was made to approve the plans for the PW-2023-02 Senoia Road Spencer Road Multi-Use Path and move into the land acquisition phase of the project.

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

**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.*

Mr. Brian Haynie who lives on Rollingbrook Trail inquired about the plans for the newly acquired 969 Tyrone Road. Mayor Dial reminded everyone that public comments were not meant for back-and-forth discussions. He invited anyone that wished to speak to Council about any item including the property to meet with them after the meeting.

**XII. STAFF COMMENTS**

Chief Mundy addressed Mr. Boeschentien's concerns. He shared that Lt. Nelson responded to that particular residence and learned that the current residents lease the property from fraudulent leasers. The property owner had begun the eviction process.

Chief Mundy responded to the comments regarding the party on Ashland Trail. He stated that by the time Sgt. West arrived, the music was turned down, with no further problems, and the vehicles were all parked legally. There was no permit required for parties.

Mayor Dial began a discussion regarding squatters. He asked what the timeframe was normally to evict someone. Chief Mundy stated that it was 30-45 days if contested, much longer. Mayor Dial claimed that it was the first time he had heard the word squatter in Tyrone since he had been in office. He asked Chief Mundy how could the Town be on the lookout for something like that, how do you know? Chief Mundy shared that unfortunately, no one knows. It would be the property owner's responsibility to keep up. Once the squatters have their utilities turned on in their names it would be too late. They need to watch their lockboxes. Again, it was up to the property owners to watch their properties.

Council Member Hill reminded everyone regarding the dogs being tethered, the Town recently passed an ordinance against tethering. She asked if neighbors should call animal control or the police first. Chief Mundy stated that either way, the police would call animal control. He clarified that the ordinance stated that animals could not be tethered. They could be attached to a trolley system but only for a short time. He added that if anyone sees something to please call the police.

Mayor Dial asked if these folks were cited, and 30 days cited again, was there any way around that? Chief Munday stated that if his officers were called out and it happened again the next day or within the next couple of hours, call them again. Mayor Dial stated that we need more teeth and asked for Mr. Davenport's opinion. Mr. Davenport stated that the ordinance called for no tethering between 10:00 am – 6:00 pm, if they were in violation, issue a citation. If they were still in violation issue another. When the item is taken to court, the judge would see all of those violations and bring down the hammer. Chief Mundy also added that the animal may also be ceased. Council Member Campbell asked how long would that go on. Mr. Davenport stated that if it continued, it would be a cruelty to animal charge, the animal would not be safe and would be ceased. Mayor Dial encouraged the citizens to call the police.

Ms. Beach announced that the Town had an ongoing tax issue with A.D.P and gave Ms. Smith a Shout-Out for her persistence and eventually, through her actions the issue was resolved. She was able to convince the Department of Revenue to waive the fees, saving the Town (A.D.P.) \$8,300.

Mayor Dial opened a conversation regarding Devon Boullion's completion of her annual E.P.D. report. Mr. Trocquet shared that her report was the equivalent to the 5-year Comprehensive Plan but she had to complete this each year. He added that the report was very detailed and required many months and hours to complete. Ms. Boullion was very dedicated and detailed. She submits the report and E.P.D. would submit comments that needed to be addressed. All of this was complete. Mr. Langford added that every five years the report added changes to the report, this year was that fifth year which made it tougher on her, and she did a stellar job. Mayor Dial added that he wanted Council to know that she did pass the finish line and to please let her know that we appreciated her hard work.

### **XIII. COUNCIL COMMENTS**

Council Member Howard began a conversation regarding the reopening of the Tyrone Post Office. She realized that the outcome was not up to the local authority, however, could we reach out to any State or Federal Representatives regarding the issue? Mayor Dial shared that the Town reached out to the citizens on May 9<sup>th</sup> regarding the landlord of the property. On May 30<sup>th</sup> the Town should have received notice that the building was inhabitable. He quoted from a notice that was sent from the U.S.P.S., stating "...when the landlord repairs are completed the facility renovation assessment checklist (FRAC) would be scheduled to determine if the facility is safe for occupancy. If the FRAC passes, a final beneficial occupancy (FBO) letter will be issued to district leadership (postal service leadership), stating that the facility is safe to reoccupy. At that time, it would be up to the district to determine when the post office will resume normal operations."

Mayor Dial stated that from the email all we knew was that the building was to have been made inhabitable, however, the Town did not know how long the process would take nor did we know if the building was actually inhabitable. He stated that no one had heard from anyone from the postal service up to that point.

He added that the Peachtree City post office also knew nothing of the progress. He apologized and added that he wished they knew more and to not place merit on the May 30<sup>th</sup> date. He shared that the Congressman's office was contacted and that they had spoken with their legislative liaison. For them it was now a matter of communicating with the U.S.P.S.

Council Member Howard shared that the property owner was online and out of state. Mr. Trocquet stated that he would draft and send a certified letter inquiring about the nature of the condition of the building and where they were in the process and inviting a discussion. Mayor Dial said that he would sign the letter.

#### **XIV. EXECUTIVE SESSION**

#### **XV. ADJOURNMENT**

A motion was made to adjourn.

Motion made by Council Member Howard.

Voting Yea: Council Member Hill, Council Member Campbell.

The meeting adjourned at 7:55 pm.

By: \_\_\_\_\_  
Eric Dial, Mayor

Attest: \_\_\_\_\_  
Dee Baker, Town Clerk