

**Tyrone Town Council  
Meeting Minutes  
December 16, 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 Attorney, Dennis Davenport  
Town Engineer, David Jaeger  
Judge, Alisha Thompson  
Planning Commissioner, Scott Bousquet  
Town Clerk, Dee Baker  
Police Chief, Randy Mundy  
Certification Manager, Cayla Banks  
Town Planner, Phillip Trocquet  
Town Engineer / Public Works Director, Scott Langford  
Finance Manager, Sandy Beach  
Court Clerk, April Spradlin

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.

- 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.*

Council Meeting – Social Distancing/YouTube Live  
December 16, 2021

## V. APPROVAL OF AGENDA

A motion was made to approve the agenda.

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 re-appoint McNally, Fox, Grant and Davenport, P.C. as the Town Legal Counsel.
2. Consideration to designate Fayette County News as the Town of Tyrone's Legal Organ.
3. Consideration to approve the 2022 Holiday Schedule for office closures.
4. Consideration to approve the December 2, 2021, Council meeting minutes.

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

5. Oaths of Council: *Alisha Thompson, Municipal Judge*

Billy Campbell, Council Post 2 through December 31, 2025

Gloria Furr, Council Post 4 through December 31, 2025

Judge Thompson administered the oaths for the Council Members.

6. Consideration to re-appoint Scott Bousquet, and Dia Hunter to the Planning Commission. *Eric Dial, Mayor*

A motion was made to approve the Planning Commissioners.

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

Voting Yea: Council Member Howard, Council Member Hill.

Council Meeting – Social Distancing/YouTube Live  
December 16, 2021

Judge Thompson administered Commissioner Bousquet's oath.

7. The Town's Law Enforcement Recertification Award presented by the Georgia Association of Chiefs of Police. *Stoney Mathis, Fairburn Police Chief*

Chief Mundy shared that three years ago his team was certified by the Georgia Association of Chiefs of Police (GACP) placing them in the top tier of law enforcement agencies in Georgia. He added that the GACP sends representatives every three years for recertification. He thanked Officer Banks for her lead role in the agency's recertification. He introduced Chief Mathis as the third Vice President that would soon become the President of the GACP organization. Chief Mathis stated that he was humbled and it was a privilege to be there. He thanked Mayor Dial for leading the meeting with prayer and the pledge to the flag. He added that Chief Mundy was a long-time friend it was an honor for him to present the Town with a plaque of recognition and certificate of completion of a very rigorous process. He informed Council that receiving certification was difficult enough, recertification was a more difficult process. He added that less than 1% of agencies were certified in the state. The agency has to follow 139 standards of best practices. Issues that have happened around the nation should not happen in Tyrone due to the policies and standards that were currently being followed. He presented Officer Banks with a plaque from GACP, honoring her for her hard work, ensuring the Town met all standards. The second presentation was made to Chief Mundy, a plaque that was signed by the Governor and several Chiefs of Police that holds executive positions within the GACP. He ended by stating that he was very proud of Chief Mundy, Officer Banks, and the Town for completing the recertification.

Mayor Dial shared his respect for the degree of training the officers go through. The Town trained its officers 4-5-fold beyond what was required. He congratulated Officer Banks and stated that she ran a tight ship.

## VIII. PUBLIC HEARINGS

8. Consideration of a petition from applicant Richard Greenan for the rezoning of a 1.9-acre tract with parcel number 0727 090, from O-I (Office Institutional) to R-18. *Phillip Trocquet, Town Planner*

Mr. Trocquet informed Council that the applicant applied to rezone parcel # 0727 090 off O'Hara Drive just outside the Dublin Downs subdivision from O-I (Office) to R-18 (Residential 1800 square foot minimum home size). He added that it was a downzoning matching adjacent R-18 property. The parcel lied within the Commercial Corridor Character area.

Council Meeting – Social Distancing/YouTube Live  
December 16, 2021

A rezoning to residential for the property would require adjacent properties to incur a 75-foot buffer along the adjoining property line, although the same property owner owned all surrounding commercial properties and they were undeveloped, giving them flexibility on future construction. Mr. Greenan had applied for the same rezoning in November 2017, the property was not owned by the same person. With the new change, it would add more flexibility. He informed Council that Attorney Rick Lindsey was representing the applicant and he submitted a Consent to Rezone by the adjoining property owner. It stated that if the Town placed a 75-foot buffer on Mr. Greenan's property, they would be supportive of that. Mr. Trocquet stated that it would not be possible to swap the buffer. Mr. Greenan could request a buffer be placed on his property as a condition of the rezoning, however, it did not eliminate the requirement of a buffer from an adjacent property.

Mr. Trocquet stated that the Planning Commission voted to deny the petition with Commissioner Duncan in opposition. Mr. Trocquet stated the petition was not wholly consistent with the Town's Comprehensive Plan and Future Development strategy. The property lied within the Commercial Corridor Character Area which encouraged non-residential development with high architectural standards. He stated that R-18 zoning was suitable adjoining other R-18 properties and did not significantly affect surrounding commercial properties. He informed Council that staff determined that R-18 zoning would adversely affect the owner of parcel 0727 089 given that a 75-foot buffer would be incurred if situated next to a residentially zoned property, however, the owner also owned all surrounding lots with the option to combine or re-plat to accommodate the incurred buffer. The lots were also all undeveloped. Mr. Trocquet stated that staff determined that the current commercial zoning proved reasonable economic use. It was staff's determination that R-18 would not be excessively burdensome on existing infrastructure.

Council Member Furr asked for further explanation regarding the 75-foot buffer. Mr. Trocquet explained that regarding the Consent to Rezone form, the adjoining property owner agreed to swap the buffer. Instead of the 75-foot buffer being on the adjacent commercial property, the property owner stated that Mr. Greenan could have their 75-foot buffer. Mr. Trocquet added that this could not happen in that manner. The commercial buffer reduction would need to be removed in the form of a variance. Council Member Campbell asked if the rezoning was approved, would the commercial properties still require a 75-foot buffer? Mr. Trocquet stated that they would. In 2017 the narrow property to the west was owned by one property owner. Currently, the property to the west of that property and the north were all owned by the same owner. Council Member Hill asked why the Planning Commission voted to deny? Mr. Trocquet understood that the Planning Commission recommended denial for the HOA and property owner to communicate and potentially reach an agreement.

Council Member Howard asked if the property was considered to be a part of Dublin Downs. Mr. Trocquet stated that it was not. There was a lot of discussion of the property being rezoned as a condition that would be difficult for the Town to do being that the HOA was a third party. They would need a private agreement without the Town being involved. Council Member Campbell inquired about the surrounding zonings. Mr. Trocquet explained that all three corners of the property were zoned Office Institutional (O-I). He added that there was a 75-foot buffer along the eastern side of the property. Council Member Campbell asked about the property to the west. Mr. Trocquet shared that the property was 1-acre and zoned O-I. He added that all surrounding properties were owned by the same corporation and had the potential to be combined. Council Member Campbell asked why the property owner wanted to rezone to residential? Attorney Rick Lindsey informed Council that the property owner bought the property in 2007, hired three to four agents, and had been marketing the property ever since. Some interest was shown for residential zoning, not commercial. The owner of the surrounding properties was also contacted, there was no interest in purchasing the property. Mr. Lindsey shared that he did have correspondence with a member of the Dublin Downs HOA. His client was interested in speaking with them. He proposed that Council table the item for Mr. Greenan and the HOA to work out an agreement regarding the matter. Mr. Trocquet stated that it would be at Council's discretion to table, but a date would need to be voted on as well. Mayor Dial noted that four were in attendance to speak on the item.

Mayor Dial opened the public hearing for anyone in support of the rezoning.

Mr. Lindsey shared that his client was seeking R-18 zoning, the same as the Dublin Downs subdivision. His client also wished to stipulate that the same size and quality home would be built as Dublin Downs if approved. He was also willing to place a 75-foot buffer along the western end of the property. Mr. Lindsay understood that if the owners of the adjacent property were to build, they would be required to apply for a variance. He added that the owner had attempted to market the property for fourteen years to no avail and was willing to downzone which would cause the owner to accept a lower price for the property. He added that Mr. Greenan would be happy to discuss further potential conditions of the property if approved. He wished for the item to be tabled.

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

Mr. Mark Hatton who lives on River Dance Way, an HOA member, and attorney spoke in opposition. He shared that there was talk regarding the size and style of the home being the same as the neighborhood's, however, there would be no additional control. Would the homeowner keep their grass cut and paint their home and keep up their property?

Council Meeting – Social Distancing/YouTube Live  
December 16, 2021

He understood that there were city ordinances in place, but felt that the HOA would not have the control. The home would be a reflection of their neighborhood. There have been discussions regarding whether the HOA would consider allowing the property owner to be a part of the HOA. Mr. Hatton posed the question, what if another property owner wanted to do the same in that area? He added that Mr. Lindsey shared that the property was marketed for fourteen years, what does “marketing” mean, what steps were taken? He also asked, if the property owner was willing to take a reduced price for the downzoned property, or take a reduced price for the current commercial zoned property. The neighborhood would be willing to discuss the issue further with the property owner. It would take time to contact all 38 members of the HOA, and they asked for additional time. They were protective of their property and its value.

Council Member Howard asked Mr. Hatton why would they want a business there instead of a home? Mr. Hatton shared that businesses kept normal 8-5 hours, with limited traffic and crime. Everyone bought knowing that there was commercial in front of their subdivision. Commercial property would be better maintained. With an additional homeowner, there would not be the same controlled situation. Council Member Howard shared that it would benefit the HOA to have the property owner become a member of the HOA. Mr. Hatton stated that the HOA would consider that, however, being that it was the holidays and several homeowners were out of town, the HOA would require more time for discussions.

HOA President, Lillie Cunningham who lived on River Dance Way spoke next in opposition. Her question was how did the property owner attempt to sell the property? We like our neighborhood, to add another home to the entrance would offset the signage when entering the neighborhood. She requested that Council table the item to allow additional time for discussions with all neighbors after the holidays. She added that most of the HOA were in opposition, she added that their homes ranged from \$700,000 to \$500,000 and were zoned R-18. She added that the lot could potentially be split for two homes. They were concerned with the cosmetics of a future home at that location. Ms. Cunningham added that when everyone bought their property, it was surrounded by commercial properties that were well maintained, they want more of the same. On the weekends the commercial properties were vacant, which also meant less traffic. All of which maintained the country feel.

Mayor Dial asked if Council chose to table when would be a good time? Ms. Cunningham shared that March would be ideal.

Mr. Kim Harper spoke next in opposition. He asked Council why would they now consider the rezoning from commercial to residential? The owner was unable to sell it, would the Town change the rules so one person could make a profit?

Council Meeting – Social Distancing/YouTube Live  
December 16, 2021

Nothing would change for the Town to keep the property zoned commercial. The reason to initially zone the property commercial had not changed. No other citizen had requested that the Town rezone the property, only the owner. How would this rezoning benefit the entire Town? Only one person may benefit, and that was the property owner for a profit.

Ms. Daphne Bousquet spoke next in opposition. She stated that she was a realtor and her family had moved into Dublin Downs 17 years ago. She stated that within the 13-14 years the property had been for sale, the same sign had remained on the property. How hard had he tried to sell the property? The property currently had a 75-foot buffer between the property and Mr. Kim Harper's. If the property was rezoned to residential, the buffer would be smaller, having a greater impact on the Harper's backyard and aesthetics. She added that it would set a precedent. Would the new owners be asking for a variance? She agreed that residential normally sold quicker, but questioned the way the property had been marketed.

Mr. Lindsey rebutted the marketing strategies and stated that the owner had used three different agencies throughout the years, and added that Mr. Greenan had lost a lot of money. Council Member Hill asked if Mr. Greenan had approached the owner of the three adjacent lots to see if they wished to purchase the property. Mr. Lindsey shared that he had on his behalf to no avail. Council Member Howard asked if Mr. Greenan planned on building a home for reselling. Mr. Lindsey shared that he was not sure, Mr. Greenan now lived in Maine. He assumed that he would put it on the market as residential/undeveloped. He added that if the item was tabled, he would contact Mr. Greenan to be transparent to the HOA.

Mr. Davenport shared that when a condition was normally made on a rezoning, there was a perceived negative the rezoning would produce. If the property were to be rezoned to residential, one perceived negative would be a 75-foot buffer placed on the adjacent property. The current property owner stated that they would be happy to absorb the 75-foot buffer. He added that although the condition may be imperfect, the condition attempts to address the negative. The adjacent property owner would then be required to file for a variance. Mr. Davenport informed Council that if the condition were to be to build a bigger home, what was the negative. The required minimum house for R-18 was 1,800 sq. ft. He added that if Council were to place a condition on the property for a need of a bigger house, what was the negative. The property owner was required to build a house at least 1,800 sq. ft., a bigger home was not a condition for zoning. If the HOA wanted the home to be a part of the HOA and the property owner agreed, that was not a condition for zoning. The property owner had asked for the 75-ft. buffer restriction, which was a negative and a proper zoning condition. If Council wished to table for other reasons, no other reasons had been valid. He stated that sometimes government liked to place conditions on properties to make people happy, that was not the right reason.

All other R-18 zoned properties did not have those conditions mentioned, it was not fair to place those conditions on their property. Council Member Campbell inquired about the tabling process. Mr. Davenport shared that the people that spoke requested to wait until March, which was halfway to the six-month mark. If a public hearing was less than 30 days you would not need to advertise again, 90 days was a longer duration in between. Council Member Hill asked for clarification regarding the rezoning being contingent on the property owner's meeting with the HOA. Mr. Davenport stated that their meeting had nothing to do with Council's decision to rezone. Mr. Trocquet restated that the only reason to delay Council's vote would be to place legitimate conditions on the property, not for the outcome of the meeting with the HOA.

Council Member Furr inquired about advertising. Mr. Trocquet stated that the requirement would be seven days before the Planning Commission meeting and 15 days before the Council meeting. Mayor Dial addressed the concerns regarding the size and quality of a new home and shared that most builders would want to make a profit on the largest home they could build. Mr. Trocquet clarified that the 1.9-acre lot could not be subdivided.

Mayor Dial recapped the comments made in opposition, the future control of the property, the appearance (which would be a code enforcement issue), the size of the home or the change of the usage, what would be good for Tyrone. He reflected, was that the way we are supposed to think? Mr. Trocquet clarified that he believed that Mr. Harper was referring to the Future Land Use Map and Comprehensive Plan. The Comp Plan showed the property located within the commercial character area, although the plan had not been codified. He added that the Comp Plan was only a guiding document, unlike our ordinances. A downzoning almost always reduced negative impacts. Mr. Davenport shared that if the applicant was looking to move toward a higher use, then that may be an issue. He agreed with Mr. Trocquet in that the Comp Plan was used as a guide. He added that the Comp Plan was built on sand, it moves very easily, the zoning ordinance was built on concrete. When considering a rezoning, Council should look at the staff report which should be guided by the zoning ordinance. He informed Council that if a property was located within a particular zoning category, the zoning was accompanied by particular uses which was a factor to consider. Mr. Trocquet stated that the Comp Plan indicated the consistency of joining land uses. The property in question was consistent with other land uses.

Council Member Hill continued the conversation by stating that the main issue would be that the homeowner would build a smaller home than those located within the Dublin Downs subdivision. Mayor Dial restated; yes, but why would a builder do that? Council Member Furr shared that he had lost fourteen years' worth. Council Member Campbell asked if Dublin Downs did not exist could the property owner rezone from OI to R-18. Mr. Trocquet stated yes, the circumstance would be identical.



Council Member Furr restated that the concerns were, if rezoned, the property owner could build a smaller house and may not keep the property clean. Council Member Howard echoed Mr. Davenport; those concerns were only perceived negatives. Council Member Campbell stated that he did understand the neighbor's concerns regarding the upkeep of the property which may happen on any property, and communication with the property owner could reach an agreement to join the HOA. He also understood the concern regarding the marquee at the entrance of the subdivision and added that there could be a possibility of relocating the sign. Mr. Davenport shared that if Council voted to table to allow more time for both parties to discuss matters at length, was not an issue for the Council. Council would not enforce any agreement between the two private parties. Mr. Davenport reiterated that the perceived negative on the item was the enforceable 75-foot buffer.

Council Member Hill made a motion to deny the rezoning. Motion dies for the lack of a second.

A motion was made to approve the rezoning with the condition of a 75-foot buffer on the western side of the property.

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

Voting Yea: Council Member Furr

Voting Nay: Council Member Hill.

9. Consideration to hear a petition from Kip Oldham on behalf of the owner, Fayette County Board of Realtors, for the rezoning of a 3.87-acre tract with parcel number 0727 048, from O-I (Office Institutional) to C-2 (Highway Commercial). ***Phillip Trocquet, Town Planner***

Mr. Trocquet informed Council that applicant K.A. Oldham Design Co. applied on behalf of the owner, Fayette County Board of Realtors to rezone parcel # 0727 048 from O-I (Office) to C-2 (Highway Commercial). The rezoning intended to construct speculative buildings to attract new qualified tenants: including an indoor sports/recreational facility and training center. He added that the property lied within the Town's Quality Growth Overlay district which contained heightened landscaping and architectural requirements for properties along SR-74.

Mr. Trocquet stated that although the property lied within the Commercial Corridor Character area, the closest C-2 property was roughly 1,000 feet to the north as part of a planned Highway Commercial development with more direct access to SR-74 (Wings & Things, Goodwill, Waffle House). He added that the development pattern along Handley Road assumed a more community commercial and office feel with zoning not exceeding C-1 in intensity. In addition to the prevailing zoning and development pattern, a historic residential property from 1900 existed directly to the south as well as the Town's primary recreational park to the east, Handley Park.

Council Meeting – Social Distancing/YouTube Live  
December 16, 2021

He informed Council that with the surrounding character and development pattern, staff encouraged the property to assume C-1 zoning as it presents a lower-intensity impact on the area.

Mr. Trocquet stated that C-2 zoning was somewhat consistent with the Town's Comprehensive Plan as the property lied within the Commercial Corridor Future Development Character area. Although the property fronted SR-74, no direct access would be granted by GDOT due to its proximity to the bridge over the CSX rail line and Senoia Road. The property also lied within a sub-commercial feel along Handley Road. Mr. Trocquet informed Council that the Planning Commissioners recommended approval. He shared that if an applicant perused a zoning classification that was joined with another one such as C-1 and C-2 (C-2 allowed all of C-1 uses) it was within Council purview that it had been advertised as C-2, they could approve a lower zoning classification. During the Planning Commission meeting, the applicant had agreed to the lower zoning classification of C-1 for consistency purposes of the surrounding area.

Council Member Howard inquired if the adjacent property owner had been notified of the rezoning petition. Mr. Trocquet stated although he had not heard from the property owner, a letter was sent, it was advertised in the paper and a notice was placed on the property. Council Member Campbell inquired about the difference between C-1 and C-2. Mr. Trocquet informed Council that C-1 was listed as Downtown Commercial and had lighter commercial uses. C-2 was Highway Commercial and had more intense commercial uses such as, grocery stores, and automotive, C-1 did not allow those uses. Council Member Hill inquired about the statement, "Highway Commercial zoning may permit unsuitable uses adjoining the AR property...". Could they place a gas station on that property? Mr. Trocquet stated that auto uses were a good example. It could permit that type of use adjacent to residential property, however, the use would come with conditions. It would typically be discouraged, besides, Handley Park across the street was a public amenity and would not be consistent. Council Member Campbell clarified that the entrance would be further south than the Handley Park entrance. Mr. Trocquet confirmed. Mayor Dial clarified that the reason they wanted that zoning was due to the use was for an elite physical training facility. Mr. Trocquet stated that indoor training was allowed in C-1 and C-2. They pursued C-2 because it was more flexible. Council Member Howard stated that just because they said they would place that use there, did not mean they would. Mr. Trocquet agreed and that was the reasoning behind staff's recommendation to C-1 zoning. Council Member Furr questioned parking, according to the rendering. Mr. Trocquet informed Council that the rendering was only a concept, only the zoning was up for consideration. That phase would go before staff at a later date.

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

Mr. Rob Schulten represented the applicant and spoke in favor. He shared that the reason why they asked for C-2 was that they thought that zoning was required. C-1 was fine and all were on board. He added that if approved, the tenant which was a sports facility would purchase and begin the next phase.

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 rezoning from O-I (Office) to C-1 (Downtown Commercial).

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

## **IX. OLD BUSINESS**

## **X. NEW BUSINESS**

10. Consideration of a Change Order to the Town's agreement with Playworx for the installation of the new playground at Shamrock Park. Town Manager, Brandon Perkins

Mr. Perkins reminded Council that a bid was approved by Council for a playground overhaul at Shamrock Park. The agreement that was presented included the equipment, cost, and work that would be performed; however, it did not include the installation. He added that the document before them had been approved by legal counsel and Playworx. He stated that the document ensured proper installation and there were no additional costs involved.

A motion was made to approve the change order.

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

11. Consideration to re-appoint Mallett Consulting, Inc. as the Town Engineering Services.  
Brandon Perkins, Town Manager

Mr. Perkins informed Council that Mallett Consulting, Inc. had served as the Town Engineer for approximately 13 years. Generally, the position was re-appointed annually with the Attorney, Judge, etc., however, Council Member Campbell would like for the Town to consider searching for a new Engineer based on his opinion of Mallett's service delivery. He added that staff recommended discussion and Council's direction.

Council Meeting – Social Distancing/YouTube Live  
December 16, 2021

Council Member Campbell stated that Mallet Consulting, Inc. had been a vendor of Tyrone for well over ten years. During his time with being involved with the Town, it had been his personal experience that Mallet Consulting's work had been adequate at best. The Town had issues with many of the projects that Mallet Consulting designed. There was an issue with the Shamrock Park toilets not flushing properly. It took months of complaining to Town Hall before Mallet Consulting finally paid to have Action Plumbing come and resolve the issue. The ventilation in the building was terrible. During construction, Council Member Campbell stated that he brought the issue up and there was a very simple solution, but it fell on deaf ears. It remained that way today.

Council Member Campbell added that the design of the pavilion at Handley Park indicated no access to a water fountain or water hose, however, there was a water line less than twenty feet away. He shared that the original turn lane design on Tyrone Road and Hwy 74 north was inadequate for the volume of traffic that flowed along Tyrone Road and that intersection. After the original project's completion, the Town had to pay to have it completed correctly. The first day that the plan for the turn land came out, he shared that he told Mallet Consulting's representative that the design would not work, but the Town wasted money and followed the vendor's plans.

Council Member Campbell continued. He stated that the detention pond that was designed by Mallet Consulting at Redwine Park had been a problem for years, it had not drained as a detention pond should and it remained that way today. He added that in 2017, Council decided to approve the design and construction of concession/restrooms for the soccer fields at Handley Park. Since May of 2021, Tyrone had paid over \$11,000 in engineering fees for the Handley Park project and yet the first shovel had not been put in the ground. Council Member Campbell stated that staff placed too much dependency on the vendor.

Council Member Campbell stated that the Town created a position for an in-house engineer with the idea of reducing costs and their dependency on an outside engineering firm, yet, the Town continued to pay Mallet Consulting over \$100,000 a year, \$150,000 in 2020, and \$140,000 in 2019. It was a great deal of money each year to pay an outside vendor, especially when Tyrone had an engineer on the payroll. The invoicing was very vague and lacked the details of the work that they had completed. Mallet Consulting had been involved with most Town projects. Council Member Campbell stated that he wished that he had the perfect solution for the situation, but he suggested that Mallet Consulting be limited to their work on the Pendleton Dam since that was their expertise. All other projects should be handled by the Town's staff.

A motion was made by Council Member Campbell to deny the re-appointment of Mallett Consulting, Inc. but to retain their services for the completion of the Pendleton Dam Project and for other engineering services to be handled by the Town Engineer. Motion dies for the lack of a second.

A motion was made to approve the re-appointment of Mallett Consulting, Inc. as the Town Engineering Services.

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

Voting Yea: Council Member Howard

Voting Nay: Council Member Campbell.

Representing Mallett Consulting, Inc. was Town Engineer, Mr. David Jaeger. He stated that he may not be able to change Council Member Campbell's mind, however, he did wish to address the board. He informed Council that he and his firm had been the Town's Engineer since 2008. Over that time, they worked with a multitude of staff and managers. It had always been a very positive relationship and he created friendships. He added that Council Member Campbell had been in office for a year and he had never reached out to Mr. Jaeger with any of his concerns. He shared that he was always available for Council and staff, and would respond quickly, and always tried to do what was in the best interest of the Town. He restated that although he may not be able to change Council Member Campbell's mind, he wished for the rest of Council to know that his dissatisfaction would not limit him to produce good work next year. He added that he would be happy to work with Council Member Campbell as necessary to regain his confidence or to address issues that he may have. He thanked Council for the continued opportunity.

12. Consideration to approve a Resolution of Commitment to Implement Project FA-023 that would fund the resurfacing of Dogwood Trail for the Town's portion of \$132,147. Scott Langford, Town Engineer / Public Works Director

Mr. Davenport informed Council that the Resolution was initially passed on November 7, 2019, and the grant amount that was to be received was \$669,100. The correct number should be \$660,734. He explained that it was less due to some changes in the program. He added that the 80% awarded amount would be \$528,587.20 and the 20% match was \$132,146.80.

Mr. Langford stated that the County had rounded the numbers at, \$660,734 for the total amount of the project, \$528,587 for the state, and \$132,147 for the local match. He explained that in November of 2019, the Resolution of Commitment to Implement, Project FA-02, for the funding of the Dogwood Trail TIP Grant with Fayette County was approved.

Council Meeting – Social Distancing/YouTube Live  
December 16, 2021

The Resolution was created to promote public health, safety, and welfare, and other purposes. The project was for the paving of Dogwood Trail from Senoia Road to Farr Road. The reason for tonight's resolution was due to the increase in cost of materials, however, the numbers had since decreased. There was a change in the County engineering and GDOT oversight, which was now combined in the grant request. He explained that in 2019 they were separate, currently giving a better outcome. The resolution would correct the numbers for the County to apply to the Atlanta Regional Commission (ARC). Council Member Furr asked if the County would complete the paving of Dogwood Trail. Mr. Langford stated that the remainder was not part of the grant. Mayor Dial asked if the Dogwood Trail/Hwy 74 intersection would be improved. Mr. Langford clarified that Hwy 74 was maintained by GDOT. The grant only went to the right-of-way.

A motion was made to approve the 2021 Resolution of Commitment to Implement Project FA-02 that would fund the resurfacing of Dogwood Trail for the Town's portion of \$132,147.

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

Ms. Spradlin shared that Ms. Cassandra Barksdale had just resigned; her last day was December 28, 2021. Ms. Spradlin stated that she would be missed greatly, she was a huge asset to the Court Department. She added that the announcement was placed on all required government pages and social media pages. She also announced that Judge Thompson had been awarded the position of Judge for Fayetteville, along with serving the Town and that the Town was proud of her success. She added that with that change, there would be a change of court days beginning in March, from Tuesdays to Thursdays. She then wished everyone a Merry Christmas.

Chief Mundy also shared that it was unfortunate that Sergeant Kyle Pescetto was also leaving the team to work for the Georgia State Patrol. He added that they were very proud of him but he would be missed. He stated that there were now two Police positions available and that they would be posted soon. He wished everyone a Merry Christmas.

Mr. Trocquet announced that the Steering Committee was set up for the Comp Plan which would begin soon and go through six months. The update would take less time because it was not a full update.

Council Meeting – Social Distancing/YouTube Live  
December 16, 2021

The initial public hearing would take place in January of 2022 which was required by state law. The committee would also be reviewing the Future Land Use Map for small adjustments for the Downtown Development Authority (DDA).

Mr. Trocquet also informed Council that a draft ordinance would be coming soon for architectural updates and quality controls for the downtown area.

Mr. Perkins stated that he had received emails from Council Member Furr and Campbell regarding trash. He had communicated with Ms. Crouch regarding the issues and currently she was working on nineteen cases. The new system with Community Core gave an efficient means for tracking items. He added that Ms. Crouch was an asset and that she was addressing many issues. Mr. Perkins stated that she was aware of the overflow of trash at the Zesto's shopping center and was addressing that as well. Mr. Trocquet clarified that citizens could go to the main website followed by "I want to". People could then file a code enforcement request.

Mr. Perkins thanked Chief Mundy for carrying on the certification practice, he also shared his pride for Ms. Banks' work.

Mr. Perkins recognized Mr. Trocquet for his American Institute of Certified Planners (AICP) certification. It was the top certification for his field and everyone was very proud of him. He also recognized him for five years of service to the Town. Mr. Trocquet explained that to qualify for AICP, you needed to be in planning for at least five years. Mr. Perkins shared that he researched and found that most AICP certified people had been in the business for fourteen years. Mr. Trocquet was far advanced.

Mr. Perkins thanked Mayor Dial and Council for the staff luncheon that day, their attendance, gift cards for the staff, and a wonderful year. He looked forward to 2022.

### XIII. COUNCIL COMMENTS

Council Member Furr began a discussion regarding the café lights along Senoia Road and Shamrock Park. She shared that she liked them and wished to keep them lit and to maybe add more. She suggested perhaps for them to be extended around the square of the lawn, all agreed. Mr. Perkins stated that he would look into how to power the lights.

Council Member Howard suggested for the businesses to have decorated trees within the park also. Council Member Furr added that the two could be combined for power. Mr. Perkins stated that there was power on the field. Council Member Hill suggested solar. Mayor Dial inquired about the Christmas Committee. Mr. Perkins stated that there were several variables as to why it dissolved.

Council Meeting – Social Distancing/YouTube Live  
December 16, 2021

Council Member Furr stated that there were a couple of meetings where no one attended. She added that a new committee needed to be formed. The same members could be involved if they were committed. Mr. Perkins suggested getting an early start.

A motion was made to retain the cafe' lights along Senoia Road.

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

Voting Yea: Council Member Howard, Council Member Hill.

Council Member Furr thanked everyone for their support and well wishes while her husband was sick.

Council Member Howard reported on the Museum's first Christmas celebration last Sunday. The Clauses came, children made ornaments, there was a bake sale and they had a continuous line. Everyone enjoyed themselves.

Council Member Hill wished everyone a Merry Christmas. Mayor Dial wished Council Member Furr a Happy early Birthday.

Mr. Davenport thanked Council for allowing him to serve the Town one more year.

#### XIV. EXECUTIVE SESSION

A motion was made to move into Executive Session to review the Executive Session minutes from December 2, 2021.

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

A motion was made to reconvene.

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

A motion was made to approve the Executive Session minutes from December 2, 2021.

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

Council Meeting – Social Distancing/YouTube Live  
December 16, 2021



XV. ADJOURNMENT

A motion was made to adjourn.

Motion made by Council Member Howard.

Voting Yea: Council Member Hill, Council Member Campbell, Council Member Furr.

The meeting adjourned at 9:00 pm.

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

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