

# **Tyrone Town Council Minutes**

March 19, 2009

## **Present:**

Mayor Don Rehwaldt  
Councilman Eric Dial  
Councilwoman Grace Caldwell  
Councilwoman Gloria Furr  
Town Manager Chris Venice  
Town Attorney Dennis Davenport  
Town Clerk Nancy Goedker  
Finance Manager Penny Hunter  
Administrative Assistant Dee Baker

Councilman Tracy Young was not in attendance.

## **Call to Order, Invocation and Pledge of Allegiance**

The Invocation was given by Pastor Billy Rowe, First Christian Church of Tyrone followed by the Pledge of Allegiance.

## **Public Comments**

None

## **Approval of Agenda**

Motion to approve the agenda as written was made by Councilwoman Furr, seconded by Councilman Dial, approved 3-0.

**Approval of minutes:** February 5, 2009, February 14, 2009, and February 19, 2009

Motion to approve the minutes was made by Councilman Dial, seconded by Councilwoman Furr, approved 3-0.

## **Public Comments**

Steven Chontos, 170 Ridge Road, expressed his concerns regarding two signs on Powers Court that block the view of the stop sign at the corner of Powers Court and Senoia Road. Mayor Rehwaldt stated he would ask Public Works to evaluate the situation.

## **PRESENTATIONS/RECOGNITIONS:**

Mayor Rehwaldt recognized the new Finance Manager Penny Hunter.

## **PUBLIC HEARING:**

- 1. Consideration of Petition No. V 2009-001, Mr. Roland Castro requests a variance to the Front yard setback from 100' to 90', a 10' variance and rear yard setback from 50' to 30', a 20' variance for a parcel consisting of approximately 2.192 acres located in Land Lot 82 of the 7<sup>th</sup> District. The property fronts on Coastline Road and is bordered to the east by CSX Railroad.**

Due to lack of a quorum, Mr. Castro asked Council to table this item until the April 16, 2009 meeting.

## **2. Consideration of proposed Sign Ordinance.**

Attorney Davenport stated the Planning Commission should be commended for taking several meetings to draft this sign ordinance for the Council's review. He noted a few highlights regarding billboards and illuminated signs. He stated presently the sign ordinance states free standing signs have a maximum of sixty square feet, which would not allow billboards. Attorney Davenport added as the ordinance reads it would not allow any internally illuminated signs. Councilman Dial asked Attorney Davenport if a digital sign would meet the standards if there was a non-changing copy. Attorney Davenport reiterated, that would considered an internally lit sign. Chief Perkins stated that studies compiled on illuminated signs indicate they are hazardous and cause distractions.

The discussion continued with Attorney Davenport and Council discussing the number of residential signs allowed including political signs. Mr. Davenport stated as it is currently written, residents could have as many signs as they want as long as there is a twenty-five percent window visibility. After further discussion of the sign ordinance, the Council opened this item up for public comments.

Danny Stovall with Living Proof Southern Baptist Church on Jenkins Rd. expressed his interest in the changeable copy internally lit signs. He stated that it would help his Church add vitality to the Town.

Tim Biesek, 111 Kenmare Row, stated in his opinion there are significant differences between digital signs and illuminated signs and hoped the Town would consider them.

Motion to table this item until the April 16, 2009 meeting was made by Councilwoman Caldwell, seconded by Councilwoman Furr, approved 3-0.

## **3. Consideration of proposed Traditional Residential Zoning District Section 5.22.**

Town Manager, Chris Venice, stated the proposed Traditional Residential zoning district was developed at the encouragement of the comprehensive plan and the future land use map. This area surrounds the downtown business district and was written to emulate a traditional (historic) community such as Serenbe. This zoning district, Ms. Venice stated, has architectural, color, lot size and set back requirements. Ms. Venice stated the main reason for the creation of the district is to address a corresponding land use category.

Councilwoman Furr expressed her concerns with the setbacks for this zoning. Councilwoman Caldwell stated she would rather have a traditional residential zoning district than duplexes or multi-family units.

Mayor Rehwaldt opened this item for public comments.

Tim Biesek , stated he would like to see downtown homes with a cottage feel, more like Serenbe.

Motion to table this item until the April 16, 2009 meeting was made by Councilman Dial, seconded by Councilwoman Furr, approved 3-0.

**OLD BUSINESS:**

**4. Discussion of Shamrock Park improvements by Judy Jefferson.**

Ms. Jefferson thanked Renee' Holt and the Public Works Department for their time, effort and expertise with the beautification of the park and surrounding area. Ms. Jefferson stated the plans for a new playground have been put on hold until the playground is safe. Ms. Jefferson asked Council to consider hiring Site Specialties, Inc. to complete the playground by adding ten extra inches of mulch throughout the area and adding an eight inch rubber curbing for extra safety. Ms. Venice added that the County money allotted money for recreation was available.

Motion to approve Site Specialties, Inc. in the amount of \$9,873.60 to improve the playground at Shamrock Park was made by Councilwoman Caldwell, seconded by Councilman Dial, approved 3-0.

**5. Discussion of Sewer Tap Fees:**

**a. Consideration of Sewer Tap Fee Ordinance**

**b. Consideration of Sewer Tap Fee Rate Schedule**

Town Manager, Chris Venice, stated records indicate that the initial, existing development on the municipal sewer system paid tap fees in a lump sum. However, no tap fee ordinance or fee schedule was established for subsequent development, particularly on the individual commercial lots adjacent to SR74 North. Adoption of the proposed ordinance and fee schedule will enable the Town to charge new development to tie onto the municipal sewer system. After a brief discussion Councilman Dial asked if the Millbrook Village sewage system were to fail in the future, could these residents tap into the main sewer line. Ms. Venice confirmed that if capacity were available the residents would pay the \$3,500 per unit tap fee.

Councilwoman Furr asked if the Town has any control over the individual responsibility to pump the tanks at Millbrook. Mr. Davenport confirmed only if the situation becomes a health issue or a nuisance.

Motion to approve the Sewer Tap Fee Ordinance with changes was made by Councilwoman Furr, seconded by Councilwoman Caldwell, approved 3-0. (Ordinance #2009-003)

**NEW BUSINESS:**

- 6. Request the use of Shamrock Park on May 9, 2009 from 10:00 am to 12:00 pm, to hold the third annual Run For The World (R4TW) event organized by Operation Mobilization. This event is open to the local community to participate at no cost to the town or participants. Request that the Mayor or a Town Council representative signal the start of the run/walk event.**

Mike Renie with Operation Mobilization presented Council with information regarding the Run For The World (RFTW) event.

He stated the race will take place simultaneously with thirteen other countries to raise funds and awareness for AIDS around the world. Mr. Renie asked Council if the hours could be changed from 10:00 am to 12:00 pm, to 9:00 am to 11:00 am. Councilman Dial agreed to signal the start of the event.

Motion to approve the use of Shamrock Park on May 9, 2009 from 9:00 am to 11:00 am to Operation Mobilization for the Run For The World (R4TW) 5K and 3K event, was made by Councilwoman Furr, seconded by Councilman Dial, approved 3-0.

#### **7. Consideration of proposed Zoning Ordinance reformat.**

Town Clerk, Nancy Goedker, presented Council with the newly formatted Zoning Ordinance. She stated no wording was changed just the organization of the ordinance.

Motion to approve the reformatting of the Zoning Ordinance for public distribution was made by Councilman Dial, seconded by Councilwoman Caldwell, approved 3-0.

#### **CONSENT AGENDA:**

Motion to approve the Consent Agenda was made by Councilwoman Caldwell, seconded by Councilwoman Furr, approved 3-0.

8. Approval of Sanitation agreement with All South Robertson.
9. Approval to declare the Dunking Booth salvage property.
10. Approval for the American Diabetes Association to use the Town Hall parking lot as a rest stop for the ADA's Tour de Cure participant. There will be attendants at the rest stop, who will make sure the parking lot is clear of trash and debris after all participants have passed. The portable toilets will be delivered on Saturday, May 16, 2009 after 12:00 pm and picked up on May 17, 2009 by 5:00 pm. There will be no cost to the Town.

#### **Public Comments**

Tim Biesek, 111 Kenmare Row in Lake Windsong, expressed his concern regarding excessive speed in his neighborhood. He stated that this is a constant problem, and there are at least ten children living on this street.

Chief Perkins made a few suggestions: speed bumps, bottlenecking the streets, and Police presence could be increased for a few weeks. Mr. Biesek suggested placing a three way stop at the cul-de-sac. Mayor Rehwaldt asked that Chief Perkins and Mr. Biesek get together to discuss the issue further to reach a conclusion.

### **Staff Comments**

Ms. Venice reminded Council of the Government Liaison Luncheon on Monday at the Chamber of Commerce.

Ms. Venice addressed the issue of entering into a Memorandum of Agreement (MOA) with the County regarding the Floodplain Analysis of Line Creek. She added the money would come from the professional services revenues.

Motion to enter into an agreement for a consultant in the amount of \$1,846.42 with Fayette County, Peachtree City and Coweta County regarding the floodplain mapping of Line Creek, after legal has reviewed the MOA, was made by Councilwoman Caldwell, seconded by Councilman Dial, approved 3-0.

Chief Perkins asked Council's approval for the new Tyrone website design. Motion to approve Chief Perkin's design of Tyrone's new website was made by Councilwoman Caldwell, seconded by Councilwoman Furr, approved 3-0.

### **Council Comments**

None.

### **Executive Session**

None.

### **Adjournment**

Motion to adjourn was made by Councilman Dial, seconded by Councilwoman Furr, approved 3-0. Meeting adjourned at 9:20 pm.

By: \_\_\_\_\_  
Don Rehwaldt, Mayor

Attest: \_\_\_\_\_  
Dee Baker, Administrative Asst.