

Town of Tyrone Council Minutes

December 3, 2009

Present:

Mayor Don Rehwaldt
Councilman Tracy Young
Councilman Eric Dial
Councilwoman Grace Caldwell - absent
Councilwoman Gloria Furr
Town Manager Chris Venice
Town Attorney Dennis Davenport
Town Clerk Pamela Megill
Finance Manager Penny Hunter

Call to Order, Invocation and Pledge of Allegiance

Mayor Rehwaldt called the meeting to order at 7:00 pm. The invocation was given by Council Member Dial, which was followed by the Pledge of Allegiance.

Public Comments

There were no public comments.

Approval of Agenda

Council Member Young made a motion to approve the agenda, with the exception of Consent Item # 16, regarding approval of an appointment to fill the position of Town Manager, and to discuss item # 4 (Library Policy) prior to item # 3 (Employee Handbook). Council Member Dial seconded the motion. Motion approved 3-0.

Approval of minutes: October 15, 2009, November 2, 2009, November 10, 2009, and November 24, 2009.

Council Member Young made a motion to approve the minutes. Council Member Furr seconded the motion. Motion approved 3-0.

Presentations/Recognitions

There were no presentations or recognitions.

Public Hearing

1. A Public Hearing on a proposal to rename two sections of Swanson Road on the West side of the Town in order to reduce the possibility of confusion when dispatching first responders. *Brandon Perkins, Police Chief*

Police Chief, Brandon Perkins explained the reasons for requesting to rename two section of Swanson Road, and stated that the proposed new road names would be Spencer Lane and Palmetto Court, and requested the changes go into effect on January 31, 2010. Chief Perkins

also stated that the request to make the name changes had originated from the County Fire Department, and that the proposed name changes had been submitted to the County's 911/CAD Manager and researched to ensure that there were no duplicate street names existing within the County. Chief Perkins also stated that the post office had been alerted to the proposed street name changes.

Mayor Rehwaldt opened the Public Hearing. No one spoke in favor, and no one spoke in opposition.

Council Member Young made a motion to authorize the name changes. Council Member Furr seconded the motion. Motion approved 3-0.

Old Business

2. Update on the Project Framework Agreement (PFA) with Georgia Department of Transportation (GDOT) regarding the railroad crossing at Valleywood and East Crestwood. *James Key Phillips, Railroad Crossing Program Manager*

Mr. Phillips, Railroad Crossing Program Manager introduced Mr. Mike Bolden, Assistant State Utilities Engineer. Mr. Bolden provided an update of project specifics and project frameworks. Mr. Bolden provided copies of the proposed agreement between the Department of Transportation of the State of Georgia and the Town of Tyrone for transportation facility improvements, and he also provided a copy of the project description. Mr. Bolden told the Council that the Town would be responsible for the Right-of-Way acquisition and cost, and there could be additional costs for reimbursable utilities relocation. Mr. Bolden stated that GDOT would be responsible for all other costs.

Mr. Bolden stated that he did not need any decisions from the Town Council that evening, but would need the de minimis letter signed in the near future with an optimal date of January 2010. Council Member Young asked the Town Manager what monies were remaining from the SPLOST (Special Purpose Local Option Sales Tax) account. Town Manager, Chris Venice stated she was still waiting for final invoices from the current SPLOST projects, and once the balance was identified, that amount could be allocated towards this project. Ms. Venice stated it would probably be another month before the amount is known. Council Member Young stated he would like to be notified once the amount is determined.

Mayor Rehwaldt thanked Mr. Bolden for his update. No decision or vote was taken on this item by the Town Council.

3. Consideration of the Town of Tyrone Employee Handbook. *Don Rehwaldt, Mayor*

Mayor Rehwaldt stated that the Employee Handbook had been before the Town Council several times for consideration. Council Member Young stated he had reviewed the handbook, and provided the Mayor and Council Members with an itemized list of proposed revisions to the handbook. Discussions ensued regarding vacation pay, sick leave, exit interviews, mileage rate reimbursements, and health insurance. Council Member Young stated he wanted the annual/vacation leave further defined in the handbook by way of a table. Council Member Young requested that the date of June 2010 be replaced in the draft handbook to address the excess balances of annual vacation leave. Penny Hunter, Finance/HR Manager requested that the Handbook clarify that employees would report to the Town Manager, unless they worked in the Police Department, and then they would report to the Police Chief. Council Member Young

addressed having the sick leave re-set, by providing employees with 15 sick leave days per year, and to make it administratively easier. Penny Hunter, Finance Manager, said the current system was not problematic as it was all taken care of via the computer program. Attorney, Dennis Davenport cautioned about taking away expected benefits from employees. Council Member Young requested that the mileage reimbursement and per diem rates be referenced in the handbook. Council Member Young also requested that the term “limousine” be further defined.

Council Member Dial suggested that the sick leave section of the handbook be left as presented and re-address the issues once the handbook had been adopted at a later date.

Council Member Young made a motion to adopt the Town of Tyrone Employee Handbook with the agreed upon amendments, with an effective date of February 1, 2010. Council Member Dial seconded the motion. Motion carried 3-0.

4. Consideration of a library policy and ordinance. *Julie Digby, Library Supervisor*

Julie Digby, Library Supervisor, stated that the last time the Library Policy was updated was in 1997. A discussion ensued regarding for profit business (e.g. tutoring) taking place in the library. Council Member Young stated he did not want to limit one on one tutoring, or good intent (that’s to learn). Council Member Furr stated she had called several area libraries and the majority of them allowed tutoring. Council Member Dial asked how problematic the tutoring was. Julie Digby, Library Supervisor stated that a tutoring company that was not licensed had been using the library during the summer months, but specified that her greatest concern was for children being left in the library without parental/adult supervision. Ms. Digby also stated that the library did not have additional rooms for outside parties’ private use.

Council Member Dial made a motion to adopt Ordinance No. 2009-09 with deletion of the first paragraph of the second page that references business use in the library. Council Member Young seconded the motion. Motion carried 3-0.

New Business

5. Discussion of the ARCO Engineering Castle Lake Sedimentation Study and a Georgia EPD grant proposal from the Castle Lake Home Owners Association. *Robert Koermer, Castle Lake Home Owners Association*

Mr. Koermer stated that he and members of the Castle Lake Home Owners Association (HOA) had a situation where there are no storm water controls in the Castle Lake watershed basin. A stream primarily identified in an earlier study as the East Branch has been forced to accommodate larger volumes and faster flows of water; ultimately widening its channel and depositing surplus material into the lake. Mr. Koermer stated he, and other members of the HOA, had met with State of Georgia EPD officials. Mr. Koermer requested that the Town Council partner with the HOA to apply for a State grant. Council Member Young stated the Council would want to first read the grant application and determine exactly what level of involvement would be the responsibility of the Town.

Mr. Koermer stated he would like permission to begin working with the Town’s Environmentalist and start working on the grant writing. Council Member Young asked who

would be responsible for writing and making application for the grant, and Mr. Koerner stated the Town would be the responsible party.

Chris Venice, Town Manager asked for a copy of the grant proposal, research of how much staff time would be involved, and further stated that the Town Engineer is on a contract pay, and town hall staff is small and has limited time. Council Member Furr wanted to know what the costs would be. A specific dollar amount was unknown at this time. Council Member Dial asked what the match was for the grant, Mr. Koerner stated he believed it was 60/40. Council Member Young stated the Council needed some time to review the CD (provided by Ms. Jefferson), and time to investigate what the grant actually is and how it works.

No decision or vote was taken on this item.

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.

Council Member Young made a motion to approve the Consent Agenda, as amended. Council Member Dial seconded the motion. Motion approved 3-0.

6. Ratification of rumble strips and thermal plastic paint at the three-way intersection of Castlewood and Senoia Roads, and the four-way intersection Swanson, Arrowood, and Palmetto Roads. *Chris Venice, Town Manager*
7. Ratification of the 2010 closing dates for the Town of Tyrone public library. *Julie Digby, Library Supervisor*
8. Approval of FY 09 closing budget amendments to balance the budget and to cover over-spent line items. *Penny Hunter, Finance/HR Manager*
9. Ratification of South-Tree Enterprises contract in the amount of \$65,127.17 to complete remodeling of the Police Department basement, to be funded with Federal Seized Assets. *Brandon Perkins, Police Chief*
10. Ratification of Tiffin Metal Products to provide a wall mounted evidence pass through locker for the renovated facility at a cost of \$6,297.50. *Brandon Perkins, Police Chief*
11. Ratification of Cisco-Eagle to provide a modular, two-cell temporary holding unit at a cost of \$3,850.00, to be funded by Federal Seized Assets. *Brandon Perkins, Police Chief*
12. Ratification of Atlanta Certified Environmental to complete asbestos removal and final air testing in the Police Department basement at a cost of \$2,423.00. *Brandon Perkins, Police Chief*
13. Approval of a transfer of \$186.50 from the Library Revenue Book Sales line item to the Special Programs line item. *Julie Digby, Library Supervisor*
14. Approval of a revision of the Recreation Association agreement. *Jennifer Patton, Parks and Recreation Director*

15. Approval of Ordinance No. 2009-10, to amend the code of ordinances of the Town of Tyrone, Georgia, to revise provisions pertaining to the permitting and regulating of Sunday sales of distilled spirits or alcoholic beverage for beverage purposes by the drink.
Dennis Davenport, Town Attorney

Public Comments

Mr. Hank Sanak spoke in favor of the Castle Lake Home Owners Association forming a partnership with the Town of Tyrone to apply for a federally funded grant.

Ms. Judy Jefferson spoke in favor of the Castle Lake Home Owners Association forming a partnership with the Town of Tyrone to apply for a federally funded grant.

Staff Comments

Pamela Megill, Town Clerk stated that she had received no agenda items for the regular scheduled Town Council meeting to be held on December 17th, and respectfully suggested the Town Council consider cancelling the December 17th, 2009, meeting.

Council Member Furr made a motion to cancel the Town of Tyrone Council Meeting, scheduled for December 17, 2009. Council Member Dial seconded the motion. Motion approved 3-0.

Brandon Perkins, Police Chief provided the Town Council with a memorandum addressing the basement renovations at the Police Department building. Chief Perkins stated there were three issues that he needed approval of from the Town Council pertaining to the basement renovations:

Council Member Dial made a motion to approve Triple R Surveillance to provide the video system and complete the installation for the sum of four thousand, four hundred and seventy-four dollars (\$4,474.00).

Council Member Young seconded the motion. Motion approved 3-0.

Council Member Furr made a motion to approve the change order to authorize payment of the sum of four thousand, eight hundred, and eighty-three dollars and thirty-four cents (\$4,883.34) for the replacement of stairs and purchase and installation of a water heater. Council Member Young seconded the motion. Motion approved 3-0.

Council Member Young made a motion to approve the payment of one thousand, two hundred, and ninety-two dollars and fifty cents (\$1,292.50) to Fulton Communications for the purchase and installation of dual data ports for telephones and computer use. Council Member Furr seconded the motion. Motion approved 3-0.

Council Comments

Council Member Dial addressed and posed questions to the issue of a Fulton County pump station that had leaked sewage into fresh water systems.

Executive Session

Council Member Young made a motion to adjourn into Executive Session to discuss a personnel matter.

Council Member Dial seconded the motion. Motion carried 3-0.

Council adjourned into Executive Session at 9:05 p.m.

Reconvene

Mayor Rehwaldt stated the Council had reconvened into Open Session at 9:45 p.m. Mayor Rehwaldt stated the Council had not reached a decision, and there was no action to be taken as a result of the Executive Session.

Adjournment

Council Member Dial made a motion to adjourn. Council Member Young seconded the motion. Motion carried 3-0.

The Town Council Meeting adjourned at 9:47 p.m.

By: _____
Don Rehwaldt, Mayor

Attest: _____
Pamela J. Megill, Town Clerk