

# **Town of Tyrone Council Minutes**

January 21, 2010

## **Present:**

Mayor Don Rehwaldt  
Councilman Eric Dial  
Councilman Ken Matthews  
Councilwoman Gloria Furr  
Town Manager Richard Newbern  
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 Deacon John Edge, Crestwood Baptist Church, and was followed by the Pledge of Allegiance.

## **Public Comments**

Mr. Dwan Taylor, 485 Castlewood Road, Tyrone.

Mr. Taylor addressed concerns to the Mayor and Town Council regarding the problems he has encountered since the building of the cart path on the opposite side of Castlewood Road. Mr. Taylor stated that during and after heavy rainfall the excess water would rise above the crescent of the road and flow into his driveway. The driveway is now dropping and, as a result, water seeps into his septic tank; causing the toilet, shower, and laundry appliances to become inoperable. Mr. Taylor stated that he has been dealing with the same problems for years, and has brought this matter to the current and prior Town Council Members on several occasions. Mr. Taylor stated that even after repairs had been made to Castlewood Road, the same problem still persists, and every time he has to have his septic tank pumped it costs two hundred and seventy-five dollars (\$275.00). Mr. Taylor stated that the pumping company told him it is pure rain water that they are pumping out from his tank. Mayor Rehwaldt stated that the Town Engineer had recently been to visit the problem areas, but he was not aware of the Town Engineer's findings. Council Member Dial stated he had spoken at length to the Public Works Director and that she is aware of the problems. Mayor Rehwaldt stated the Town was working on the issue, and asked for a little time to rectify the problem as soon as possible. Council Member Furr noted to Richard Newbern, Town Manager that she would like to see a rush on this issue.

## **Approval of Agenda**

Council Member Matthews made a motion to approve the agenda. Council Member Dial seconded the motion. Motion approved 3-0.

## **Approval of minutes: January 7, 2010.**

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

## **PRESENTATIONS/RECOGNITION:**

There were no presentations or recognition.

## **PUBLIC HEARING:**

There were no public hearings.

## **OLD BUSINESS:**

- 1. Consideration and action on Ordinance No. 2010-01; to amend the Code of Ordinances, to revise provisions pertaining to park, recreational areas, recreational facilities and other town facilities. *Dennis Davenport, Town Attorney***

Town Attorney, Dennis Davenport stated Ordinance # 473 had many sections that were outdated and the ordinance being presented this evening has been revised and is now in accordance with current law and stated this ordinance will be blended into the code through the codification process. Council Member Furr asked if fireworks would be prohibited on Founders Day. Mr. Davenport stated that the ordinance was for the public using the park and typically if the Town wished to have a fireworks display they would be granted authorization from the State, and that would over-ride the ordinance.

Council Member Dial made a motion to adopt Ordinance No. 2010-01. Council Member Furr seconded the motion. Motion carried 3-0.

## **NEW BUSINESS:**

- 2. Award of Contract to perform drainage pipe repair at Laurel Circle. *Richard Newbern, Town Manager***

Town Manager, Richard Newbern, stated the twenty-four (24)-inch wide cross drain pipe at Laurel Circle collapsed in mid-December due to age and wear. The pipe is a fifty-six (56) foot long corrugated metal pipe. The Town received four bids to replace the pipe and repair the road. Mr. Newbern stated that both Mallet Consulting, Inc. and staff recommend awarding the contract to Southeastern Site Development in the amount of twelve thousand, seven hundred and sixty-nine dollars (\$12,769.00). Council Member Matthews asked if funding for this project was in the budget. Mr. Newbern stated that it was.

Council Member Dial made a motion to award a contract to perform drainage pipe repair at Laurel Circle to Southeastern Pipe Development in the amount of twelve thousand, seven hundred and sixty-nine dollars (\$12,769.00). Council Member Furr seconded the motion. Motion carried 3-0.

- 3. Approval for Tyrone Soccer League to purchase and install a new storage shed at the entrance to the soccer fields at Handley Park. *Ed Barcala, Tyrone Soccer League***

Ed Barcala, Tyrone Soccer League stated that the existing shed is deteriorating rapidly and can no longer secure supplies essential to the continued function and needs of the Tyrone Soccer League. Mr. Barcala stated that the Soccer League was proposing to purchase and install a new wooden shed at an estimated cost of two thousand, eight hundred dollars (\$2,800.00).

Council Member Dial made a motion to approve the contribution of the shed with ownership of the shed to be transferred to the Town and grant the Tyrone Soccer League permission to purchase and install a new storage shed at the soccer fields in Handley Park, with the oversight of Rene' Holt, Director of Public Works, and waive all building permit and inspection fees, and if the inspection fee is not waived, the Town will absorb that cost. Council Member Matthews seconded the motion. Motion carried 3-0.

Council Member Matthews made a motion to authorize the destruction of the old shed and declaring the shed is of no value to the Town, and have it (the shed) removed from the books. Council Member Dial seconded the motion. Motion carried 3-0.

### **Public Comments**

Mr. Ed Barcala – 2200 Castle Lake Drive.

Mr. Barcala addressed the Mayor and Council Members with his concerns on the condition of the soccer fields, and requested the Council consider in the very near future going over procedures to get the third field fully operational to support future soccer games.

### **Staff Comments**

Town Manager, Richard Newbern stated the Town would hold a Public Information Session on Thursday, February 4, 2010, at 7:00 p.m. in the Council Chambers at Town Hall, for the purpose of allowing for a public discussion of a proposed agreement between the Town of Tyrone and the State of Georgia Department of Transportation (GDOT); pertaining to the potential closure of the Valleywood Road railroad crossing, and invited all parties to attend and be heard.

Police Chief, Brandon Perkins requested that the Council deem surplus items listed on the memo provided to them as property from the police department basement which is of no use and value to the Town, and be discarded with the exception of two copiers that should be sent to the next County auction.

Council Member Dial made a motion that items listed on memo be deemed surplus, in order for them to be properly disposed of. Council Member Furr seconded the motion. Motion carried 3-0.

### **Mayor Rehwaldt**

Mayor Rehwaldt announced that there are several photographs posted on the web site of the recently renovated Police Department basement, and they were well worth looking at.

Mayor Rehwaldt announced that the Code of Ordinances, Title I thru IV was now posted on the Town website.

### **Council Comments**

There were no Council comments.

## **Executive Session**

Council Member Matthews made a motion to adjourn into Executive Session. Council Member Dial seconded the motion. Motion approved 3-0.

Council adjourned into Executive Session at 7:45 p.m.

**Pursuant to O.C.G.A. § 50-14-4 (b) of the Open and Public Meetings Act, Council will meet in Executive Session to deliberate:**

### **1. Pending Litigation**

**Reconvene into open session for possible action resulting from any items posted and legally discussed in Executive Session**

Council Member Furr made a motion to reconvene into regular session. Council Member Matthews seconded the motion. Motion carried 3-0. The Town Council reconvened into Open Session at 7:55 p.m.

Mayor Rehwaldt announced that Executive session had been for information purposes only, and no action would be taken.

## **Adjournment**

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

The Town Council Meeting adjourned at 7:57 p.m.

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

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Attest: Pamela J. Megill, Town Clerk

