

Town of Tyrone Council Meeting Minutes

February 17, 2011

Present:

Mayor Don Rehwaldt
Councilman Tracy Young
Councilman Eric Dial
Councilman Ken Matthews
Mayor Pro Tem Gloria Furr
Town Manager Richard Newbern
Town Attorney Dennis Davenport
Town Clerk Pamela Megill
Finance/HR Manager Penny Hunter

Call to Order, Invocation and Pledge of Allegiance

Mayor Rehwaldt called the meeting to order at 7:00 p.m. The invocation was given by Greg Mallett, Way of Life Community Church. The invocation was followed by the Pledge of Allegiance.

Public Comments

LTC. Eric Woods, 285 Park Haven Lane, Tyrone, GA. – Rivercrest Homeowners Association Representative.

LTC Woods thanked the Council for being allowed to address the Council regarding the Rivercrest subdivision. LTC Woods stated the role of municipal government is to do for the people what they cannot do for themselves. We are asking for the Town Council to allow the Rivercrest community to be able to gate the subdivision. LTC Woods stated the residents of Rivercrest are a part of the Tyrone entity and not separate, and the Rivercrest residents want to gate their community purely for beautification and not safety, and would be adding to the beautification of Tyrone. LTC Woods asked the Council if he was asking for anything unreasonable, or for anything that will take away from the Town.

Mayor Rehwaldt asked LTC Woods to contact Mr. Newbern to discuss this item further, and depending on the outcome of the communication, would determine whether this item will be placed on a future agenda.

Council Member Young stated there are a lot of infrastructure questions and concerns, and stated the Town had already adopted the roads.

Mr. Davenport stated there are a number of issues, and this item was discussed with Mr. Wieland some months prior, but the item can be re-addressed.

LTC Woods stated that if a gated community was allowed the burden of responsibility of road maintenance would be taken away from the Town, and the Town would save money.

Approval of Agenda

Mayor Pro Tem Furr made a motion to approve the agenda. Council Member Young seconded the motion. Motion approved 4-0.

Approval of Minutes: January 20, 2011 Regular Town Council Meeting

Council Member Matthews made a motion to approve the January 20, 2011 Council meeting minutes. Council Member Dial seconded the motion. Motion approved 4-0.

PRESENTATIONS/RECOGNITION: None.

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 of applicant Michael Leveillard to fill an open police officer position.**
Brandon Perkins, Police Chief
2. **Consideration of applicant Jonathan Caswell to fill an open police officer position.**
Brandon Perkins, Police Chief
3. **Consideration and action on authorizing First Baptist Tyrone use of Shamrock Park on October 31, 2011 to sponsor the annual “Fall Festival Event”.** *Linda Howard, First Baptist Tyrone*
4. **Consideration and action on authorizing the Centennial Committee to sponsor a yard sale, “A Hundred Years of Treasures” at Shamrock Park on Saturday, March 19, 2011.** *Pamela Megill, Town Clerk*

Council Member Young made a motion to approve the Consent Agenda. Mayor Pro Tem Furr seconded the motion. Motion approved 4-0.

PUBLIC HEARINGS

- 5a. Public Hearing on an Alcohol License application for Hong Kong Buffet II, located at 1506 HWY 74 North, Suite B, Tyrone, GA 30290.** *Pamela Megill, Town Clerk*

Mayor Rehwaldt opened the public hearing and asked all those wishing to speak in favor authorizing an alcohol license to Hong Kong Buffett II, to step forward, state name and address for the record, and address the Town Council Members.

Speaking For: Mr. Hon Ling (speaking on behalf of his parents; the applicants).
101 Wilmington Drive, Tyrone, GA.

Mr. Hon stated that the application had been completed and all necessary fees had been paid.

Mayor Rehwaldt opened the public hearing and asked all those wishing to speak against authorizing an alcohol license to Hong Kong Buffett II, to step forward, state name and address for the record, and address the Town Council Members.

Speaking Against: Ms. Nancy Nebergall, 100 Meadowood Lane, Tyrone, GA.

Ms. Nebergall stated she was concerned about underage drinking and alcohol sales to minors and asked what the Town was doing to prevent this and asked the Town to be most diligent with trying to prevent these activities. Police Chief Perkins, stated with the passage of the amended alcohol ordinance, he has now appointed Officer Johnson as the compliance officer. All staff serving alcohol must now take a class which explains the effects of alcohol on the body, and how to tell if someone is intoxicated. Council Member Dial asked how was the ratio of sales of food to alcohol tracked? Ms. Hunter stated each business was required to submit quarterly reports to the Town. Ms. Nebergall thanked Chief Perkins for all of his efforts. Mayor Pro Tem Furr asked, when a business owner applied for an alcohol license, did they receive a packet with all of the rules and regulations. Ms. Megill stated the application packet included the alcohol ordinance.

Mayor Rehwaldt closed the public hearing.

5b. Consideration and action on authorizing an Alcohol License for Hong Kong Buffet II, located at 1506 HWY 74 North, Suite B, Tyrone, GA 30290. *Pamela Megill, Town Clerk*

Council Member Dial made a motion to approve of authorizing an alcohol license to Hong Kong Buffet II. Council Member Young seconded the motion. Motion approved 4-0.

6a. Public Hearing on revisions to the Adult Business Ordinance to the Code of Ordinances. *Richard Newbern, Town Manager*

Mayor Rehwaldt opened the public hearing and asked all those wishing to speak in favor of the revisions to the Adult Business Ordinance to the Code of Ordinances to approach the podium, state name and address for the record, and address the Town Council Members.

Speaking For: None.

Mayor Rehwaldt opened the public hearing and asked all those wishing to speak against the revisions to the Adult Business Ordinance to the Code of Ordinances to step forward, state name and address for the record, and address the Town Council Members.

Speaking Against: None.

Mayor Rehwaldt closed the public hearing.

6b. Consideration and action on adoption of the revised Adult Business Ordinance to the Code of Ordinances. *Richard Newbern, Town Manager*

Mr. Newbern stated the revisions to the proposed Adult Business Ordinance have been submitted by the Planning Commission. The Planning Commission held a Public Hearing on Thursday, January 27 at 7:00 p.m. and recommended approval of a new Adult Business Ordinance for the Town of Tyrone. This is also a Public Hearing for including adult businesses as a conditional use in an M-2 zoning district. The Planning Commission held a Public Hearing on Thursday, February 10, 2011 at 7:00 p.m. to consider amending the Zoning Ordinance to add adult businesses as a conditional use in an M-2 zoning district. The Planning Commission recommended approval to include adult businesses as a conditional use in an M-2 zoning district. The Planning Commission's recommended ordinance restricts adult businesses to the M-2 zoning district, and includes many restrictions on adult businesses. It requires: Criminal background checks on all employees of adult businesses, at least a 1,000 foot distance between an adult business and private public educational facilities, residential district, public park or recreational area, or religious institution. The Planning Commission is basing their restrictions on studies that have been conducted that show that adult businesses can be detrimental to the surrounding community. These studies were e-mailed to the Council for advance review and consideration. Hard copies are also available at Town Hall for review. There has been no interest expressed by the adult business industry in the development of the adult business ordinance in Tyrone. No one appeared at the Public Hearings. The moratorium on adult businesses expires on March 3, 2011. The Town Council will hold their Public Hearing on the new adult business ordinance and, also, the zoning change that will make adult businesses a conditional use under an M-2 zoning district. After the Public Hearing, the Council will be in a position to approve the adult businesses ordinance and the zoning change. If the Council needs more time for review, it can postpone action until the Thursday, March 3 meeting. Action will absolutely have to occur by Thursday, March 3 because that is when the moratorium expires.

Mr. Davenport stated you can regulate this type of industry, but you can not prohibit it.

Council Member Dial made a motion to adopt the revised Adult Business Ordinance to the Code of Ordinances. Council Member Matthews seconded the motion. Motion approved 4-0.

7a. Public Hearing on amending the M-2 zoning district for Adult business as a conditional use; revising the zoning ordinance. *Richard Newbern, Town Manager*

Mayor Rehwaldt opened the public hearing and asked all those wishing to speak in favor of amending the M-2 zoning district for Adult business as a conditional use; revising the zoning ordinance to approach the podium, state name and address for the record, and address the Town Council Members.

Speaking For: None.

Mayor Rehwaldt asked all those wishing to speak against the amending the M-2 zoning district for Adult business as a conditional use; revising the zoning ordinance to step forward, state name and address for the record, and address the Town Council Members.

Speaking Against: None.

Mayor Rehwaldt closed the public hearing.

7b. Consideration and action on adoption of amending the M-2 zoning district for Adult Business as a conditional use; revising the zoning ordinance. *Richard Newbern, Town Manager*

Mayor Pro Tem Furr made a motion to amend the M-2 zoning district for Adult Business as a conditional use; revising the zoning ordinance. Council Member Young seconded the motion. Motion approved 4-0.

8a. Public Hearing on revisions to the Telecommunication (Cell Tower) Ordinance. *Richard Newbern, Town Manager*

Mayor Rehwaldt opened the public hearing and asked all those wishing to speak in favor of the revisions to the Telecommunication (Cell Tower) Ordinance to approach the podium, state name and address for the record, and address the Town Council Members.

Speaking For: None.

Mayor Rehwaldt asked all those wishing to speak against the revisions to the Telecommunication (Cell Tower) Ordinance to step forward, state name and address for the record, and address the Town Council Members.

Speaking Against: None.

Mayor Rehwaldt closed the public hearing.

8b. Consideration and action on adoption of the revised Telecommunication (Cell Tower) Ordinance. *Richard Newbern, Town Manager*

Mr. Newbern stated The Planning Commission held a Public Hearing on Thursday, January 27 at 7:00 p.m. on the new proposed ordinance, and they unanimously voted to recommend approval at their Thursday, February 10 meeting. The Planning Commission heard input from Verizon Wireless, AT&T, and Georgia Wireless (a cell tower lobbying group) in developing the recommended ordinance. The cell tower representatives are generally satisfied with the proposed ordinance. The new cell tower ordinance includes a maximum tower height of 199 feet, a minimum distance between towers of one (1) mile, and restricting towers to only M1 and M2 zoning districts. Also, new towers will be enclosed by a black or grey vinyl-coated chain link fence at least 8 feet in height, and access will only be through a locked gate.

Mr. Gordon Shenkle, Planning Commission Chairman stated there were compromises made between the Town and the Telecommunication business representatives.

Mayor Pro Tem Furr made a motion to adopt the revised telecommunication (cell tower) ordinance. Council Member Matthews seconded the motion. Motion approved 4-0.

OLD BUSINESS: None.

NEW BUSINESS:

9. Consideration and action on appointing a replacement Centennial Committee Member to fill a vacant seat. *Pamela Megill, Town Clerk*

Mayor Rehwaldt stated that one member of the Centennial Committee has resigned, as she was unable to attend, and the Council needs to appoint another person.

Council Member Dial made a motion to appoint Sandy Dow to the Centennial Committee. Mayor Pro Tem Furr seconded the motion. Motion approved 4-0.

Council Member Dial stated he wanted to make it clear, that any member appointed to any committee, should recuse him or herself from any matter that is being discussed that could afford that member financial gain.

10. Consideration and action on Ordinance No. 2011-02; pertaining to fireworks. *Brandon Perkins, Police Chief*

Chief Perkins stated the Town of Tyrone does not currently have an ordinance prohibiting the use of fireworks, so officers are forced to resort to the State law when answering complaints. The drawback to charging a violation under the State law is that we cannot simply issue a summons for the violator to come to court, we have to obtain a warrant and formally arrest them. The draft ordinance defines fireworks and outlines local prohibitions on their use and will allow officers to answer complaints effectively by giving them the leverage and discretion to either issue a warning or a citation without having to consider a formal arrest.

Council Member Young made a motion to adopt Ordinance No. 2011-02; pertaining to fireworks. Mayor Pro Tem Furr seconded the motion. Motion approved 4-0.

11. Discussion and consideration of a revision to the Police Department's policy on issuing clothing allowances to detectives. *Brandon Perkins, Police Chief*

Chief Perkins stated The Police Department, like most other law enforcement agencies, provides an annual clothing allowance to its plain clothes detectives in order to help them replace "civilian clothing" that is required as part of our dress code. Unlike other employees, detectives' clothing is subject to being soiled by urine, blood, other bodily fluids, and other elements while investigating crime scenes. This benefit has historically been issued as a reimbursement where the eligible employee would go purchase the items they need and submit a receipt for reimbursement. This process is contrary to IRS regulations, which hold that these clothing items could be worn off duty, so the benefit must be considered taxable income. Our research has revealed that most agencies continue to issue clothing allowances to eligible personnel through their payroll checks so that the income is taxed. This meets IRS regulations and still allows the police department to offer this as a benefit. Given this information, I submit that a change of our internal policy is in order so that we may ensure compliance with the IRS. Our current policy simply states: "*CID officers will be eligible for uniform allowances for clothing authorized by the Chief of Police.*" As part of this request, I would suggest updating this policy to read as follows:

“Sworn employees of the Police Department who are assigned to the Criminal Investigations Division are eligible for an annual clothing allowance to replace agency required “civilian clothing” items that are required as part of the agency’s dress code for investigators. The amount of the allowance will be determined by the Chief of Police at the beginning of each fiscal year and payments will be issued to eligible employees by the first pay period in August of each year as part of the employee’s payroll check. Clothing allowance payments under this policy are income to the employee and must be included in wages with appropriate tax withholdings.”

We currently budget \$1,200 (\$400 per detective) per year to facilitate this benefit, so the budget will not need to be increased to cover this item. Chief Perkins stated he recommended:

a. approval of a revision to Tyrone Police Department SOP 16.1, Section 3 as outlined above; and b. approval to have finance issue this benefit to Lt. Johnson, Det. Nelson, and Det. Carawan by the first pay period in April 2011 so that these employees may utilize their FY 2010 – 2011 funds.

Council Member Dial made a motion to revise the Police Department’s policy on issuing clothing allowances to detectives with the revision of issuing this benefit the first pay period in April. Council Member Young seconded the motion. Motion approved 4-0.

12. Consideration of the purchase of Leads Online investigative software for the Police Department through a donation from JP Baker Construction Company. *Brandon Perkins, Police Chief*

Chief Perkins stated Leads Online is an investigative tool that connects the police with pawn shops, second hand stores, eBay, and scrap metal dealers in order to facilitate searches for stolen property. Unlike the State and National systems (GCIC/NCIC), investigators do not need serial numbers to search for items on Leads Online. We can search by description, by suspect, or by serial number if one is available and it will instantly give us a list of any matching entries. Without this tool, investigators are required to drive to various pawn shops and manually search through their tickets. A return from Leads Online provides the location of the Pawn Shop, the date the item was pawned, and all of the seller’s identity information. This system also provides a feature called Residents Pawning Outside of Jurisdiction, which returns all entries where anyone with a Tyrone address has pawned an item. Finally, Leads Online allows users to enter a list of stolen items and it will conduct constant searches and alert the investigator via email if a match is found. We completed a 30 day trial of this system, and while we did not find any items from recent cases, we did note items that had been pawned from previous cases here in Tyrone. These cases were solved by the detectives doing manual searches as described above and by other means, so we immediately recognized the value and time-saving potential in the system. Fayette County and Peachtree City are also clients and both agencies have had success with it. Chief Perkins stated, I was approached by Preston Baker of JP Baker Construction, a Tyrone Business, a couple of months ago and he advised me that he regularly makes donations to the Sheriff’s Office, but he would rather make a donation to us this year to show his appreciation to the police department. I couldn’t think of anything that we needed at the time and he told me to let him know if anything came up. After signing on for a trial of this system and recognizing its value, I decided to discuss it with Mr. Baker and he has agreed to donate the full \$2002 to cover the first year subscription to Leads Online if the Mayor and Council agree to accept. I discussed this with Penny and she advised me that this is ok so long as it is properly documented and accepted by Council.

I have a letter from Mr. Baker that details his intent to donate the funds necessary to purchase this software for 1 year and Ms. Hunter is ready to move forward with the necessary budget amendments if approved. If approved, I will draft a press release detailing the purchase of this system and how we will use it on local cases that will mention Mr. Baker's contribution. Future funding would be from the general fund budget or through drug funds if available. Please note this will be a sole-source purchase as Leads Online is the largest provider in this industry and we could not locate another company with as many features or services. I recommend approval to accept a donation of \$2002 (his letter indicates a donation of \$2050, but I will ensure that we only collect the necessary \$2002 if approved) from JP Baker Construction for the purchase of a 1 year subscription to Leads Online and for Finance to make amendments to the budget to account for the increase in revenue as necessary. Chief Perkins stated the agreement had been reviewed by Mr. Davenport.

Mayor Pro Tem Furr made a motion to purchase Leads Online investigative software for the Police Department. Council Member Matthews seconded the motion. Motion approved 4-0.

13. Consideration and action on awarding a bid to Wright Hydro Seeding Corporation for \$15,000 to perform Phase I erosion control at Handley Park. *Richard Newbern, Town Manager*

Mr. David Jaeger, Town Engineer stated phase I includes restructuring the ditch lines along the western and northern borders of the soccer fields and to smooth and replant the gullied embankment by the soccer fence. The Town received three bids for the project. The project originally included Phase I and a portion of Phase II, which included reshaping the embankment on the north side of the soccer stairway and the north side of the ditch line. The original bids Wright's Hydroseeding, Inc. at \$19,675, Trammel-Horton Contracting at \$24,748, and American Contractors Grading and Paving for \$59,965. Because the budget for this project is \$15,000 from the General Fund, Mallet Consulting discussed a reduction in scope with Wright's Hydroseeding to only perform Phase I for \$15,000. This project will greatly improve erosion control around the soccer fields. It will help stabilize the large amount of soil run-off onto the field area and improve the flow of stormwater off of the soccer field and field area. The funding source is the \$15,000 budgeted in the General Fund for Phase I of the Handley Park erosion control project.

Mayor Pro Tem stated she was not in favor of the grass, but the planting of a vine was too expensive. A discussion followed on the various types of grass that would be planted.

Council Member Dial made a motion to award the bid to Wright Hydro Seeding Corporation. Council Member Young seconded the motion. Motion approved 4-0.

14. Consider award of bid to R.J. Haney & Associates in the amount of \$59,669.18 for the Castlewood Road Storm Drainage project. *Richard Newbern, Town Manager*

Mr. Jaeger stated The Council is asked to approve the low bid from R.J Haynie and Associates from Morrow, Ga. in the amount of \$59,669.18 to perform the storm drainage project on Castlewood Road. This includes placing a storm drainpipe across Castlewood Rd. approximately 450 feet east of Castle Hill, and near the house occupied by Dwan Taylor. The project also includes the installation of storm drainpipe near the Castlewood Rd. /Castle Hill intersection to

improve drainage from Castle Hill. R.J. Haynie and Associates is the low bidder out of ten (10) bids that were opened on Thursday, January 20, 2011. This project will improve stormwater run-off during heavy rains along Castlewood Rd. near the Castle Hill area. There have been citizen complaints about the inefficient flow of rainwater in this area and this project is designed to solve the problem. A total of \$61,000 is budgeted in the General Fund for this project. R.J. Haynie's bid of \$59,669.18 is within the Town's budget.

Council Member Matthews made a motion to award bid to R.J. Haney and Associates in the amount of \$59,669.18. Council Member Young seconded the motion. Motion approved 4-0.

15. Consider award of bid to Blount Construction Company in the amount of \$367,050 for road resurfacing projects. *Richard Newbern, Town Manager*

Mr. Jaeger stated the Council is asked award a bid to Blount Construction Company from Marietta, Georgia in the amount of \$367,050 for road resurfacing projects. The Georgia DOT Local Assistance Road Program (L.A.R.P.) will reimburse \$21,000 of the \$66,130 in General Funds that will be spent to resurface Wildwood Court and Lynwood Road, for a net cost to the Town of \$45,130. The \$66,130 will have to be paid up-front from the General Fund, and then the \$21,000 LARP reimbursement will be paid to the Town after the project is completed. Presently, there is approximately \$73,000 in unobligated funds in the Public Works Road Maintenance line item (100-40-52.2206) that can finance the \$66,130. This project will use up much of the remaining road maintenance balance for the rest of the fiscal year. This bid award to Blount Construction does not include resurfacing Laurel Circle, which is eligible for \$10,988 in LARP reimbursement. I recommend that Laurel Circle be postponed until FY 2011-12. The Town has until May 26, 2012 to bid the Laurel Circle resurfacing under our LARP contract with DOT. Blount Construction's original bid included patching/resurfacing Laurel Circle for \$46,220. This would have to be paid from the Town's General Fund, which can't handle an additional \$46,220 expense at this time. I recommend that the Town include the resurfacing of Laurel Circle in its upcoming FY 2011-12 budget. Postponing the \$46,220 Laurel Circle project will still allow us to take advantage of the \$10,988 LARP subsidy. The four major road repair needs in Tyrone are Palmetto Rd., Valleywood Rd., Castlewood Rd, and Senoia Rd. This project allows the Town to resurface Palmetto Road, along with three residential streets (Autumn Trace, Lynwood Road, Wildwood Court) that also need immediate attention. For the immediate future, the Town's SPLOST account will finance Valleywood Rd. drainage and paving. For Castlewood Road, we are seeking funding assistance from the new Ga. DOT LMIG maintenance program to help resurface a portion of Castlewood. For Senoia Road, the Town may have to budget General Funds for FY 2011/12 to perform the project. SPLOST will pay for most of this project (\$300,920 out of \$367,050). The remaining \$66,130 will be General Funds, which will be reimbursed \$21,000 from Ga. DOT LARP. The net cost to the Town for spending the \$66,130 will be \$45,130.

Mayor Pro Tem Furr made a motion to award the bid to Blount Construction Co. in the amount of \$367,050 to resurface Palmetto Road, Autumn Trace, Lynwood Rd., and Wildwood Court. The Council also authorizes the Mayor to sign the contract with Blount Construction Company once the contract documents are prepared for signature and reviewed and approved by the Town Attorney. Council Member Dial seconded the motion. Motion approved 4-0.

16. Consider declaring surplus items of Town property so that they can be properly sold or disposed of. *Richard Newbern, Town Manager*

Mr. Newbern stated the Council is asked to declare surplus Town-owned police vehicles, police equipment, and Town Hall office computers and furniture. By declaring the items surplus, Town staff will be able to sell or perhaps discard the items. The list of items proposed for surplus is attached. Once the Town Council declares these items surplus, they will either be advertised on www.govdeals.com or sold otherwise. The computer equipment and furniture can be advertised on www.govdeals.com. Chief Perkins intends to sell the police cars and camera equipment to perhaps other police departments, and so the police equipment will not be marketed on www.govdeals.com. The computer equipment and furniture includes all of the items located in the Town Hall storage area located by the vacant office near the Council chambers. Mr. Newbern stated the Town will post all of the Town Hall items on www.govdeals.com. If some of the items don't sell over time, then the Town staff can discard them. If the Council declares the attached items surplus, staff can proceed to sell them. This will clear out the unsightly storage area located by the vacant office near the Council chambers. Revenue generated from the sale of surplus items will be deposited into the General Fund. The Town will financially benefit from the sale of surplus items. The police cars and camera equipment will generate the most revenue. Council Member Young asked if the proceeds after going into the General Fund would then go to the applicable department. Ms. Hunter stated the proceeds would go to the General Fund, unless items had been purchased with drug funds.

Council member Dial made a motion to declare the items surplus. Mayor Pro Tem Furr seconded the motion. Motion approved 4-0.

FINANCIAL REPORT:

17. Financial reports for the months ending December 31, 2010, and January 31, 2011. *Penny Hunter, Finance/HR Director*

Ms. Hunter stated for the month ended January 2011 the Town has realized 62.77% of its budgeted revenue, and we are now 58.33% into our fiscal year. Property tax collections this month are now behind collections of a year ago January at \$990,114, a negative figure of \$34,462. Local Option Sales Taxes receipts this month for collections from November sales were at \$85,488.08 which is nearly twenty thousand more than we have averaged over the past 18 months. L.O.S.T. is now slightly over budget and ahead of last January's figure by roughly \$19,497 or \$340,162. Municipal fines in the amount of \$136,399 have been booked to date compared to \$84,960 cumulative for January 2010. Municipal Court revenue is ahead of budget to date at 83.78%.

Current over-all expenditures compared to budget are at 48.17%. Total expenditures to date are at \$1,512,306 compared to \$1,587,513 for the same period last fiscal year. Overtime expenditures for January were unusually high due to the ice storm. The Police Department has used almost 79% of their overtime budget and the Public Works Department has used 86.5% of their overtime budget. The Recreation Department has used 108% of their overtime budget.

As Of January 31, 2011, the Town's Money Market Account balance was \$4,454,857, S.P.L.O.S.T. had \$497,589, Sewer had \$604,591, and Sanitation had \$199,726. The total cash balance, including the Town's pooled cash, money market, enterprise and special revenue funds was \$5,606,639. The Town currently has approximately 16 months of reserve in general Governmental Funds and no-restricted fund or \$4,756,486.

COMMENTS:

Mayor Rehwaldt

Although Tyrone's position continues to bode well at present, recent projections of a 6% to 8% reduction in property taxes this year due to reduced property values will cause the Town to continue to carefully watch expenses. The distribution of local option sales tax percentages is due to be reconsidered within the next few months. Upon receipt of the figures from the 10 year census and the recalculation of services provided to the Town and by the Town to our citizens and the surrounding populace, we plan on working diligently to assure that Tyrone's portion of future local option sales receipts are fair and equitable.

Public Comments

Ms. Nancy Nebergall – Thanked the Town for its work on tweaking the Adult Business ordinance, and said to keep in mind that we are part of larger community that has a large sexual exploitation industry. We need to be proactive and protective of our children, and I appreciate your efforts.

LTC Eric Woods – Asked if it was possible to get a copy of the minutes from this evenings' meeting. Council Member Young responded that the minutes will be posted on the Town web site after they are approved at the next meeting. LTC Woods also thanked the Council for allowing him to speak, and said he looked forward to working with Mr. Newbern.

Staff Comments

Richard Newbern, Town Manager

- Town Council Annual Retreat – Saturday, February 26, 2011 @ 9 a.m.
- February 28, 2011 @ the Fayette County Library – Storm Water Utility meeting.

Brandon Perkins, Police Chief

Chief Perkins stated the Police Department currently uses a 35 mm film camera to take photos at crime scenes. The time has come to upgrade to a digital camera as they take excellent photograph and are much less expensive in the long run as there are no film development costs. As this is not a budgeted item, I am seeking your approval to move forward with this purchase from the Federal Drug Fund.

Council Member Young made a motion to approve the Police Department purchase of a Nikon D3100 camera, storage card, carrying case, UV filter at a cost of no more than \$1,100 from the Federal Drug Fund. Mayor Pro Tem seconded the motion. Motion approved 4-0.

Executive Session

Mr. Davenport stated there was no need of an Executive Session.

Council Comments

Council Member Matthews

- Questioned if work had begun on the houses that were posted for demolition. Mr. Newbern stated that work had begun on the properties.
- Stated the Public Works weekly reports have been received.
- At Fabon Park cross ties were removed from the picnic area and left by trees, and children were playing on them, and they could be dangerous and possible liability.
- Senoia Road has a lot of limbs and debris on the opposite side of the cart path, and I would like to see it cleaned up.

Mayor Pro Tem Furr

- Asked if mulch will be placed around Shamrock Lake this fall. Mr. Newbern confirmed that there would be mulch available.
- Very thankful to be having some of our roads resurfaced.

Council Member Dial

- Expressed thanks and appreciation to the Planning Commission and staff for all of their hard work on the Cell Tower, and Adult Business ordinances, and stated they did a great job!

Adjournment

Council Member Young made a motion to adjourn. Council Member Matthews seconded the motion. Motion approved 4-0.

The Town Council Meeting adjourned at 8:25 p.m.

By: _____
Don Rehwaldt, Mayor

Attest: _____
Pamela J. Megill, Town Clerk

