

CITY OF NEWNAN, GEORGIA
REGULAR COUNCIL MEETING

APRIL 26, 2016

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, April 26, 2016 at 6:30 p.m. in the Richard A. Bolin Council Chambers of City Hall with Mayor Keith Brady presiding.

CALL TO ORDER

Mayor Brady called the meeting to order and delivered the invocation.

PRESENT

Mayor Keith Brady: Council members present: Cynthia E. Jenkins; Dustin Koritko; Ray DuBose; George Alexander; Clayton Hicks and Rhodes Shell. City Manager, Cleatus Phillips; City Clerk, Della Hill; City Planning Director, Tracy Dunnavant; Planner, Dean Smith; Public Works Director, Michael Klahr; City Attorney, Brad Sears and Police Chief, Douglas (Buster) Meadows.

MINUTES – REGULAR COUNCIL MEETING – APRIL 12, 2016

Motion by Councilman Hicks, seconded by Councilman Koritko to dispense with the reading of the minutes of the Regular Council meeting for April 12, 2016 and adopt them as presented.

MOTION CARRIED. (7 – 0)

NEWNAN YOUTH COUNCIL – GRADUATING SENIORS

Mayor Brady and Mayor Pro Tem Jenkins recognized the 2015 - 2016 Newnan Youth Council graduating seniors serving two and three year terms.

NEWNAN YOUTH COUNCIL PRESENT

Morgan Hasty	12 th Grade	Northgate
Madison Crymes	12 th Grade	Heritage

APPOINTMENTS – NEWNAN YOUTH ACTIVITIES COMMISSION

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Alexander to re-appoint Carole Newell to the Newnan Youth Activities Commission for another three year term.

MOTION CARRIED. (7 – 0)

Motion by Mayor Brady, seconded by Mayor Pro Tem Jenkins to re-appoint Lille Smith to the Newnan Youth Activities Commission for another three year term.

MOTION CARRIED. (7 – 0)

Mayor Brady asked the City Manager to place his and Mayor Pro Tem Jenkins' appointments to the Newnan Youth Activities Commission on the agenda for the next meeting.

APPOINTMENT - KEEP NEWNAN BEAUTIFUL

Mayor Brady asked the City Manager to place Councilman DuBose appointment to Keep Newnan Beautiful Commission on the agenda for the next meeting.

APPOINTMENTS – URBAN REDEVELOPMENT AGENCY

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Alexander to re-appoint Gerald Walton to the Urban Redevelopment Agency for another three year term.

MOTION CARRIED. (7 – 0)

Mayor Brady asked the City Manager to place his appointment on the agenda for the next meeting for the Urban Redevelopment Agency.

RESIGNATION – NEWNAN CHRISTMAS COMMISSION – SALLY HENSLEY

Motion by Councilman Alexander, seconded by Councilman Hicks to accept the resignation of Sally Hensley to the Newnan Christmas Commission with regrets.

MOTION CARRIED. (7 – 0)

Mayor Brady asked the City Manager to place Councilman DuBose appointment to the Newnan Christmas Commission on the agenda for the next meeting and write a letter thanking Ms. Hensley for her service.

CONSIDER – ROUNDABOUT SUPPORT WITH GEORGIA DEPARTMENT OF TRANSPORTATION – INTERSECTION OF SR 14 GREENVILLE STREET AND CORINTH ROAD

The Georgia Department of Transportation at the City's request recently completed a warrant analysis to determine the need for the installation of a stop and go traffic signal at this location. A roundabout analysis was also performed for the intersection; based on existing traffic volumes and crash history, GDOT has concluded that a roundabout would be the most beneficial improvement. The agreement obligates the City for certain maintenance costs including the cost of electricity and maintenance for lighting and maintenance of the associated landscaping.

Mayor Brady stated if Council approves the support for the roundabout he would like the motion to include a design for the roundabout and landscape design since this is one of the major entrances to our City.

Motion by Councilman Alexander, seconded by Councilman Hicks to approve the support agreement with Georgia Department of Transportation for a Roundabout for intersection of State Route 14 (Greenville Street) at Corinth Road including landscape and roundabout design.

MOTION CARRIED. (7 – 0)

AGREEMENT – TRANSCONTINENTAL GAS PIPE LINE COMPANY - CONSTRUCTION OF SIDEWALK ADJACENT TO THE BOULEVARD IN AVERY PARK

The Public Works/Engineer informed Council a current builder has agreed to construct a sidewalk along The Boulevard. This sidewalk would be within the Right-of-Way for The Boulevard but would traverse the Right-of-Way for Transcontinental Gas Pipe Line Company. Staff recommends entering into the Consent Agreement.

Motion by Councilman DuBose, seconded by Councilman Alexander to enter into an agreement with Transcontinental Gas Pipe Line Company for the purpose of constructing a sidewalk adjacent to The Boulevard in Avery Park.

MOTION CARRIED. (7 – 0)

GUARANTEED MAXIMUM PRICE (GMP) – GARBUTT CONSTRUCTION – RENOVATION AND CONSTRUCTION FOR HOWARD WARNER PROJECT

The City Manager is seeking approval for the Guaranteed Maximum Price of \$3,131,056 for the construction portion of the Howard Warner Renovation as presented by Garbutt Construction or other as directed by Council including the approved Component Change Order.

Motion by Councilman DuBose, seconded by Councilman Hicks to approve the Guaranteed Maximum Price by Garbutt Construction for the renovation and construction of the Howard Warner Facility and Gym in the amount of \$3,131,056.

MOTION CARRIED. (7 – 0)

SUBSTANDARD STRUCTURE – EXTENSION – 7 UPPER MANN STREET

The Code Enforcement Officer informed Council the owner is requesting a ninety (90) day extension in order to complete repairs to structure located at 7 Upper Mann Street. He has provided a schedule for the repairs.

Donald Smith informed Council he has been training the last couple of months on new job and has not been able to do much work.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to approve the request for an extension of ninety (90) days on the substandard structure located at 7 Upper Mann Street to complete the repairs.

MOTION CARRIED. (7 – 0)

SUBSTANDARD STRUCTURE – EXTENSION – 79 SPENCE AVENUE

The Code Enforcement Officer informed Council the owner is requesting a sixty (60) day extension in order to complete repairs to the substandard structure located at 79 Spence Avenue.

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Alexander to approve the request for an extension of sixty (60) days on the substandard structure located at 79 Spence Avenue to complete repairs.

MOTION CARRIED. (7 – 0)

SUBSTANDARD STRUCTURE - EXTENSION – 92 PINSON STREET

The Code Enforcement Officer informed Council the owner is requesting a sixty (60) day extension to complete repairs to the substandard structure located at 92 Pinson Street.

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Alexander to approve the request for an extension of sixty (60) days on the substandard structure located at 92 Pinson Street to complete the repairs.

MOTION CARRIED. (7 – 0)

PUBLIC HEARING – TEXT AMENDMENT APPLICATION – ZONING ORDINANCE – ADD HOTELS/MOTELS IN 01-2 ZONED DISTRICTS – SPECIAL EXCEPTION USES

Mayor Brady opened a public hearing on the Text Amendment to the Zoning Ordinance to add Hotels/Motels in the 01-2 zoned districts as special exception uses.

The City Planner stated this is a request to consider the text amendment application by Georgia Retail Investments, LLC to amend the Zoning Ordinance, Chapter 21, §21.090, table 21.04 pertaining to hotels/motels locating in the 01-2 zoned districts as special exception uses. This application was heard by the Planning Commission at a Public Hearing on March 8, 2016 and they recommend that the ordinance be tailored to only allow Hotels/Motels to be considered as special exception uses in the 01-2 zoning districts.

Ms. Melissa Griffis, Attorney, stated the applicant is in favor of the amendment to the Zoning Ordinance to add Hotels/Motels in 01-2 District to be considered as special exception uses.

Mayor Brady closed the public hearing.

Motion by Councilman Alexander, seconded by Councilman DuBose to accept the report from the Planning Commission.

MOTION CARRIED. (7 – 0)

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to adopt an ordinance to amend Text Amendment to the Zoning Ordinance to add Hotels/Motels in the OI-2 Zoned Districts as special exception uses.

MOTION CARRIED. (7 – 0)

**FILMING – “WHEN THE STREET LIGHTS GO ON” CHANGE DATES TO SUNDAY
MAY 1ST AND MONDAY MAY 2ND – LESS DISRUPTION DOWNTOWN AREA**

Mr. Thorup informed Council the request for the new dates; May 1st and 2nd would eliminate the conflict and enable the filming to take place on Sunday and Monday for less impact to the local businesses and community. He has been in touch with the Police Chief and he is actively negotiating arrangements with the various locations to secure permissions for filming, parking and basing.

Motion by Councilman DuBose, seconded by Councilman Alexander to approve the request for May 1st and 2nd to film “When the Street Lights Go On” for locations that include The Alamo, Newnan Square, a residence on Salbide Avenue. Abstained: Jenkins – Business relationship with a vendor.

MOTION CARRIED. (6 – 0 - 1)

**REQUEST – COLON HEMRICK, HEMRICK’S GROCERY – WAIVE LATE FEE ON
RENEWAL OF BUSINESS LICENSE**

Mayor Brady stated after conversation with Mr. Hemrick this brings to light situations that we have in the Finance Department with the recognition of the payment date for the business license. The IRS recognizes a posted date stamp by the US Postal Service if it is verifiable as well as Coweta County Tax Department. At this time the City of Newnan recognizes the due date of April 1st. He is recommending we amend the ordinance to accept the official stamped date by the US Postal Service if is verifiable.

The City Attorney indicated research would have to be done before the ordinance could be amended. The Business License is due January 1st with a 90 day grace period with due date April 1 that has been in place since 1994. To amend this ordinance a proposed ordinance must be presented and put on agenda for a public hearing and after public hearing is held the ordinance could be amended.

Councilman Hicks stated this issue is about the day we receive the renewal for business license regardless of when it is post marked after the due date of April 1st.

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Hicks to instruct Staff to move forward on the amendment for the Ordinance regarding the April 1st due date for Business License in regards to the official stamped verifiable date by the US Post Office.

MOTION CARRIED. (7 – 0)

Motion by Councilman Hicks, seconded by Councilman Alexander to deny the request by Hemrick's Grocery to waive late fee of \$237.13 on renewal of 2016 Occupation License. Opposed: Shell.

MOTION CARRIED. (6 – 1)

REQUEST – F&F FOOD SERVICE, INC – KENTUCKY FRIED CHICKEN AND KRYSTAL – WAIVE LATE FEES ON RENEWAL OF THESE TWO BUSINESS LICENSES

Mr. Jon Simmons, representing F&F Food Service, stated they have been in business for over 20 years and our record shows we pay in a timely manner. The returns were mailed on March 29 so they would be received by the due date of April 1, 2016. He mailed them in good faith with ample time to be received prior to the due date.

Mayor Brady stated there is no verifiable date on the envelopes that the City received. We cannot look at those letters to verify when they were mailed.

Motion by Councilman Hicks, seconded by Councilman Alexander to deny the request by F&F Food Service, Inc., Kentucky Fried Chicken and Krystal to waive late fees on renewal of these two business licenses.

MOTION CARRIED. (7 – 0)

REQUEST – BUTLER PRODUCTIONS – FILM – CLOSURE FAIR AND DIXON STREET CHANGE FOR MORE CONTROL FOR USE OF “RAIN TOWER”

Motion by Councilman Hicks, seconded by Councilman Koritko to approve the request from Butler Productions Inc. Alison Maloof to change the filming request to closure of Fair Street between Ray Street and SR16 and Dixon Street and between SR16 and Fair Street.

MOTION CARRIED. (7 – 0)

OFF AGENDA – 79 SPENCE AVENUE

The owner of 79 Spence Avenue, Andre Sparks, indicated a lot of time when owners ask for an extension funds are short, however that is not the case. The exterior of the structure is completed. The interior work that is remaining will need to be inspected by the Building Department. He stated he is doing the work himself and is not sure how long it will take him to complete the repairs.

Motion by Councilman Hicks, seconded by Mayor Pro Tem Jenkins to approve an extension of one hundred eighty (180) days for the owner of the substandard structure located at 79 Spence Avenue.

MOTION CARRIED. (7 – 0)

ADJOURNMENT

Motion by Councilman Alexander, seconded by Councilman Koritko to adjourn the Council meeting at 7:10 pm.

MOTION CARRIED. (7 – 0)

Della Hill, City Clerk

Keith Brady, Mayor