

**CITY OF NEWNAN, GEORGIA**  
**REGULAR COUNCIL MEETING**

**AUGUST 28, 2018**

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, August 28, 2018 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: Ray DuBose, George Alexander; Rhodes Shell; Dustin Koritko and Cynthia E. Jenkins. Also present: City Manager, Cleatus Phillips; City Clerk, Della Hill; Public Works Director, Michael Klahr; Planning Director, Tracy Dunnavant; Assistant City Manager, Hasco Craver; City Attorney, Brad Sears and Police Chief Douglas "Buster" Meadows.

**MINUTES – SPECIAL CALLED MEETING/PUBLIC HEARING/MILLAGE RATE**  
**AUGUST 7, 2018**

Motion by Councilman Alexander, seconded by Councilman Koritko to dispense with the reading of the minutes of the Special Called Council meeting for the first Public Hearing/Millage Rate Increase for August 7, 2018 and adopt them as presented.

**MOTION CARRIED. (6 – 0)**

**MINUTES – SPECIAL CALLED MEETING/PUBLIC HEARING/MILLAGE RATE**  
**AUGUST 10, 2018**

Motion by Councilman DuBose, seconded by Councilman Shell to dispense with the reading of the minutes of the Special Called Council meeting for second Public Hearing/Millage Rate Increase for August 10, 2018 and adopt them as presented.

**MOTION CARRIED. (6 – 0)**

**MINUTES – REGULAR MEETING –AUGUST 14, 2018**

Motion by Councilman Koritko, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council meeting for August 14, 2018 and adopt them as presented.

**MOTION CARRIED. (6 – 0)**

**APPOINTMENT – CULTURAL ARTS COMMISSION**

Motion by Councilman Koritko, seconded by Councilman Alexander to re-appoint Dave Dorrell to the Cultural Arts Commission for another three year term.

**MOTION CARRIED. (6 – 0)**

**APPOINTMENT – KEEP NEWNAN BEAUTIFUL COMMISSION**

Mayor Brady asked the City Manager to place Mayor Pro Tem Jenkins appointment to the Keep Newnan Beautiful Commission on the agenda for the next meeting.

**APPOINTMENT – URBAN REDEVELOPMENT AGENCY – TERM EXPIRES 4/2019**

Mayor Brady asked the City Manager to place Councilman Alexander's appointment to the Urban Redevelopment Agency on the agenda for the next meeting.

**APPOINTMENTS – BOARD OF ZONING APPEALS**

Motion by Councilman Shell, seconded by Mayor Pro Tem Jenkins to re-appoint Sally Hensley to the Board of Zoning Appeals for another three year term.

**MOTION CARRIED. (6 – 0)**

Mayor Brady asked the City Manager to place the appointment on the agenda for the next meeting to the Board of Zoning Appeals.

**NEWNAN YOUTH ACTIVITIES COMMISSION – RESIGNATION – JAC COUNTS**

Motion by Councilman Alexander, seconded by Councilman Koritko to accept the resignation of Jac Counts from the Newnan Youth Activities Commission with regrets.

**MOTION CARRIED. (6 – 0)**

**CULTURAL ARTS COMMISSION REPORT**

Ms. Phyllis Graham gave a report on the Cultural Arts Commission including a list of the members. She gave an update on some of the events for 2018 and noted several events are planned for later this year. Jazz in the Park at Greenville Street Park has been a big hit and have not had any rain makeup dates. They are in the process of working on the 2019 budget and events.

**SWEARING IN NEWNAN YOUTH COUNCIL STUDENTS**

Mayor Brady with Mayor Pro Tem Jenkins introduced and presented certificates to the new members of the Newnan Youth Council. City Attorney, Brad Sears swore in the new members to the Youth Council.

**NEWNAN YOUTH COUNCIL PRESENT**

Jack Heatherman	Senior	Northgate
Kylee McNutt	Senior	East Coweta
Mary Kate Higgins	Senior	Northgate
Anna Grace Rogers	Senior	Newnan
Kaitlyn Maita	Senior	Northgate

**RESOLUTION – AUTHORIZE FUNDS TO PAY-OFF LOAN – NEWNAN HOSPITAL REDEVELOPMENT PROJECT**

Motion by Councilman Shell, seconded by Councilman Koritko to adopt a Resolution to authorize funds to pay-off loan for the Newnan Hospital Redevelopment project in the amount of \$514,712.92.

**MOTION CARRIED. (6 – 0)**

**AGREEMENT – HOPE GLOBAL INITIATIVE, INC FOR VERONA ROSSER CENTER**

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Koritko to approve the lease agreement with Hope Global Initiative, Inc. for the Verona Rosser Center on Pinson Street.

**MOTION CARRIED. (6 – 0)**

**NCAC PERFORMANCE ARTIST AGREEMENT – MIKE JONES AND GROOVE CENTRIC – JAZZ IN THE PARK AT GREENVILLE STREET PARK**

Motion by Councilman Alexander, seconded by Councilman Koritko to approve the NCAC Performance Artist agreement with Mike Jones and Groove Centric for Jazz in the Park at Greenville Street Park on September 14, 2018 at 8:00 pm.

**MOTION CARRIED. (6 – 0)**

**NCAC SOUND SYSTEM VENDOR AGREEMENT – THE SHOW BUSINESS SOUND  
AND LIGHTING, INC – JAZZ IN THE PARK AT GREENVILLE STREET PARK**

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Koritko to approve the NCAC Sound System Vendor Agreement with The Show Business Sound and Lighting Inc., for Jazz in the Park at Greenville Street Park on September 14, 2018 at 8:00 pm.

**MOTION CARRIED. (6 – 0)**

**REQUEST – EDGAR HUGHSTON BUILDER, INC., ACCEPT EXTENSIONS OF  
STREETS MARVIN GARDENS AND PARK PLACE - NEW STREETS  
MEDITERRANEAN AVENUE AND ST. CHARLES PLACE INTO STREET SYSTEM**

Motion by Mayor Pro Tem Jenkins, seconded by Councilman DuBose to approve the request by Edgar Hughston Builders, Inc. to accept extensions of exiting public streets Marvin Gardens and Park Place along with new streets Mediterranean Avenue and St. Charles Place into the City's Street System.

**MOTION CARRIED. (6 – 0)**

**REQUEST – NEWNAN CROSSING DEVELOPMENT COMPANY – ACCEPT  
MERCANTILE DRIVE INTO THE CITY'S STREET SYSTEM**

Motion by Councilman DuBose, seconded by Councilman Koritko to approve the request by Newnan Crossing Development Company to accept recently constructed Mercantile Drive into the City's Street System.

**MOTION CARRIED. (6 - 0)**

**CONTRACT AWARD – LANDSCAPE MAINTENANCE SERVICE ALONG MCINTOSH  
PARKWAY**

Motion by Councilman Shell, seconded by Councilman Alexander to award the contract for Landscape maintenance services along McIntosh Parkway to the low bidder, Lewis Lawn Care, LLC for \$43,300.

**MOTION CARRIED. (6 – 0)**

**PUBLIC HEARING – REQUEST BY MELISSA GRIFFIS ON BEHALF OF  
CONTINENTAL 449 FUND, LLC TO CHANGE ZONING ON 30.8 ± ACRE TRACT  
LOCATED ON NEWNAN CROSSING BYPASS - ORDINANCE**

Mayor Brady opened a public hearing on the request to change zoning on 30.8± acre tract located on Newnan Crossing Bypass.

The Planning Director stated this is the first request for the MXD (Mixed Use Development District) zoning designation. She indicated Continental 449 Fund, LLC is seeking to develop a 320 unit apartment complex with the frontage on the bypass being reserved for uses permitted in the OI-1, OI-2, CCS and CGN zoning designations. The site is primarily surrounded by vacant land to the north and south with the aforementioned roads bordering it on the east and west. The change in zoning will have minimal effect on nearby properties. Staff feels the property could be used as currently zoned. The development plan shall follow and comply with the Georgia Storm Water Management Manual, latest edition. All streams, wetlands and other environmentally sensitive areas such as, floodplain shall be determined and located within open space to the extent practically possible. This site is located within the water supply watershed and thus increased stream buffers apply. This site is located within the Stillwood Creek Watershed Basin and is required to comply with the conditions set forth in the Stillwood Creek Watershed Drainage Ordinance. Six (6) foot sidewalks shall be provided along the public right of way and five (5) foot sidewalks within the development. The proposed entrance road and shared drive shown on the concept plan are to be private roads. If deemed necessary a full traffic impact study would need to be completed in order to determine the impact to the street system. There will be an increase in traffic. Due to the density housing in the area of the proposal, school capacity is an ongoing concern. The police would be able to service this development, but it would require a longer response time. The Fire Chief indicated that his department would be able to service the development with their existing personnel and equipment provided that adequate water supply was available. The annual tax revenue to the City based on the current assessed value is \$25,825.18. It is estimated the property would increase with the proposed improvements; the resulting annual tax would be \$193,760 per year. The development of this property as proposed would require impact fees of over \$1,239,542. The development would have less of an impact on the area that a traditional 30 acre commercial development in terms of traffic generation. The multi-family portion of this development would not be consistent with the comprehensive plan. Staff feels the proposed use for the property does reflect a reasonable balance. The applicant is willing to limit the MXD zoning district uses to OI-1, OI-2, CGN, CCS and the multi-family component. In addition, the two outparcels shall be developed with the Quality Development Corridor Overlay standards and a consistent sign package will be used throughout the development. The Planning Commission held a public hearing on July 10, 2018 to consider the rezoning request and voted to approve the rezoning request with the following conditions:

- 1) The development of the property will be consistent with the concept plan, pictures, amenities, and supporting documentation that have been provided as part of the rezoning application.
- 2) The proposed entrance road and shared drive shown on the concept plan are to be private roads. All private roads described herein, regardless of construction standards, will be maintained in perpetuity by the applicant/owner.
- 3) The MXD zoning district uses will be limited to OI-1, OI-2, CGN, CCS and the multi-family component. The two outparcels shall be developed with the Quality

Development Corridor Overlay standards and a consistent sign package will be used throughout.

**Applicant:**

Ms. Melissa Griffis, on behalf of Continental 449 Fund LLC, is requesting rezoning of approximate 30.8± acres located on Newnan Crossing Bypass to be rezoned from CCS to MXD. The proposed amendment will facilitate the smart growth and development that is expected in the City of Newnan. Continental 449 Fund LLC believes that this application is not only consistent with, but advances the intent of the City of Newnan Zoning Ordinance.

Ms. Gwyn Wheeler, Director of Property for Continental Properties, indicated they are proposing to develop an upscale 320 home multifamily apartment community located on the east side of Newnan Crossing Bypass, about a quarter mile south of the interstation of Lower Fayetteville Road and Newnan Crossing Bypass in Newnan that will be a part of the Springs brand that Continental has established in the Atlanta area and throughout the country. We were attracted to Newnan because it is the fifth fastest growing community in the state. Continental develops, owns, and operates each of its Springs communities. Following the regional trends, the rental apartment market in the southern portion of the Atlanta metro region is driven by young professionals and middle age renters that are willing to pay for upgraded amenities that complement their lifestyles. The site has the potential to support small medical offices such as dentist and physicians. The apartment buildings are two (2) story structures with private ground level direct entries to each unit which provide a townhome feel. A community clubhouse is located near the main entrance. The Springs will consist of a mix of studio, 1-bedroom, 2 bedroom and 3-bedroom homes. All floor plans offer an open-living concept. The Springs will be a gated and fenced community with one main vehicular access point into the development.

Councilman Alexander asked about the second exit on the development and also the amount of the rent.

Ms. Wheeler indicated there will be a second exit for emergency vehicles only on the North West side for emergency vehicle. The rent will range from \$900 to \$1400 per month.

Mayor Brady wants to make sure if Continental Properties decides not to do the proposed development for the MXD zoning and a new developer would not be allowed to take the project without agreeing to the specifications agreed upon by Council. We want to make sure they provide the same type development.

Ms. Griffis indicated they agree to all of the conditions.

Mayor Brady closed the public hearing.

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Shell to accept the report from the Planning Commission.

**MOTION CARRIED. (6 – 0)**

**ORDINANCE – AMEND THE ZONING MAP FOR PROPERTY LOCATED IN LAND LOTS 11 AND 12 OF THE 5<sup>TH</sup> LAND DISTRICT – NEWNAN CROSSING BY-PASS, CONTAINING 30.8 ACRES**

Motion by Councilman Shell, seconded by Councilman Alexander to adopt an Ordinance to amend the Zoning Map for property located in Land Lots 11 and 12 of the 5<sup>th</sup> Land District, Newnan Crossing By-Pass containing 30.8 Acres. Opposed: Alexander and Koritko.

**MOTION CARRIED. (4 – 2)**

**ORDINANCE – AMEND SECTION 2-337 BID BONDS OF CHAPTER 2, PURCHASING, ARTICLE VI, DIVISION 5 CONTRACTING REQUIREMENTS; OF THE CODE OF ORDINANCES OF THE CITY OF NEWNAN**

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Shell to adopt an ordinance to amend Section 2-337 Bid Bonds of Chapter 2, Purchasing, Article VI, Division 5 Contracting Requirements; of the Code of Ordinances of the City of Newnan.

**MOTION CARRIED. (6 – 0)**

**DISCUSSION OF ADMINISTRATION OF CITY BOARD, COMMISSION AND AUTHORITY APPOINTMENTS**

The Assistant City Manager stated during a recent meeting Council requested an analysis and list of recommendations related to the identification and appointments of City Board, Commission and Authority appointments. The City currently maintains sixteen (16) boards, commissions and authorities totaling over 130 individual appointments. Not all boards, commissions and authorities operate with similar powers, meaning that certain boards, commissions and authorities have the authority to operate more independently of the City Council. Some board's commissions and authorities are charged with providing guidance and or recommendations to the City Council. The Planning Commission routinely provides recommendations related to land use, planning, zoning, etc. Applications detailing a specific knowledge of understanding and awareness of a topic has been used to recruit members to boards, commissions and authorities. City staff has created an electronic application that has garnered some interest. Council members liked the reports that have been presented from the different commissions. After discussion Council instructed staff to review the recommendations; application process, consolidate some commissions, attendance, education classes, and different ways to apply. Staff was instructed to review the recommendations and present a recommendation back to Council.

**REQUEST – NEWNAN HIGH SCHOOL – CLOSE STREETS FOR ANNUAL  
HOMECOMING PARADE**

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to approve the request by Newnan High School to close streets for their Annual Homecoming Parade on Thursday October 11, 2018.

**MOTION CARRIED. (6 – 0)**

**REQUEST – HOLD 2019 ANNUAL RUN FOR ANGELS 5K AND 10K**

Motion by Councilman Koritko, seconded by Mayor Pro Tem Jenkins to approve the request for the 2019 Annual Run for Angels 5K and 10K on Saturday February 2, 2019 to begin at 8 am on the same route as in previous years.

**MOTION CARRIED. (6 – 0)**

**REQUEST – ANDREW ULLMAN LARKSPUR PRODUCTIONS LLC – FILM IN THE  
CITY PRIMARILY AT 19 TEMPLE AVENUE**

Motion by Councilman Shell, seconded by Councilman Alexander to approve the request by Andrew Ullman Larkspur Productions LLC to film in the City of Newnan primarily at 19 Temple Avenue and utilizing the street and some surrounding area – working dates of October 1 through October 10, 2018.

**MOTION CARRIED. (6 – 0)**

**OFF AGENDA**

Ms. Barbie Giusto spoke in support of Senate Bill Brunch Law to be placed on the ballot for the upcoming election in 2018.

The City Attorney informed Council it is too late the deadline for this has passed for this election. The next election for the City will be in 2019.

Ms. Shirley Church voiced her concerns about clean cutting land and losing trees.

The applicant or builder has to honor the tree ordinance in regards to replacing trees that are removed.

**EXECUTIVE SESSION**

**MOTION FOR EXECUTIVE SESSION**

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Koritko that we now enter into closed session as allowed by O. C. G. A. §50-14-4 and pursuant to advice by the City

Attorney, for the purpose of discussing legal issues and that we move, in open session to adopt a resolution authorizing and directing the Mayor or presiding officer to execute an affidavit in compliance with O. C. G. A. §50-14-4, and that this body ratify the actions of the Council taken in closed session and confirm that the subject matters of the closed session were within exceptions permitted by the open meetings law at 7:50 pm.

**MOTION CARRIED. (6 – 0)**

**RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION**

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Koritko to adopt the resolution authorizing the Mayor to execute the affidavit stating that the subject matter of the closed portion of the Council meeting was within the exceptions provided by O. C.G.A. §50-14-4(b).

**MOTION CARRIED. (6 – 0)**

**MCDONALD CLAIM**

Motion by Councilman Alexander, seconded by Councilman DuBose to deny the McDonald Claim.

**MOTION CARRIED. (6 - 0)**

**DENNIS CLAIM**

Motion by Councilman Alexander, seconded by Councilman Koritko to deny the Dennis Claim.

**MOTION CARRIED. (6 – 0)**

**ADJOURNMENT**

Motion by Councilman Koritko, seconded by Mayor Pro Tem Jenkins to adjourn the Council meeting at 7:51 pm.

**MOTION CARRIED. (6 – 0)**

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Della Hill, City Clerk

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Keith Brady, Mayor