

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, July 19, 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; Planning Director, Tracy Dunnavant; Public Works Director, Michael Klahr; Code Enforcement Officer, Shane Pridgen; City Planner's, Dean Smith and Chris Cole; City Attorney, Brad Sears and Police Chief, Douglas (Buster) Meadows.

MINUTES – REGULAR COUNCIL MEETING – JUNE 21, 2016

Motion by Councilman DuBose, seconded by Councilman Hicks to dispense with the reading of the minutes of the Regular Council meeting for June 21, 2016 and adopt them as presented.

MOTION CARRIED. (7 – 0)

APPOINTMENT – NEWNAN YOUTH ACTIVITIES COMMISSION

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

APPOINTMENTS – NEWNAN CULTURAL ARTS COMMISSION

Motion by Councilman Shell, seconded by Councilman Hicks to re-appoint Ellen Wood to the Newnan Cultural Arts Commission for another three year term.

MOTION CARRIED. (7 – 0)

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Alexander to re-appoint Martha Ann Parks to the Newnan Cultural Arts Commission for another three year term.

MOTION CARRIED. (7 – 0)

APPOINTMENT – KEEP NEWNAN BEAUTIFUL

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

APPOINTMENT – RETIREMENT BOARD

The City Manager recommended Mark Cooper be appointed to the Retirement Board to replace David Whitley.

Motion by Councilman Alexander, seconded by Councilman Koritko to approve the appointment of Mark Cooper to the Retirement Board for a three year term.

MOTION CARRIED. (7 - 0)

TAX DIGEST – 2016

The City Manager informed Council the Tax Commissioner provided us with the tax digest late last week. This year there was a 1.45 increase in the digest; however the roll back will produce a smaller tax levy as compared to 2015 digest. The millage rate information has to be submitted to the paper by 12:00 Wednesday. He is recommending scheduling three public hearings for millage rate.

August 2nd 11:55 am and 6:05 pm
August 9th 2:30 pm regular meeting (schedule public hearing)

Motion by Councilman DuBose, seconded by Councilman Hicks to approve public hearings for August 2, 2016 at 11:55 am and 6:05 pm and August 9, 2016 at 2:30 pm for discussion on millage rate for 2016.

MOTION CARRIED. (7 – 0)

SPECIAL CALLED MEETING – STORM WATER MANAGEMENT – WORKSHOP

Mayor Brady called a Special Called Meeting for a workshop on the regulations of Storm Water Management on August 9, 2016 at 1:30 pm.

Motion by Mary Pro Tem Jenkins, seconded by Councilman Hicks to approve the Special Called Meeting for a Workshop on Stormwater Management on August 9, 2016 at 1:30 pm.

MOTION CARRIED. (7 – 0)

SPECIAL CALLED MEETING – COMP PLAN REVIEW – INFORMATION ONLY

Mayor Brady called a Special Meeting with the Planning staff for a review of the Comp Plan August 23, 2016 at 6:00 pm.

**AMEND AGENDA –USE OF STREETS AND SIDEWALKS IN CEMETERY-
ORDINANCE**

Mayor Brady stated each Council member was emailed a copy of an Ordinance to Amend the Code of Ordinance of the City of Newnan by Adopting an Ordinance to Amend Section 7-21, Use of Streets and Sidewalks in Cemetery, of Chapter 7, Cemeteries and to add a New Article III. Violations: Penalties Section 7-70. Violations Prohibited, Penalties

Motion by Councilman Hicks, seconded by Councilman Alexander to amend the agenda to include an Ordinance to Amend the Code of Ordinances of the City of Newnan by Adopting an Ordinance to Amend Section 7-21, use of Street and Sidewalks in Cemetery, of Chapter 7, Cemeteries, and to add a New Article III. Violations: Penalties Section 7-70. Violations Prohibited, Penalties as part of our agenda.

MOTION CARRIED. (7 - 0)

The City Manager stated we have had complaints of damage to a fence that is private property that separates the cemetery and Charles Place. Also had complaints of blocking roadways, running on and across gravesites and not able to get in to visit graves from street.

The Police Chief indicated during the last two weeks there has been a crowd of 50 in the Cemetery and after clearing them out another large crowd came in.

Councilman DuBose stated he had a call from an elderly man who had been visiting the grave of his recently deceased wife indicating he felt threatened by the young people in the cemetery. They had walked across the top of his wife's grave.

Mayor Brady indicated this is an attempt to exclude gaming and internet play on cellphones in our cemeteries.

Mayor Pro Tem Jenkins suggested they ask developers of Pokemon Go to remove the cemetery from the game.

The City Manager stated there is an online way to make the request which the city has done.

Motion by Councilman Alexander, seconded by Councilman Hicks to adopt on first reading an Ordinance to Amend the Code of Ordinance of the City of Newnan by Adopting an Ordinance to Amend Section 7-21, Use of Streets and Sidewalks in Cemetery, of Chapter 7, Cemeteries and to Add a New Article III. Violations: Penalties Section 7-70. Violations Prohibited, Penalties. Opposed: Jenkins.

MOTION CARRIED. (6 – 1)

PUBLIC HEARING/ALCOHOL BEVERAGE LICENSE – THE OLIVE GARDEN

Mayor Brady opened a public hearing on the application for a Retail ON Premise (Pouring) License Sale of Distilled Spirits, Malt Beverages and Wine to transfer License Representative FROM: Vincent J Mercaldo TO: Undraye Dantoni Fuller Blake for The Olive Garden Italian Restaurant #1658 located at 212 Newnan Crossing Bypass.

A representative of applicant was present for the hearing.

No one spoke for or against the application. Mayor Brady closed the public hearing.

The City Clerk advised that all the documentation had been received and everything was in order.

Motion by Councilman Hicks, seconded by Councilman Koritko to approve the application for a Retail ON Premise (Pouring) License Sales of Distilled Spirits, Malt Beverages and Wine for a transfer of License Representative FROM: Vincent J Mercaldo TO: Undraye Dantoni Fuller Blake for The Olive Garden Italian Restaurant #1658 located at 212 Newnan Crossing Bypass.

MOTION CARRIED. (7 – 0)

PUBLIC HEARING/ALCOHOL BEVERAGE LICENSE – TARGET STORE T -1223

Mayor Brady opened a public hearing on the application for Retail OFF Premise (Package) License Sale of Malt Beverages and Wine to transfer Licensee FROM: Rachael Vegas TO: David M Mirelez for Target Store T -1223 located at 555 Bullsboro Drive.

A representative of the applicant was present for the hearing.

No one spoke for or against the application. Mayor Brady closed the public hearing.

The City Clerk advised that all the documentation had been received and everything was in order.

Motion by Councilman Hicks, seconded by Councilman Koritko to approve the application for a Retail OFF Premise (Package) License Sale of Malt Beverages and Wine to transfer Licensee FROM: Rachael Vegas TO: David M Mirelez for Target Store T -1223 located at 555 Bullsboro Drive.

MOTION CARRIED. (7 – 0)

PUBLIC HEARING/ALCOHOL BEVERAGE LICENSE – WALGREENS

Mayor Brady opened a public hearing on the application for Retail OFF Premise (Package) License Sale of Malt Beverages and Wine to transfer License Representative

FROM: Valencia Turpin TO: Shearin Donnell for Walgreens located at 1 Farmer Industrial Boulevard.

A representative of the applicant was present for the hearing.

No one spoke for or against the application. Mayor Brady closed the public hearing.

The City Clerk advised that all the documentation had been received and everything was in order.

Motion by Councilman DuBose, seconded by Councilman Koritko to approve the application for a Retail OFF Premise (Package) License Sale of Malt Beverages and Wine to transfer License Representative FROM: Valencia Turpin TO: Shearin Donnell for Walgreens located at 1 Farmer Industrial Boulevard.

MOTION CARRIED. (7 – 0)

REQUEST – NEWNAN UTILITIES – CUT 80 ACRES OF FOREST LAND – SOUTH SIDE OF HWY 34 WEST

Motion by Councilman Alexander, seconded by Councilman Hicks to approve the request from Newnan Utilities to select cut 80 acres of forest land lying on City property on the south side of Highway 34 West. Payment to be made to Newnan Utilities.

MOTION CARRIED. (7 – 0)

2ND QUARTER SURPLUS PROPERTY DECLARATION AND DISPOSITION

Motion by Councilman Alexander, seconded by Councilman Koritko to approve the 2nd Quarter Surplus Property list as presented for declaration and disposition. (2010 Ford Crown Victoria, Low speed golf cart w/bed, and 1988 American General Motors Hummer)

MOTION CARRIED. (7 – 0)

CONTRACT – CITY OF NEWNAN CULTURAL ARTS COMMISSION AND JWH PRODUCTIONS, LLC – PRODUCE A DOCUMENTARY FILM REGARDING PUBLIC ART AND THE CITY OF NEWNAN

Motion by Councilman Alexander, seconded by Councilman Koritko to proceed with the contract between the City of Newnan Cultural Arts Commission and JWH Productions, LLC to produce a documentary film regarding Public Art and the City of Newnan.

MOTION CARRIED. (7 – 0)

STREET ACCEPTANCE – DELAWARE WAY AND MARINE PASS – NEW PHASE OF THE PARKS AT OLMSTEAD SUBDIVISION NAMED SENECA PARK INTO THE CITY STREET SYSTEM

The City Planner stated The Parks at Olmstead neighborhood is situated on the east side of the City of Newnan with entrances located off of Mary Freeman Road and Poplar Road. The final plat drawing has been approved by the Planning and Zoning Department and Engineering Department. The Engineering Department has conducted their inspections for completeness and has deemed the infrastructure to be in accordance with the City's standards, and proof of payment with the appropriate utility for street lights has been furnished. Staff recommends accepting these sections of streets into the City's street system.

Motion by Councilman Hicks, seconded by Councilman Koritko to accept Delaware Way and Marie Pass into the City Street System, new phase of the Parks at Olmstead subdivision named Seneca Park.

MOTION CARRIED. (7 – 0)

TEXT AMENDMENT – ZONING ORDINANCE – ALLOW BARBER/BEAUTY SHOPS AS A SPECIAL EXCEPTION USE IN THE ILT DISTRICT – REFER TO PLANNING COMMISSION

Motion by Councilman Hicks, seconded by Councilman Alexander to refer to Planning Commission Text Amendment to allow Barber/Beauty Shops as a special exception in the ILT District.

MOTION CARRIED. (7 – 0)

APPLICATION –REZONING 0.981± ACRES – 320 JACKSON STREET FROM 0I-1 (Low DENSITY-OFFICE AND INDUSTRIAL DISTRICT) TO RS-15 (SUBURBAN SINGLE FAMILY RESIDENTIAL DWELLING DISTRICT- MEDIUM DENSITY) – INFORMATION ONLY

PUBLIC HEARING – 2016 UPDATE CAPITAL IMPROVEMENTS ELEMENT (CIE) INCLUDING 2016 UPDATE TO THE SHORT-TERM WORK PROGRAM (STWP)

Mayor Brady opened a public hearing on the 2016 Update to the Capital Improvements element (CIE) including the 2016 update to the Short-Term Work Program (STWP).

The City Planner stated the purpose of the public hearing is to inform the public of the City of Newnan's completion and intent to adopt its update to the Capital Improvements Element (CIE) of the 2006-2026 Comprehensive Plan, which includes the Short-Term Work Program; to receive suggestions and comments on the proposed updates. All local governments must hold one public hearing prior to the transmittal of their updates. The

official transmittal to the Three Rivers Regional Commission (RC) and the Georgia Department of Community Affairs (DCA) is planned to be requested at the August 9 Council meeting. After review and approval of the CIE update by the RC and DCA the Council will be asked to officially adopt the CIE update for 2016.

Seeing no one spoke for or against the issue Mayor Brady closed the public hearing.

SECOND PUBLIC HEARING – COMPREHENSIVE PLAN 2016 – 2036

Mayor Brady opened a public hearing for the Comprehensive plan 2016 – 2036.

The City Planner informed Council all local governments must hold two public hearings during the Comprehensive Plan process. The first public hearing was held on January 26, 2016. The purpose of this second public hearing is to brief the community on contents of the Comprehensive Plan 2016 – 2036 including the Capital Improvements Element (CIE). It also provides an opportunity for residents to make final suggestions, additions or revisions and for staff to notify the community of when the Comprehensive Plan will be submitted to the Regional Commission for review. Once public comments have been addressed, the Comprehensive Plan must be transmitted to the Regional Commission with a cover letter signed by the Mayor. Official transmittal to Three Rivers Regional Commission and DCA will be sought at the August 9, 2016 Council meeting. The adoption date by Mayor and Council is October 11, 2016. He thanked the residences and Stakeholders for completing the survey, Steering Committee including City Council, and Staff – Cleatus Phillips, Ronda Helton, Tracy Dunnavant, and Dana Johnson, also coworkers Dean Smith and Tina Fronebarger.

Seeing no one spoke for or against the issue Mayor Brady closed the Public Hearing.

PUBLIC HEARING – REQUEST – REZONE 5.30± ACRES JACKSON STREET FROM RS-15 (SUBURBAN RESIDENTIAL SINGLE-FAMILY DWELLING DISTRICT-LOW DENSITY) TO RU-7 (URBAN RESIDENTIAL SINGLE-FAMILY DWELLING DISTRICT-LOW DENSITY) TO ACCOMMODATE A RESIDENTIAL SUBDIVISION CONSISTING OF 21 HOMES

Mayor Brady opened a public hearing on the rezoning for 5.30± acres located on Jackson Street.

Applicant:

Ms. Melissa Griffis, on behalf of Cornerstone Associates, Inc. is seeking to rezone 5.30± acres located on Jackson Street. The request is to rezone the property from RS-15 (Suburban Residential Single-Family Dwelling District – Low Density) to RU-7 (Urban Residential Single-Family Dwelling District – Low Density). The applicant is seeking the rezoning to accommodate a residential subdivision consisting of 21 homes.

Mr. Tommy Sweet, Cornerstone's president, informed Council the Urban Neighborhood Design Standards allows smaller lots with more houses, also for nicer finishes such as real brick, nicer trim and windows. It will fit in well with surrounding areas. The homes will be a minimum of 2,500 square feet with a purchase price of approximately \$300,000.

No one spoke in opposition.

The Planning Director stated the RU-7 is a district that provides for higher density residential development designed to allow more walkable neighborhoods. The subject property is primarily bordered by a mixture of residential land uses/house types, vacant land, and a former residence that has been rezoned to accommodate a future office use. House size has been proffered at a minimum of 2,500 square feet of principal living space. The applicant is seeking to increase density by going to a zoning designation which allows smaller lots. The Georgia DOT will have review and permit authority for the entrance and improvements along the Jackson Street frontage (GA HWY 14). The Future Land Use Map shows the property as future residential. At their June 14, 2016 meeting, the Planning Commission held a Public Hearing and unanimously recommended approving the rezoning request with conditions. The conditions were as follows:

- 1) Development of the property shall adhere to, follow and meet the City of Newnan's Urban Neighborhood Design Standards:
- 2) The development shall be limited to no more than 21 building lots;
- 3) Each house in the development shall have a minimum of 2,500 square feet of principal living space.
- 4) The lots in the development facing Jackson Street will have the front façade following Jackson Street;
- 5) The houses in the development shall meet the variations in elevations as provided in the application for rezoning including the architectural theming guidelines provided therein;
- 6) All concerns which may be identified by the City's Engineering Department shall be addressed during the final subdivision plating and development phases of the project.

Mayor Brady closed the public hearing.

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Hicks to approve the report by the Planning Commission.

MOTION CARRIED. (7 – 0)

ORDINANCE – AMEND THE ZONING MAP FOR PROPERTY ON JACKSON STREET

Motion by Councilman Alexander, seconded by Councilman Hicks to adopt an Ordinance to amend the Zoning Map for property located on Jackson Street from RS-15 (Suburban Residential Single-Family Dwelling District-Low Density) to RU-7(Urban Residential

Single-Family Dwelling District-Low Density) to accommodate a residential subdivision consisting of 21 homes.

MOTION CARRIED. (7 – 0)

SUBSTANDARD HOUSING REQUEST – EXTENSION – 7 UPPER MANN STREET

The Code Enforcement Officer informed Council the owner has provided a schedule for the repairs.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to approve an extension for structure located at 7 Upper Mann Street for one hundred eighty (180) days.

MOTION CARRIED. (7 – 0)

SUBSTANDARD HOUSING REQUEST – EXTENSION – 121 PINSON STREET

The Code Enforcement Officer informed Council the owner has not provided a schedule for repairs.

Marcus Beasley informed Council they have made changes to the roof and spent over \$3,000. He indicated the structure will be secure. He is requesting an extension of one hundred eighty (180) days.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to approve an extension of one hundred eighty (180) days instructing owner to present work schedule by the next meeting for review by Council.

MOTION CARRIED. (7 – 0)

SUBSTANDARD STRUCTURE REQUEST – EXTENSION – 136 EXT SPRING STREET

The Code Enforcement Officer informed Council he received an email from the owner which included a schedule of repairs. He recommends an extension of one hundred eighty (180) days for owner to complete the repairs.

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Hicks to approve an extension of one hundred eighty (180) days for the structure located at 136 Ext Spring Street.

MOTION CARRIED. (7 – 0)

**SUBSTANDARD STRUCTURES STATUS REPORT – 3 ANNIE, 7 LANDERS, 29
WILCOXEN, 79 SPENCE 92 PINSON AND 286 W. WASHINGTON**

The Code Enforcement Officer informed Council these properties have been before Council with Public Hearings.

<u>Property</u>	<u>Owner</u>	<u>Status</u>	<u>Resolution Deadline</u>
3 Annie Street	Alvin Williams, Jr	No progress	08/21/2016
7 Landers Street	Dwight Bailey	Progress made	08/05/2016
29 Wilcoxen Street	Wanda Beckom	Progress made	11/19/2016
79 Spence Ave	Andre Sparks	No Progress	10/23/2016
92 Pinson Street	Perry Benson	No Progress	08/20/2016
286 W Washington St	Irvin Jones	No progress	09/13/2016

Accept status report, no further action is required.

**REQUEST – CHALK LEVEL COMMUNITY - “NO PARKING ON STREET” SIGNS BE
PLACED ON MARY ANN STREET**

Motion by Councilman Alexander, seconded by Councilman Hicks to refer the request by Chalk Level Community to place “No Parking on Street” signs on Mary Ann Street to Engineering and Public Safety for review and recommendation.

MOTION CARRIED. (7 – 0)

**REQUEST – CONSIDERATION FOR KEEP NEWNAN BEAUTIFUL AND PROJCT
PARTNER, NEWNAN UTILITIES, INSTALL POLLINATOR GARDEN AT 14
CARMICHAEL STREET LOCATED BEHIND WEST GEORGIA’S DOWNTOWN
CAMPUS**

Motion by Councilman Hicks, seconded by Councilman Alexander to approve the request for Keep Newnan Beautiful and project partner, Newnan Utilities to install Pollinator Garden at 14 Carmichael Street located behind West Georgia’s Downtown Campus.

MOTION CARRIED. (7 – 0)

COUNCIL’S REMARKS

Mayor Pro Tem Jenkins and Councilman Alexander were invited to the College/Temple Neighborhood Association meeting. They asked if something could be done with people cutting through Clark to Temple to Jackson Street coming in. They wanted to know if traffic could be rerouted on Temple leading up to Clark Street at the intersection because of accidents that have occurred.

EXECUTIVE SESSION

MOTION FOR EXECUTIVE SESSION

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Hicks 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, personnel and real estate issues and that we, in open session 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 7:15 p.m.

MOTION CARRIED. (7 - 0)

EXECUTIVE SESSION

RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Hicks 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. (7 - 0)

AMEND ORGANIZATIONAL STRUCTURE

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins authorized the City Manager to begin the process to amend the organizational structure.

MOTION CARRIED. (7 - 0)

ADJOURNMENT

Motion by Councilman Alexander, seconded by Councilman Hicks to adjourn the Council meeting at 7:56 pm.

MOTION CARRIED. (7 - 0)

Della Hill, City Clerk

Keith Brady, Mayor