

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, June 19, 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; City Planner, Dean Smith; Assistant City Manager, Hasco Craver; City Attorney, Brad Sears and Police Chief, Douglas (Buster) Meadows.

MINUTES – REGULAR MEETING – MAY 22, 2018

Motion by Councilman Koritko, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council meeting for May 22, 2018 and adopt them as presented.

MOTION CARRIED. (6 – 0)

APPOINTMENT – NEWNAN YOUTH ACTIVITIES COMMISSION

Motion by Councilman Koritko, seconded by Councilman Alexander to appoint Diane Linehan to the Newnan Youth Activities Commission replacing Chuck Fields, term to expire April 2021.

MOTION CARRIED. (6 – 0)

APPOINTMENTS – CONVENTION CENTER AUTHORITY

Motion by Mayor Brady, seconded by Councilman Alexander to re-appoint Norma Haynes to the Convention Center Authority for another three year term.

MOTION CARRIED. (6 – 0)

Motion by Councilman Koritko, seconded by Councilman DuBose to appoint Krista Frost to the Convention Center Authority to replace Tom Lukens for a three year term.

MOTION CARRIED. (6 - 0)

APPOINTMENTS – CULTURAL ARTS COMMISSION

Motion by Mayor Brady, seconded by Mayor Pro Tem Jenkins to re-appoint Bette Hickman for another three year term to the Cultural Arts Commission.

MOTION CARRIED. (6 – 0)

Motion by Councilman DuBose, seconded by Mayor Pro Tem Jenkins to re-appoint Mandy Barrett for another three year term to the Cultural Arts Commission.

MOTION CARRIED. (6 – 0)

Mayor Brady asked the City Manager to place the two appointments to the Cultural Arts Commission on the agenda for the next meeting.

APPOINTMENTS – KEEP NEWNAN BEAUTIFUL

Motion by Councilman Koritko, seconded by Councilman Alexander to re-appoint Cristina Bowerman to the Keep Newnan Beautiful Commission for another three year term.

MOTION CARRIED. (6 – 0)

Motion by Councilman DuBose, seconded by Councilman Alexander to appoint Angelia Cochran to the Keep Newnan Beautiful Commission for a three year term replacing Pamela Prange.

MOTION CARRIED. (6 – 0)

Mayor Brady asked the City Manager to place Councilman Koritko' s and Mayor Pro Tem Jenkins appointments to the Keep Newnan Beautiful Commission on the agenda for the next Council meeting.

RESIGNATION – CHRISTMAS COMMISSION – ALLIE HOLLOMAN

Motion by Councilman Alexander, seconded by Councilman DuBose to accept the resignation of Allie Holloman on the Christmas Commission with regrets.

MOTION CARRIED. (6 – 0)

APPOINTMENT – CHRISTMAS COMMISSION – REPLACE ALLIE HOLLOMAN

Motion by Councilman Koritko, seconded by Councilman Alexander to appoint Donna Scales to the Christmas Commission for a three year term.

MOTION CARRIED. (6 – 0)

PINNING/PROMOTIONS TO LIEUTENANT – ATWOOD AND STANFORD

The Police Chief informed Council the following have been promoted to Lieutenants: Sgt. Denver Atwood and Sgt. Jody Stanford. The pinning of Badges was conducted by family members.

DELEGATES – MEAG ANNUAL MEETING

Motion by Councilman DuBose, seconded by Mayor Pro Tem Jenkins to appoint Councilman Alexander as delegate and Councilman Shell as alternate delegate for MEAG Annual meeting.

MOTION CARRIED. (6 – 0)

REQUEST – CHILDREN MUSEUM - PLACE FIBERGLASS ANIMALS ON DISPLAY AROUND DOWNTOWN

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Shell to approve the request by the Children's Museum to place fiberglass animals on display around downtown for a year.

MOTION CARRIED. (6 – 0)

PUBLIC HEARING - APPLICATION FOR ALCOHOL BEVERAGE – APPLEBEE'S

Mayor Brady opened a public hearing on the application for alcohol beverage license transfer of License Representative FROM: David B. Chase TO: Dwayne Cure for Retail on Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for Applebee's Neighborhood Grill and Bar located at 971 Bullsboro Drive.

No action - No representative of applicant was present for the public hearing.

PUBLIC HEARING –APPLICATION FOR ALCOHOL BEVERAGE – EAT THAI

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Malt Beverages and Wine License for Eat Thai located at 33 East Broad Street.

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 Alexander, seconded by Councilman Shell to approve the application for a Retail On Premise (Pouring) Sales of Malt Beverages and Wine License for Eat Thai located at 33 East Broad Street.

MOTION CARRIED. (6 – 0)

RESOLUTION – PARCEL BOEX, LLC (LAND LOT 44) FOR THE LINC

Motion by Councilman Shell, seconded by Mayor Pro Tem Jenkins to adopt a Resolution to proceed to acquire the title, estate or interest in the lands hereinafter described in attachments to this order and resolution by condemnation under the provisions of code and the City's designated attorney is authorized and directed to file condemnation proceedings and authorize Mayor Brady to take all actions and sign all documents to proceed with this condemnation.

MOTION CARRIED. (6 - 0)

RESOLUTION – PARCEL RJAL, INC (LAND LOT 21) FOR THE LINC

Motion by Councilman Shell, seconded by Mayor Pro Tem Jenkins to adopt a Resolution to proceed to acquire the title, estate or interest in the lands hereinafter described in attachments to this order and resolution by condemnation under the provisions of code and the City's designated attorney is authorized and directed to file condemnation proceedings and authorize Mayor Brady to take all actions and sign all documents to proceed with this condemnation.

MOTION CARRIED. (6 – 0)

RESOLUTION – PURCHASE USING HGAC (HOUSTON-GALVESTON AREA COUNCIL) CO-OP METHOD FOR A 75' AERIAL QUINT APPARATUS UTILIZING COMBINED SPLOST 2013 FUNDS

The Fire Chief is seeking Council's approval to adopt a resolution to purchase a 75' Aerial Quint Apparatus from Sutphen utilizing the Co-Op purchasing method through HGAC (Houston-Galveston Area Council); pre-pay to utilize savings; combine the SPLOST 2013 original budget for Fire Truck (\$500,000) and Rescue Unit (\$200,000) and allocate an additional \$50,000 from SPLOST 2013 for a total budget of \$750,000.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to adopt a Resolution authorizing the City Manager to issue a Purchase Order to Sutphen Corporation to purchase one Sutphen Heavy Duty 75-foot Mid-Mount Aerial Ladder (SL75) fire truck, at \$749,922.55 utilizing the HGAC (Houston-Galveston Area Council).

MOTION CARRIED. (6 – 0)

PUBLIC HEARING – PROPOSED AMENDMENTS TO THE ZONING ORDINANCE

Mayor Brady opened a public hearing on the proposed amendments to the Zoning Ordinance.

The City Planner presented the proposed amendments to the Zoning Ordinance for Articles 2, 3, 4, 6 and 7. He stated since the adoption of the revised zoning ordinance in

September 2017, Staff have noted some items needing to be altered or revised in the zoning ordinance. The Planning Commission voted to approve the proposed amendments at their meeting of May 8, 2018 and forward the amendments to Council with a recommendation.

Mayor Brady closed the public hearing.

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

MOTION CARRIED. (6 – 0)

ORDINANCE TO AMEND THE ZONING ORDINANCE BY ADOPTING TEXT AMENDMENTS TO ARTICLE 2, USE OF LAND AND STRUCTURES; ARTICLE 3, RESTRICTIONS ON PARTICULAR USES; ARTICLE 4, LOT AND BUILDING STANDARDS; ARTICLE 6, MASTER PLANNED DEVELOPMENTS AND ARTICLE 7, PARKING AND LOADING REQUIREMENTS; AND FOR OTHER PURPOSES

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Shell to adopt an Ordinance to Amend the Zoning Ordinance by Adopting Text Amendments to Article 2, Use of Land and Structures; Article 3, Restrictions on Particular uses; Article 4, Lot and Building Standards; Article 6, Master Planned Development and Article 7, Parking and Loading Requirements.

MOTION CARRIED. (6 – 0)

INFORMATION ONLY – REQUEST BY MELISSA GRIFFIS ON BEHALF OF CONTINENTAL 449 FUND, LLC TO REZONE 30.8± ACRES – NEWNAN CROSSING BYPASS FROM CCS (COMMUNITY SHOPPING CENTER DISTRICT) TO MXD (MIXED USE DISTRICT) - PLANNING COMMISSION

INFORMATION ONLY – BY THOMPSON GOODING ON BEHALF OF ORACLE CONSULTING SERVICES, LLC –REZONE 19.85± ACRES ON GREISON TRAIL FROM RU2 TO RML – PLANNING COMMISSION

2ND AND FINAL READING – ORDINANCE AMEND 2017 BUDGET

Motion by Councilman Alexander, seconded by Councilman DuBose to adopt on second reading an Ordinance to amend the 2017 Budget as required by GASB.

MOTION CARRIED. (6 – 0)

**2ND AND FINAL READING – ORDINANCE AMENDMENT TO CHAPTER 2,
ADMINISTRATION, ARTICLE VI PURCHASING, DIVISION 5 CONTRACTING
REQUIREMENTS, SECTION 2.338 PERFORMANCE AND PAYMENT BONDS**

Motion by Councilman Alexander, seconded by Councilman DuBose to adopt on second reading an Ordinance for Amendment to Chapter 2, Administration, Article VI Purchasing, Division 5 Contracting Requirements, Section 2.338 Performance and Payment Bonds of the Code of Ordinances of the City of Newnan.

MOTION CARRIED. (6 – 0)

**PUBLIC HEARING – BY MELISSA GRIFFIS ON BEHALF OF THE LEGENDS AT
NEWNAN CROSSING LLC TO ANNEX 28.6± ACRES LOCATED OFF SHENANDOAH
BLVD INTO THE CITY LIMITS**

Mayor Brady opened a public hearing on the request to annex 28.6± acres located off Shenandoah Blvd into the City Limits.

The Planning Director informed Council in October, 2017 Council considered a request from the apartment complex developer to allow access to his development through a 5.64± acre parcel located in the City. The access request was denied by Council due to the project's impact on the City's transportation system with no taxes being paid by the applicant since the project was located in the county. At that time the possibility of annexing the tract was mentioned for consideration. The subject property is surrounded by existing residential subdivisions, an apartment complex, and a hotel. The subdivision will be well buffered from the proposed development. A traffic study is pending at this time for additional modeling of the traffic patterns and how they may affect the intersections north to Bullsboro Drive and south at Diplomat Parkway The greatest impact will be additional traffic; however Newnan Crossing Boulevard East is a four lane road and the Engineering Department will ensure that all improvements are made to minimize impact. The Fire Chief indicated they would be able to serve this property with existing manpower and equipment. The Police Chief indicated after reviewing the request and volume increase for officers and extended response times, his department could furnish services with existing personnel and equipment. The development plan shall follow and comply fully with the Metro North Georgia Water Planning District Development Standards .The City Engineering Department will be coordinating with the Engineer of Record and Traffic Engineer to determine what improvements are required prior to the civil plan approval or any Land Disturbance permits being issued. Due to the high density housing in the area of the proposal; school capacity is an ongoing concern. Coweta County voted to file no objection to the petition. The Planning Commission at their May 8, 2018 meeting held a public hearing and voted to recommend denying the annexation and rezoning request. Staff reviewed the application and recommended approval of the annexation and rezoning request with conditions;

- 1) The development will be limited to 236 units.

- 2) The project will be consistent with the concept plan and elevations provided as part of the application.
- 3) The amenities package will include all items listed as “community amenities” that were submitted as part of the rezoning application.
- 4) Traffic improvements shall include full accommodation of left turning movements into and out of Newnan Crossing Court and right turning movements at each of the proposed entrances, as well as any other recommended improvements resulting from a traffic study (underway, but not submitted for review at this time), at the discretion of the City Engineer. The limits for the traffic study shall extend from SR 34 (Bullsboro Dr) to Diplomat Parkway.
- 5) The apartment complex will abide by the proffered condition that was stated in the rezoning application agreeing to no more than two unrelated individuals per unit.

Mayor Brady stated there are no plans for an entrance or exit onto Shenandoah Boulevard.

Melissa Griffes, Attorney Rosenzweig, Jones, Horne & Griffis, on behalf of Legends at Newnan Crossing is requesting to annex 28.64±acres located on Newnan Crossing Boulevard and to be rezoned to RML from the present County Multi-Family and CCS zoning. By including the 6 acre tract already in the City we will be able to add more units to help cover the cost of impact fees and other expense. We are happy with all of the conditions.

Ms. Shanna Walton presented the project planning on the management plan on how the property will be managed. They plan to be on site regularly. The property will have an entrance gate. They will only rent to people that qualify.

Mr. George Harper indicated the project would work better if the property is annexed into the City limits. The wooded area would remain for a buffer. The Club house will be at the front of the property.

Opposition:

Mr. Steve Cambrt, 8 Stonehaven Drive, representing Shenandoah Community Association indicated the association has turned down access to Shenandoah Boulevard twice because this would create more traffic and create flooding.

Mr. Craven asked Council to follow the Planning Commission vote and vote no for the annexation. Traffic is already bad enough.

Sandy, resident, indicated traffic is already bad on Shenandoah Boulevard and would like to have a natural buffer.

Diane Cambrt indicated traffic is her concern.

Sarah Freeman is asking Council to deny the request. This will lower test scores for the school.

Ryan Freeman is asking Council to deny the request to annex the property.

Sylvia Yeager wanted to know what has happen to nature; we are becoming the City of Homes with no trees.

Ms. Melissa Griffis informed Council they have not been before Shenandoah Community Association regarding Shenandoah Boulevard.

Mayor Brady closed the public hearing.

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

MOTION CARRIED. (6 – 0)

**ORDINANCE – ANNEX 28.6± ACRES LEGENDS AT NEWNAN CROSSING, LLC
LOCATED OFF SHENANDOAH BOULEVARD INTO CITY LIMITS**

Motion by Councilman Shell to adopt an Ordinance to annex 28.6± acres off Shenandoah Boulevard into the City Limits of Newnan.

FAILED – LACK OF SECOND

ORDINANCE – DENY ANNEXATION 28.6± ACRES OFF SHENANDOAH BOULEVARD

Motion by Councilman Alexander, seconded by Councilman Koritko to deny the application to annex 28.6± acres located off Shenandoah Boulevard into the City Limits of Newnan. Opposed: Shell

MOTION CARRIED. (5 - 1)

**ORDINANCE – TO ZONE 28.6 ± ACRES OFF SHENANDOAH BOULEVARD -
REZOND AS RML (RESIDENTIAL MULTIPLE FAMILY DWELLING-LOWER DENSITY
DISTRICT) WITH CONDITIONS**

No action was taken to rezone the 28.6 acres off Shenandoah Boulevard due to denial of annexation request.

**WITHDRAW REQUEST - PUBLIC HEARING – BY MELISSA GRIFFIS ON BEHALF OF
THE LEGENDS AT NEWNAN CROSSING LLC TO CHANGE THE ZONING ON 5.64 ±
ACRE TRACT LOCATED OFF NEWNAN CROSSING COURT FROM CCS
(COMMUNITY SHOPPING CENTER DISTICT) TO RML (RESIDENTIAL MULTIPLE
FAMILY DWELLING-LOWER DENSITY DISTRICT) – ALLOW PROPERTY TO BE**

**USED IN CONJUNCTION WITH DEVELOPMENT OF 236 UNIT APARTMENT
COMPLEX**

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Koritko to approve the withdrawal of the zoning request on 5.64± acres located off Newnan Crossing.

MOTION CARRIED. (6 – 0)

DOWNTOWN SANITATION PROGRAM – SIX MONTH REPORT

Motion by Councilman Alexander, seconded by Councilman Koritko to continue the Six month report for the Downtown Sanitation Program to July 17, 2018 meeting and extend current rates for two months.

MOTION CARRIED. (6 – 0)

SUBSTANDARD HOUSING – REQUEST EXTENSION – 10 BURCH AVENUE

Motion by Councilman Alexander, seconded by Councilman Koritko to approve the request by owner of 10 Burch Avenue for an extension of one hundred eighty days to complete the repairs.

MOTION CARRIED. (6 – 0)

**SUBSTANDARD HOUSING STATUS REPORTS – 136 SPRING STREET, 286 W
WASHINGTON STREET, 121 PINSON STREET AND 180 W WASHINGTON STREET**

<u>Property</u>	<u>Owner</u>	<u>Status</u>	<u>Resolution Deadline</u>
136 Spring St.	Willie G Clay Estate	No progress	07/18/2018
286 W. Washington	Irvin Jones Estate	No progress	08/12/2018
121 Pinson St.	Marcus Beasley	No progress	09/11/2018
180 W. Washington ST	Render Godfrey	Progress made	09/11/2018

These properties have been before Council with public hearings. No action needed at this time.

**REQUEST – KERIS KARES, INC. – USE PARKING SPACES CLOSEST TO COURT
HOUSE ON SOUTH COURT SQUARE- HOST “FOOD TRUCK” - EVENT AWARENESS
FOR PEDIATRIC CANCER**

Motion by Councilman Alexander, seconded by Councilman Koritko to approve the request by Keris Kares, Inc. to use parking spaces closest to the Court House on South

Court Square to host "Food Truck" Event for Awareness for Pediatric Cancer on September 2018 from 5 – 8:30 pm and set up table.

MOTION CARRIED. (6 – 0)

REQUEST – KERIS KARES, INC. – 5K AND 1 MILE RUN - PEDIATRIC CANCER AWARENESS – MAY 18, 2019

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Koritko to approve the request by Keris Kares, Inc. to hold their annual 5K and 1 Mile Run on May 18, 2019 for Pediatric Cancer Awareness from 6:30 to 8:30 am.

MOTION CARRIED. (6 – 0)

REQUEST – JENNY JONES, CORNER ARTS GALLERY STUDIO & GIFT SHOP – ANNUAL LABOR DAY FESTIVAL AROUND COURT SQUARE

Motion by Councilman Shell, seconded by Councilman DuBose to approve the request by Jenny Jones, Corner Arts Gallery Studio and Gift Shop to hold annual Labor Day Festival around the Court Square on September 3, 2018 from 8 am to 6 pm.

MOTION CARRIED. (6 - 0)

REQUEST – KASHEVA HILL, NEW BEGINNINGS – USE SMALL PAVILION AT BASEBALL FIELD - LYNCH PARK

Motion by Councilman Shell, seconded by Councilman Koritko to approve the request by Kasheva Hill, New Beginnings to utilize the small pavilion at baseball field at Lynch Park on Tuesday and Thursdays in June and July to provide outdoor activities for children and teenagers in the surrounding community.

MOTION CARRIED. (6 – 0)

REQUEST – MELISSA ISHERWOOD, GRACE COMMUNITY FELLOWSHIP – USE LYNCH PAVILION AND RAY PARK – CHILDREN'S FIVE DAY OUTREACH

Motion by Councilman Koritko, seconded by Councilman Alexander to approve the request by Melissa Isherwood, Grace Community Fellowship to use Lynch Pavilion June 20th - 22nd and Ray Park July 9th -13th from 9:45 to 11:15 am to hold a children's five day outreach at each location.

MOTION CARRIED. (6 – 0)

REQUEST – EDGAR HUGHSTON BUILDER, INC – ABANDON PORTION OF THE RIGHT OF WAY OF ST CHARLES PLACE BETWEEN LOT 59 AND LOT 99 – PARKSIDE VILLAGE AS NOTED ON CONSTRUCTION PLANS FROM 2017

Motion by Councilman Alexander, seconded by Councilman Shell to refer to Staff the request for the abandon portion of the right of way of St Charles Place between Lot 59 and Lot 99 Parkside Village as noted on construction plans from 2017 and bring back to Council.

MOTION CARRIED. (6 – 0)

OFF AGENDA - PROCLAMATION REQUEST

Ms. Cynthia Bennett, Chamber of Commerce, asked for a Proclamation celebrating the 20 year relationship with our Sisters City, Ayr Scotland. She was a host family 20 years ago when the City hosted Ayrshire Fiddle Orchestra and one of the three students that were at her home will be getting married and she will be attending the wedding in July.

COUNCIL MEMBERS REMARKS

Mayor Pro Tem Jenkins thanked Staff for all of their work on the Howard Warner Play Ground build.

Councilman Shell would like for Staff to review appointment process for Commissions and make a recommendation back to Council. Also would like yearly reports from each Commissions.

Councilman Alexander would also like to thank the Kiwanis Club for their help on the Howard Warner Play Ground.

ADJOURNMENT

Motion by Councilman Alexander, seconded by Councilman Koritko to adjourn the Council meeting at 7:55 pm.

MOTION CARRIED. (6 – 0)

Della Hill, City Clerk

Keith Brady, Mayor