

CITY OF NEWNAN, GEORGIA
REGULAR COUNCIL MEETING

NOVEMBER 14, 2017

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, November 14, 2017 at 2:30 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, Cynthia E. Jenkins; Clayton Hicks, Rhodes Shell and Dustin Koritko. Also present: City Manager, Cleatus Phillips; City Clerk, Della Hill; Public Works Director, Michael Klahr; Planning Director, Tracy Dunnavant; Assistant City Manager, Hasco Craver; Assistant City Attorney, Carson Sears and Police Chief, Douglas (Buster) Meadows.

MINUTES – REGULAR MEETING – OCTOBER 24, 2017

Motion by Councilman DuBose, seconded by Councilman Shell to dispense with the reading of the minutes of the Regular Council meeting for October 24, 2017 and adopt them as presented.

MOTION CARRIED. (7 – 0)

APPOINTMENT – CULTURAL ARTS COMMISSION

Motion by Councilman Alexander, seconded by Councilman Hicks to appoint Chandra Sharack to the Cultural Arts Commission term will expire 6/2020.

MOTION CARRIED. (7 – 0)

APPOINTMENT – PARKS COMMISSION

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

APPOINTMENT – TREE COMMISSION

Motion by Councilman Alexander, seconded by Councilman Koritko to appoint Rosa Bezenal to the Tree Commission term expires 1/2018.

MOTION CARRIED. (7 – 0)

APPOINTMENT – NEWNAN DEVELOPMENT AUTHORITY

Motion by Councilman Koritko, seconded by Councilman Alexander to re-appoint Jim Markel to the Newnan Development Authority for another four year term.

MOTION CARRIED. (7 – 0)

PUBLIC HEARING/ ALCOHOL BEVERAGE LICENSE – WALMART #494

Mayor Brady opened a public hearing on the application for the transfer of the License Representative From: Angela Horton To: Hollis Watts for Retail Off Premise (Package) Sales of Malt Beverages & Wine License for Walmart #494 located at 1025 Highway 34 E.

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 DuBose, seconded by Councilman Shell to approve the application for the transfer of the License Representative From: Angel Horton To: Hollis Watts for Retail Off Premise (Package) Sales of Malt Beverages and Wine License for Walmart #494 located at 1025 Highway 34 E.

MOTION CARRIED. (7 – 0)

AGREEMENT – GMA PROVIDE CANCER BENEFITS TO FIREFIGHTERS AS REQUIRED BY O.C.G.A. §25-4-2

Motion by Councilman Alexander, seconded by Councilman Hicks to approve the agreement with GMA to provide certain cancer benefits to Firefighters as required by O.C.G.A. &25-4-2 (House Bill 146).

MOTION CARRIED. (7 – 0)

AGREEMENT – BETWEEN CITY OF NEWNAN AND WASTE INDUSTRIES ATLANTA LLC – SOLID WASTE COLLECTION

The City Manager informed Council Waste Industries has worked with the City to craft an amendment that would extend the term for additional five-years. The first year of the agreement would see a 3% rate adjustment, but years 2 and 3 would be locked. Rate adjustments for years 4 and 5 would be based on the Consumer Price Index for Waste Sewer and Trash Collection Services. The agreement also requires Waste Industries to provide a new inventory of roll-out cans over a 3 year period.

Motion by Councilman Shell, seconded by Councilman Hicks to approve the agreement between the City of Newnan and Waste Industries Atlanta LLC for residential services that includes a five-year extension unless either party provides written notice of intent not to extend the agreement.

MOTION CARRIED. (7 – 0)

NEWNAN UTILITIES ON BEHALF OF NEWNAN-COWETA HUMANE SOCIETY –
REQUESTING APPROVAL TO PROVIDE SEWER SERVICE AT 608 HWY 29 NORTH
CURRENTLY NOT INSIDE CITY LIMITS – PLANS TO ANNEX

The City Manager informed Council the Humane Society will not be able to request annexation because it will cause the creation of an island.

Motion by Councilman Shell, seconded by Councilman Alexander to approve the request to provide sewer service at 608 Highway 29 North not inside City Limits.

MOTION CARRIED. (7 – 0)

REQUEST – CONSTRUCT AN RFP FOR REPLACEMENT OF CRITICAL IT
INFRASTRUCTURE

The Assistant City Manager indicated in March 2017 we were informed the hardware was going End of Life and we would not be able to receive parts or service at the end of the one year renewal. Staff has formulated a plan to address the concerns of aging infrastructure and improve accessibility of resources. Also the addition of an emergency generator at city hall would provide emergency lighting and maintain uptime of critical equipment.

Motion by Councilman DuBose, seconded by Councilman Hicks to approve the construct of a RFP for the Replacement of Critical IT Infrastructure and instruct staff to present the RFP to Council for approval.

MOTION CARRIED. (7 – 0)

REQUEST – BRUCE WALKER – BEHALF OF STANDING BOY PROPERTIES –
ANNEX 1.12± ACRES – 856 POPLAR ROAD – REFERRAL TO PLANNING
COMMISSION

Mayor Brady turned the meeting over to Mayor Pro Tem Jenkins because he has business relationship with Standing Boy Properties.

Motion by Councilman Alexander, seconded by Councilman DuBose to refer to the Planning Commission the request from Bruce Walker on behalf of Standing Boy Properties to annex a total of 1.12± acres located at 856 Poplar Road into the City limits. Recused: Mayor Brady has business relationship with standing Boy Properties.

MOTION CARRIED. (6 – 0- 1)

RESOLUTION/REQUEST – AUTHORIZING MAYOR TO EXECUTE PROJECT FRAMEWORK AGREEMENT (PFA) WITH GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT) FOR A GRANT WITH A MATCH OF \$18,750 – GRANT MAYOR AUTHORITY EXECUTE ALL FUTURE CONTRACTS REQUIRED

Motion by Councilman Hicks, seconded by Mayor Pro Tem Jenkins to adopt a resolution authorizing the Mayor to execute a Project Framework Agreement (PFA) with the Georgia Department of Transportation (GDOT) for a \$75,000 Surface Transportation Grant with match commitment of \$18,750 and grant the Mayor authority to execute all future contract documents required by GDOT related to grant.

MOTION CARRIED. (7 – 0)

BID – MILL AND RESURFACING OF VARIOUS STREETS – 2018

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to award the bid for Mill and Resurfacing of Various Streets – 2018 to Piedmont Paving Inc. in the amount of \$838,809.60.

MOTION CARRIED. (7 – 0)

SUBSTANDARD STRUCTURES – STATUS REPORTS – 136 SPRING, 286 W. WASHINGTON, 121 PINSON, 10 BURCH, 180 W. WASHINGTON AND 79 SPENCE AVENUE

The Code Enforcement Officer indicated these properties have been before Council with public hearings.

<u>Property</u>	<u>Owner</u>	<u>Status</u>	<u>Resolution Deadline</u>
136 Spring St	Willie G Clay Estate	No progress	01/18/2018
286 W Washington	Irvin Jones Estate	No progress	02/04/2018
121 Pinson Street	Marcus Beasley	Progress made	03/11/2018
10 Burch Ave	Abdul Kader	Progress made	12/17/2017
180 W Washington St	Render Godfrey	No progress	03/08/2018
79 Spence Avenue	Andre Sparks	Progress made	02/06/2018

No action required.

CONTRACT AWARD – FINANCIAL FORECASTING AND ECONOMIC IMPACT ANALYSIS – MULTI-SPORT AND RECREATION VENUE

In May 2017 at the direction of Council, Hunden Strategic Partners completed a Feasibility Report and Market Study for a Multi-Sport and Recreation Venue. The study indicated to staff that there is a potential market place for successful development and operation of a multi-sport and recreation venue in the City. In considering the results of the study and in consultation with a design firm, staff developed a conceptual program that includes facilities that may support up to ten (10) rectangular outdoor fields and an 85,000SF indoor facility. Staff believes that a precise financial forecasting and economic impact analysis is needed in order to best guide and prepare the Council for a potential future decision related to the development and operation of a multi-sport and recreational facility in the City of Newnan.

Motion by Councilman DuBose, seconded by Councilman Alexander to approve the recommendation by staff to award a contract to The Sports Facilities Advisory (SFA) in the amount of \$37,000 to perform a Financial Forecasting and Economic Impact Analysis for a Multi-Sport and Recreation Venue. Funding from Impact fees.

MOTION CARRIED. (7 – 0)

REQUEST – TEXT AMENDMENT TO ZONING ORDINANCE – GOVERNING SHORT-TERM RESIDENTIAL RENTAL DWELLINGS – REFER TO PLANNING COMMISSION

Motion by Councilman DuBose, seconded by Councilman Alexander to refer the request for a Text Amendment to the Zoning Ordinance governing short-term residential rental dwellings to the Planning Commission.

MOTION CARRIED. (7 – 0)

REQUEST – ADOPTION OF PROPOSED NOISE ORDINANCE AMENDMENT – CHAPTER 10, SECTION 10-36

The City Planner informed Council during the past several months we have researched various jurisdictions, conducted extensive decibel readings in the Central Business district zone and held public workshops and meetings. A change that resulted from the last meeting is changing the definition of “Unreasonably Loud Harsh or Excessive Noise” to be a sustained noise that exceeds a decibel level of 80 db from a distance of 100 feet. The major elements of the proposed noise ordinance are: 1. Establish quiet times in the residential districts and the Central Business District (downtown area); 2. Establish decibel level criteria for enforcement; 3. Limit noise generated from construction activity; and 4. Provides for events and activities that are exempt including City sponsored or sanctioned events. After much discussion between Council, Staff, downtown Business owners and citizens that were present it was determined to add to the current Noise Ordinance the Restricted uses and activities Section 10-36-5 including A, B and C instructing staff to review the recommendations and bring back to Council for consideration.

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Alexander to add Section 10-36-5 Restricted uses and activities including A, B and C to the current Noise Ordinance and bring back to Council for consideration.

MOTION CARRIED. (7 – 0)

REQUEST – FOUNDATION CHRISTIAN CHURCH – USE TWO SPECIFIC PARKING SPACES AND TAKE NOMINAL FEE FOR ENTRY INTO CONTEST AT EVENT AT GREENVILLE STREET PARK “FOUNDATION FAMILY FEST”

Motion by Councilman Alexander, seconded by Councilman Shell to approve the request by Foundation Christian Church to use two specific parking spaces and take nominal fee for entry into contest at event at Greenville Street Park “Foundation Family Fest” on November 18, 2017 from 11 am to 2 pm.

MOTION CARRIED. (7 – 0)

REQUEST – USE PORTIONS OF ASHLEY PARK BLVD, ASHELY PARK DRIVE AND MCINTOSH WAY – HOLD 2017 GLOW – LIGHT YOUR WORLD RUN

Motion by Councilman Alexander, seconded by Councilman Koritko to approve the request to use portions of Ashley Park Blvd, Ashley Park Drive and McIntosh Way as in the past to hold 2017 Glow – Light Your World Run on a route in Ashley Park on December 3, 2017 at 7:30 pm.

MOTION CARRIED. (7 – 0)

REQUEST – ABIDE BREWING – CLOSE PORTION OF WERZ INDUSTRIAL BOULEVARD – BLUE SKY EVENT MANAGEMENT – HOST A CRAFT BREW MILE EVENT ON DECEMBER 30, 2017

Motion by Councilman Shell, seconded by Councilman Koritko to approve the request from Abide Brewing to close portion of Werz Industrial Boulevard for Blue Sky Event Management to host a Craft Brew Mile event on Saturday December 30, 2017 at 12:00 pm keeping alcohol within the permitted zone.

MOTION CARRIED. (7 – 0)

REQUEST – DEANDRE FRANKLIN, THE COBRA FOUNDATION – USE C J SMITH PARK FIELDS – PRACTICE ON SPECIFIC DATES IN NOVEMBER AND DECEMBER

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Alexander to approve the request from DeAndre Franklin, The Cobra Foundation to use C J Smith Park Fields for practice on specific dates in November and December for 6 State level Youth Football Teams.

MOTION CARRIED. (7 – 0)

REQUEST – MICHAEL SCOTT – HOST COMMUNITY SINGING OF AULD LANG SYNE AROUND THE COURTHOUSE ON THE SQUARE

Motion by Councilman Alexander, seconded by Councilman Koritko to approve request from Michael Scott to host a community singing of Auld Lang Syne on January 27, 2018 at 5 pm with singers, bagpipers and drummers at the Courthouse on the square then marching towards the Historic Train Depot in conjunction with the Sister City relationship Newnan shares with Ayr.

MOTION CARRIED. (7 – 0)

REQUEST – DERRICK TEAGLE-EMPOWERED 4 LIFE (E4L) LEASE FOR WESLEY STREET GYM BE RENEWED FOR 2018

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Alexander to approve the request by Derrick Teagle – Empowered 4 Life that their lease for the Wesley Street Gym be renewed for the year 2018, expires December 31, 2017.

MOTION CARRIED. (7 – 0)

REQUEST – DEMARRIO HOUSTON-GRIND 2 SHINE EMPOWERMENT PROGRAM (FORMERLY KNOWN AS POSITIVE U, INC) –LEASE FOR WESLEY STREET GYM BE RENEWED FOR YEAR 2018

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Alexander to approve the request from Demarrio Houston – Grind 2 Shine Empowerment Program (Formerly known as Positive U, Inc.) to renew their lease for the Wesley Street Gym for the upcoming year 2018.

MOTION CARRIED. (7 – 0)

REQUEST – MEGAN BELLEW – UTILIZE DOWNTOWN SIDEWALK – MAKING CHRISTMAS PHOTOS WITH SANTA – COMMUNITY OUTREACH PROGRAM

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Koritko to approve the request from Megan Bellew to utilize the downtown sidewalk for making Christmas photos with Santa for a Community Outreach Program for Change Church of Grantville, Georgia.

MOTION CARRIED. (7 – 0)

OFF AGENDA

CHRISTMAS LIGHTS ON TREES DOWNTOWN

Ms. Norma Hayes thanked Council for the Christmas lights on the trees downtown. Also Newnan Utilities for the lights around the top of the building.

COUNCIL COMMENTS – CROSSWALKS

Councilman Shell indicated he works downtown and drivers are not acknowledging pedestrians in the crosswalks.

Council instructed staff to review the crosswalks downtown and bring several recommendations back to them for their review.

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 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 3:45 pm.

MOTION CARRIED. (7 – 0)

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)

ADJOURNMENT

Motion by Councilman Alexander, seconded by Councilman Koritko to adjourn the Council meeting at 4:53 pm.

MOTION CARRIED. (7 – 0)

Della Hill, City Clerk

Keith Brady, Mayor