

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday December 16, 2014 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; Clayton Hicks; Cynthia E. Jenkins; Dustin Koritko; Robert Coggin; George Alexander and Rhodes Shell. Also present were: City Manager, Cleatus Phillips; City Clerk, Della Hill; Planning Director, Tracy Dunnavant; Code Enforcement Officer, Shane Pridgen; Business Development Director, Hasco Craver; City Attorney, Brad Sears and Police Chief Douglas "Buster" Meadows.

MINUTES – REGULAR COUNCIL MEETING – NOVEMBER 25, 2014

Motion by Councilman DuBose, seconded by Councilman Hicks to dispense with the reading of the minutes of the Regular Council meeting for November 25, 2014 and adopt them as presented.

MOTION CARRIED. (8 - 0)

2ND AND FINAL READING – ORDINANCE NEWNAN CHRISTMAS COMMISSION

Motion by Councilman Alexander, seconded by Councilman Hicks to adopt on second and final reading an ordinance for the Newnan Christmas Commission.

MOTION CARRIED. (8 – 0)

APPOINTMENTS – NEWNAN CHRISTMAS COMMISSION – TERMS TO EXPIRE FEBRUARY 1, 2018

Motion by Mayor Brady, seconded by Councilman Hicks to appoint Val Cranford to the Newnan Christmas Commission for a three year term to expire February 1, 2018.

MOTION CARRIED. (8 – 0)

Motion by Councilman Coggin, seconded by Councilman Hicks to appoint Norma Haynes to the Newnan Christmas Commission for a three year term to expire February 1, 2018.

MOTION CARRIED. (8 – 0)

Motion by Councilman Hicks, seconded by Councilman Alexander to appoint Carol Wilson to the Newnan Christmas Commission for a three year term to expire February 1, 2018.

MOTION CARRIED. (8 – 0)

Motion by Councilman Shell, seconded by Councilman Alexander to appoint Linda Arnall to the Newnan Christmas Commission for a three year term to expire February 1, 2018.

MOTION CARRIED. (8 – 0)

Mayor Brady asked the City Manager to place Mayor Pro Tem Jenkins, Councilman Alexander, DuBose and Koritko appointments on the agenda for the next Council meeting.

APPOINTMENT - NEWNAN CULTURAL ARTS COMMISSION – 3 YEAR UNEXPIRED TERM TO END JUNE 2016

Mayor Brady asked the City Manager to place this appointment on the agenda for the next Council meeting.

CITY MANAGER REMARKS

The City Manager thanked Staff, volunteers and participants for the great job on the Christmas Parade. He announced earlier this week the City will continue doing a night parade on the second Saturday in December.

PUBLIC HEARING – ALCOHOL BEVERAGE – H J WINGS AND THINGS

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Malt Beverages and Wine License for Nonie LLC d/b/a H J Wings and Things located at 31 Market Square Road, Suite 101.

A representative of the applicant was present for the hearing.

No one present 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 DuBose to approve the application for Retail On Premise (Pouring) Sales of Malt Beverages and Wine License for Nonie LLC d/b/a H J Wings and Things located at 31 Market Square Road, Suite 101.

MOTION CARRIED. (8 – 0)

PUBLIC HEARING – ALCOHOL BEVERAGE – ROCK BACK PIZZA

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License to transfer License Representative from Mary Katherine Kaminski to Michael Curtis Smith for Rock Back Pizza located at 311 Newnan Crossing Bypass.

A representative of the applicant was present for the hearing.

No one present 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 DuBose to approve the application for Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License to transfer License Representative from Mary Katherine Kaminski to Michael Curtis Smith for Rock Back Pizza located at 311 Newnan Crossing Bypass.

MOTION CARRIED. (8 – 0)

PUBLIC HEARING – ALCOHOL BEVERAGE – PUBLIX SUPER MARKETS, INC #1143
AT 1111 LOWER FAYETTEVILLE ROAD AND STORE # 470 AT 370 BULLSBORO
DRIVE

Mayor Brady opened a public hearing on the applications for a Retail Off Premise (Package) Sales of Malt Beverages and Wine License for transfer of Licensee from Lonnie Randall Burt to Trent Collins for Publix Super Markets, Inc. # 1143 locations at 1111 Lower Fayetteville Road and store #470 located at 370 Bullsboro Drive.

A representative of the applicant was present for the hearing.

No one spoke for or against the applications. 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 Alexander to approve the applications for a Retail Off Premise (Package) Sales of Malt Beverages and Wine License for a transfer of Licensee from Lonnie Randall Burt to Trent Collins for Publix Super Markets, Inc. # 1143 located at 1111 Lower Fayetteville Road and store #470 located at 370 Bullsboro Drive.

MOTION CARRIED. (8 – 0)

RESOLUTION – CHANGE AND CANCEL CERTAIN SCHEDULED COUNCIL MEETINGS FOR CALENDAR YEAR 2015

Motion by Councilman Hicks, seconded by Councilman Alexander to adopt the Resolution to change and cancel certain scheduled Council meetings for calendar year 2015.

MOTION CARRIED. (8 – 0)

Mayor Brady called a special Council meeting for January 14, 2015 at noon for a second and final reading of the ordinance for the 2015 Budget because there will be a Councilmember absent from the regular Council meeting on January 13, 2015.

AUTHORIZATION – COMMITMENT OF FUNDS FROM GENERAL FUND UNASSIGNED FUND BALANCE FOR DEBT REPAYMENT OF THE NEWNAN HOSPITAL REDEVELOPMENT LOAN (UWA CAMPUS PROJECT)

Motion by Councilman DuBose, seconded by Councilman Hicks to adopt the Ordinance to authorize the commitment of funds (\$2,500,000) for the University of West Georgia Campus Project (Newnan Hospital Redevelopment Project) from the General Fund Unassigned Fund Balance to the General Fund Committed Fund Balance, specifically for debt repayment of the DDA note authorized by Council for the project.

MOTION CARRIED. (8 – 0)

PERFORMANCE/ORGANIZER AGREEMENT BETWEEN THE CITY OF NEWNAN AND COURTENAY BUDD CARAMICO – ANNUAL WADSWORTH PERFORMANCE – NCAC

Motion by Councilman Coggin, seconded by Mayor Pro Tem Jenkins to approve the Performance/Organizer Agreement between the City of Newnan and Courtenay Budd Caramico for the annual Wadsworth performance, and approve the budget of \$12,000.

MOTION CARRIED. (8 – 0)

SURPLUS PROPERTY DECLARATION AND DISPOSITION

Motion by Councilman Hicks, seconded by Councilman Koritko to declare as surplus the 2005 Chevy Trail Blazer Serial No 1GNDS135X52298946R as surplus property and grant authorization for the disposal of such.

MOTION CARRIED. (8 – 0)

CHANGE ORDER #4 – NEWNAN HOSPITAL REDEVELOPMENT PROJECT

Motion by Councilman Alexander, seconded by Councilman Hicks to approve change order #4 in the amount of \$134,028 for the chemistry lab, minor Laredal changes and

revised landscaping scope for the Newnan Hospital Redevelopment Project. The project continues to be within budget.

MOTION CARRIED. (8 – 0)

**MEMORANDUM OF AGREEMENT FOR PEDESTRAIN LIGHTING ON SR 14 –
NEWNAN HOSPITAL REDEVELOPMENT PROJECT**

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Hicks to approve the memorandum of agreement between the City of Newnan and the Georgia Department of Transportation (GDOT) for Pedestrian Lighting on State Route 14/Jackson Street from SR 16 Clark Street to Cavender Street.

MOTION CARRIED. (8 – 0)

**NEWNAN COWETA HISTORICAL SOCIETY – FIRST AMENDMENT TO MASTER
LEASE AGREEMENT AND AGREEMENT TO LEASE 27 CLARK STREET (BRICK
HOUSE)**

With changing needs and after consideration of both parties, it has been found beneficial that the white house be leased to a separate non-profit for creating an artist in residence program. The Historical Society wants to lease the brick house for potential operation of a children's museum.

Motion by Councilman Coggin, seconded by Councilman Hicks to approve the First Amendment to the master Lease Agreement between the City of Newnan and the Newnan Coweta Historical Society for the white frame house at 23 Clark Street and the brick house at 27 Clark Street.

MOTION CARRIED. (8 – 0)

Motion by Councilman Hicks, seconded by Mayor Pro Tem Jenkins to approve the lease agreement for 27 Clark Street.

MOTION CARRIED. (8 – 0)

**LEASE AGREEMENT BETWEEN THE CITY OF NEWNAN AND “NEWNAN ARTIST IN
RESIDENCE PROGRAM” FOR WHITE WOOD FRAME HOUSE AT 23 CLARK STREET
FOR ARTISTS STUDYING, VISTING AND/OR WORKING IN THE NEWNAN-COWETA
COUNTY, GEORGIA AREA**

Motion by Councilman Shell, seconded by Councilman Hicks to approve the lease agreement between the City of Newnan and the Newnan-Coweta Historical Society to

lease 23 Clark Street to a non-profit corporation of the State of Georgia, "Newnan Artist in Residence Program, Inc." to fulfill this need in Newnan.

MOTION CARRIED. (8 – 0)

LEASE AGREEMENT – BETWEEN CITY OF NEWNAN AND THE COWETA COUNTY GENEALOGICAL SOCIETY, INC – BUILDING AT 8 CARMICHAEL STREET

Motion by Councilman DuBose, seconded by Councilman Shell to approve the Lease agreement between the City of Newnan and the Coweta County Genealogical Society for the building located at 8 Carmichael Street where they will serve Newnan and Coweta County.

MOTION CARRIED. (8 – 0)

CONSIDERATION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF NEWNAN AND THE BOYS AND GIRLS CLUBS OF METRO ATLANTA RELATING TO THE PROVISION OF YOUTH DEVELOPMENT PROGRAMMING AT THE HOWARD WARNER SCHOOL – 55 SAVANNAH STREET

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Alexander to approve the Memorandum of Understanding between the City of Newnan and the Boys and Girls Clubs of Metro Atlanta relating to the provision of Youth Development programming at the Howard Warner School located at 55 Savannah Street.

MOTION CARRIED. (8 – 0)

CONSIDERATION OF THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF NEWNAN AND THE YMCA OF ATLANTA RELATING TO THE PROVISION OF YOUTH DEVELOPMENT PROGRAMMING AT THE HOWARD WARNER SCHOOL 55 SAVANNAH STREET

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Alexander to approve the Memorandum of Understanding between the City of Newnan and the YMCA of Atlanta relating to the provision of Youth Development Programming at the Howard Warner School located at 55 Savannah Street.

MOTION CARRIED. (8 – 0)

CONSIDERATION OF INTERGOVERNMENTAL RENTAL AGREEMENT BETWEEN THE CITY OF NEWNAN AND THE BOARD OF REGENTS OF THE UNIVERSITY SYSTEM OF GEORGIA REGARDING LEASE FOR UWGA NEWNAN CAMPUS AT 80 JACKSON STREET

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to approve the Intergovernmental Rental Agreement between the City of Newnan and the Board of

Regents of the University System of Georgia regarding the lease for UWGA Newnan Campus at 80 Jackson Street.

MOTION CARRIED. (8 – 0)

The City Manager informed Council the purchase agreement to actually purchase the hospital is scheduled for April 30, 2015. The scheduled final completion is January 29, 2015. The Institution would like to enter into the premises prior to closing of the purchase transaction for the purpose of installing and equipping the facility with institution owned furniture, fixtures and equipment. In order for them to do this; we are entering into a short term rental agreement.

RESOLUTION- AMEND CURRENT BOUNDARIES OF THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF NEWNAN

The Business Development Director informed Council the Downtown Development Authority expressed their desire to successfully revitalize the historic downtown commercial district, while understanding the potential future growth and redevelopment patterns.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to adopt a resolution to amend the current boundaries of the Downtown Development Authority of the City of Newnan.

MOTION CARRIED. (8 – 0)

CONSIDERATION OF CONTRACT FOR PROBATION SERVICES FOR THE MUNICIPAL COURT OF THE CITY OF NEWNAN WITH PROVIDENCE COMMUNITY CORRECTIONS

Motion by Councilman Alexander, seconded by Councilman Shell to adopt the contract for probation services for the Municipal Court of the City of Newnan with Providence Community Corrections authorizing Judge Rosenzweig to sign the contract.

MOTION CARRIED. (8 – 0)

RELOCATION AGREEMENT WITH GEORGIA POWER FOR RELOCATION OF DISTRIBUTION FACILITIES ASSOCIATED WITH THE CONSTRUCTION OF THE SECOND ENTRANCE TO THE NEWNAN CENTRE

The Public Works Director/City Engineer is seeking approval from Council to approve the Agreement with Georgia Power for relocation of distribution facilities associated with the construction of the second entrance to the Newnan Centre. It has been proposed to relocate existing Georgia Power facilities underground. Another option is to relocate facilities overhead, providing additional vertical clearance.

Motion by Councilman Coggin, seconded by Councilman Alexander to approve the agreement with Georgia Power for the relocation of distribution facilities associated with the construction of the second entrance to the Newnan Centre for \$103,845.12 and funding taken from SPLOST 2013.

MOTION CARRIED. (8 – 0)

SUBSTANDARD STRUCTURE – SCHEDULE PUBLIC HEARING- 92 PINSON STREET

The Code Enforcement Officer is seeking approval to schedule a public hearing for the substandard structure located at 92 Pinson Street for February 24, 2015.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to approve the request by staff and schedule a public hearing for the substandard structure located at 92 Pinson Street for February 24, 2015.

MOTION CARRIED. (8 – 0)

SUBSTANDARD STRUCTURE – SCHEDULE PUBLIC HEARING – 286 W. WASHINGTON STREET

The Code Enforcement Officer informed Council an inspection was conducted and deemed the structure to be unsafe. He is requesting permission to schedule a public hearing for the substandard structure located at 286 West Washington Street for February 24, 2015.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to approve the request by staff and schedule a public hearing for the substandard structure located at 286 West Washington Street for February 24, 2015.

MOTION CARRIED. (8 - 0)

SUBSTANDARD STRUCTURE – STATUS REPORTS – 3 ANNIE STREET, 4 DEWEY STREET, 4 WELCH STREET, 7 LANDERS STREET, 7 UPPER MANN STREET- EXTENSION REQUESTED, 10 FARMER STREET, 11 TUXEDO AVENUE, 20 DIXON STREET, 67 FAIRMOUNT DRIVE, 66 SAVANNAH STREET, 121 PINSON STREET

The Code Enforcement Officer indicated the following have been before Council and a public hearing was held.

<u>Property</u>	<u>Owner</u>	<u>Status</u>	<u>Resolution Deadline</u>
3 Annie Street	Alvin Williams	No Progress	Feb 22, 2015
4 Dewey Street	Dean Riede	Attempting Sale	Jan 26, 2015
4 Welch Street	Tynisha Adufo	No Progress	March 15, 2015
7 Landers Street	David Thompson	Continuing Repairs	March 8, 2015
7 Upper Mann Street	Donald Smith	Request Ext	Dec 16, 2014

CITY OF NEWNAN, GEORGIA
REGULAR COUNCIL MEETING

DECEMBER 16, 2014

10 Farmer Street	Jimmy Rogers	Attempting Sale	Feb 22, 2015
11 Tuxedo Ave	Irvin Jones	No Progress	Feb 22, 2015
20 Dixon Street	Woodie Wood	Repairs continuing	Dec 14, 2014
67 Fairmount Drive	Eugene Rachel	No Progress	Oct 14, 2014
68 Savannah Street	Cherie Robinson	Progress made	March 11, 2015
121 Pinson Street	Marcus Beasley	Foreclosing on Right of redemption	Feb 22, 2015

The Code Enforcement Officer advised Council 7 Upper Mann Street has been on the list since April of last year. He indicated in 2013 there was eight months with no progress, three month with progress; 2014 three months progress and nine months no progress. The value of the property does exceed 50 percent of assessed value.

Motion by Councilman Hicks, seconded by Mayor Pro Tem Jenkins to continue the request for an extension for thirty (30) days (January 27, 2015 meeting) instructing staff to contact owner of 7 Upper Mann Street to be at this meeting.

MOTION CARRIED. (8 – 0)

Motion by Councilman DuBose, seconded by Mayor Pro Tem Jenkins to approve the request by Woodie Wood for a ninety (90) day extension to complete the repairs on 20 Dixon Street.

MOTION CARRIED. (8 - 0)

REQUEST – OAK GROVE BAPTIST CHURCH – HOLD 5K WALK – MARCH 28, 2015
CLOSING PORTIONS OF STREETS FOR THE ROUTE AROUND ASHLEY PARK

Motion by Mayor Pro Tem Jenkins, second by Councilman Hicks to approve the request by Oak Grove Baptist Church to hold 5K Walk on March 28, 2015 closing portions of streets for the route around Ashley Park.

MOTION CARRIED. (8 – 0)

COUNCIL MEMBERS

Councilman Alexander has been in contact with volunteers that helped with projects sponsored by Keep Newnan Beautiful and they would like to request the reflector vest that are required to be worn have Volunteer on the back of the vest.

Mayor Pro Tem Jenkins thanked everyone for putting on such a great Christmas Parade. Also thanked staff and Council members for their work on the YMCA and the Boys and Girls Club contract.

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 matters 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 6: 55 p.m.

MOTION CARRIED. (8 - 0)

EXECUTIVE SESSION

Motion by Councilman Alexander, seconded by Councilman Hicks to adjourn the executive session back into regular session at 7:36 p.m.

MOTION CARRIED. (8 - 0)

RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION

Motion by Mayor Pro Tem Jenkins, seconded by Councilman DuBose 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. (8 - 0)

GREENTOP ROAD

Motion by Councilman Hicks, seconded by Councilman Coggin to authorize Newnan Utilities to move forward with its offer to extend centralized sewer to NCTI, LLC Greentop Road property subject to the following conditions:

1. The offer is contingent upon NCTI, LLC obtaining an order from the Superior Court in its appeal/lawsuit that its property is unconstitutionally zoned from the denial by Coweta County of its application to rezone the property to the zoning classification of RI-B; and,
2. Coweta County rezones the property to the zoning classification of RI-B.

MOTION CARRIED. (7 - 1)

Opposed: Alexander

ADJOURNMENT

Motion by Councilman Alexander, seconded by Councilman Hicks to adjourn the Council meeting at 7:37 p.m.

MOTION CARRIED. (8 – 0)

Della Hill, City Clerk

Keith Brady, Mayor