

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, February 10, 2015 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; Clayton Hicks; Dustin Koritko; Robert Coggin; George Alexander and Rhodes Shell. Council member absent: Cynthia E. Jenkins. Also present were: City Manager, Cleatus Phillips; City Clerk, Della Hill; Planning Director, Tracy Dunnivant; Code Enforcement Officer, Shane Pridgen; City Attorney, Brad Sears and Police Chief "Buster" Douglas Meadows.

MINUTES – REGULAR COUNCIL MEETING – JANUARY 27, 2015

Motion by Councilman Coggin, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council meeting for January 27, 2015 and adopt them as presented.

MOTION CARRIED. (7 – 0)

APPOINTMENTS – NEWNAN CHRISTMAS COMMISSION

Motion by Councilman Alexander, seconded by Councilman Hicks to appoint Allison Zeigler to the Newnan Christmas Commission term to expire February 1, 2018.

MOTION CARRIED. (7 - 0)

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

APPOINTMENT – TREE COMMISSION

Motion by Councilman Shell, seconded by Councilman Alexander to re-appoint Ellen Wood to the Tree Commission for another three year term.

MOTION CARRIED. (7 – 0)

**RESIGNATION – NEWNAN YOUTH ACTIVITIES COMMISSION – DONNA BROOKS –
TERM EXPIRES APRIL 2016**

Motion by Councilman Coggin, seconded by Councilman Alexander to accept the resignation of Donna Brooks from the Newnan Youth Activities Commission with regrets.

MOTION CARRIED. (7 – 0)

Mayor Brady asked the City Manager to place the appointment to the Newnan Youth Activities Commission on the agenda for the next Council meeting.

**RESOLUTION – OPPOSE THE STATE OF GEORGIA'S TRANSPORTATION FUNDING
ACT OF 2015**

Mayor Brady presented a resolution for Council's consideration for the State of Georgia's Transportation Funding Act of 2015. He stated House Bill 170 is moving so quickly through the general assembly it could possibly be on the house floor by the end of the week. The bill would reduce local SPLOST funding and local LOST collections used for funding services and property tax reduction to the City of Newnan by approximately \$1,571,203. This resolution will be passed along to our local delegation and the Georgia General Assembly to strongly oppose any bill, provision or measure to re-allocate local sales tax funding from local governments to the state of Georgia.

Motion by Councilman DuBose, seconded by Councilman Alexander to adopt a resolution to oppose the State of Georgia's Transportation Funding Act of 2015 that will be passed along to our local delegation and the Georgia General Assembly.

MOTION CARRIED. (7 – 0)

**PUBLIC HEARING – ALCOHOL BEVERAGE TRANSFER LICENSEE – SPECIAL
EVENTS LOCATION**

Mayor Brady opened a public hearing on the applications for a Special Events Location License to transfer Licensee FROM: Arthur Laurie Pope TO: Elizabeth F. Harwell for Coweta Historical Society, Inc. History Center at 60 East Broad Street and Newnan-Coweta Historical Society, Inc. Hollis Museum at 74 Jackson Street.

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 all the documentation had been received and everything was in order.

Motion by Councilman Coggin, seconded by Councilman Shell to approve the applications for a Special Events Location License to transfer Licensee FROM: Arthur Laurie Pope TO:

Elizabeth F. Harwell for Coweta Historical Society, Inc. History Center at 60 East Broad Street and Newnan-Coweta Historical Society, Inc. Hollis Museum at 74 Jackson Street.

MOTION CARRIED. (7 – 0)

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE TRANSFER LICENSEE – MY TEMPLE AVENUE LLC D/B/A TEXACO FOOD MART

Mayor Brady opened a public hearing on the application for transfer of Licensee FROM: Nareshkumar Patel TO: Paven Jaidi for Retail Off Premise (Package) Sales of Malt Beverages and Wine License for My Temple Avenue LLC d/b/a Texaco Food Mart located at 114 Temple Avenue.

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 all the documentation had been received and everything was in order.

Motion by Councilman Hicks, seconded by Councilman Shell to approve the application for transfer of licensee FROM: Nareshkumar Patel TO: Paven Jaidi for Retail Off Premise (Package) Sales of Malt Beverages and Wine License for My Temple Avenue LLC d/b/a Texaco Food Mart located at 114 Temple Avenue.

MOTION CARRIED. (7 – 0)

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – GRAND CAFÉ LLC D/B/A BIG JOE'S BAR AND GRILLE

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages & Wine License for Grand Café LLC d/b/a Big Joe's Bar & Grille located at 1329 Bullsboro Drive.

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 Shell, seconded by Councilman Hicks to approve the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for Grand Café LLC d/b/a Big Joe's Bar & Grille located at 1329 Bullsboro Drive.

MOTION CARRIED. (7 – 0)

RESOLUTION – PARTICIPATION IN THE “CERTIFIED CITY OF ETHICS” PROGRAM

Motion by Councilman Hicks, seconded by Councilman Alexander to adopt a resolution for the City of Newnan to be re-certified as a “Certified City of Ethics” under the GMA Program.

MOTION CARRIED. (7 - 0)

AWARD CONTRACT – CONSTRUCTION CONTRACTOR – JEFFERSON/JACKSON STREET CORRIDOR IMPROVEMENT PROJECT

The City Landscape Architect informed Council in January four (4) construction firms responded to the invitation to bid for the construction of the Jefferson/Jackson Street Corridor Improvement Project. Staff is recommending we accept the base bid of \$761,131.02 from Integrated Construction and Nobility, Inc. which was the lowest bid and meets all the specifications. The project was priced with a base construction bid with a supplemental bid for lighting only. In February, 2008 the City received a federal grant of \$360,547. The City will allocate \$335,000 from SPLOST 07 and \$425,000 from SPLOST 13.

Motion by Councilman Alexander, seconded by Councilman Hicks to award the lowest bid for the construction contractor to Integrated Construction & Nobility, Inc. for Jefferson/Jackson Street Corridor Improvement Project at \$761,131.02 with a supplement bid for lighting only. Funding from SPLOST 07 and SPLOST 13.

MOTION CARRIED. (7 – 0)

TEXT AMENDMENT – ZONING ORDINANCE TO ALLOW SALES OF MOTORCYCLES BOATS AND SIMILAR LIGHT VEHICLES AS A PERMITTED USE IN THE IHV (HEAVY INDUSTRIAL) DISTRICT – REFER TO PLANNING COMMISSION

Motion by Councilman Alexander, seconded by Councilman Coggin to refer to the Planning Commission this Text Amendment to the Zoning Ordinance to allow sales of motorcycles, boats and similar light vehicles as a permitted use in the IHV (Heavy Industrial) District for a recommendation.

MOTION CARRIED. (7 – 0)

AUTHORIZATION – ADDITIONAL DESIGN FEES – EAST WASHINGTON STREET EXTENSION (MCINTOSH PARKWAY)

The City Manager informed Council a decision was made resulting in eliminating the dedicated bike lanes and adding a shared use path on the north side of the parkway for the section between Greison Trial and Ashley Park Boulevard and to widen the proposed sidewalks for the section between Grison Trial and Farmer Street. The shared use path will meet AASHTO and GDOT design criteria for accommodating bike and pedestrian

traffic. The estimated cost for the additional design fees submitted in your agenda packet was \$24,200.00, however we received a revised price of \$22,700.00 today.

Motion by Councilman Alexander, seconded by Councilman Hicks to approve the additional design fees for the revisions of eliminating the dedicated bike lanes and adding a shared use path for the East Washington Street Extension (McIntosh Parkway) of \$22,700.00 revised price.

MOTION CARRIED. (7 – 0)

SECOND AMENDMENT – INTERGOVERNMENTAL AGREEMENT – IMPROVEMENTS OF THE INTERSECTION AT 5 POINTS

The City Manager informed Council under the terms of the Second Amendment, the City and County agreed to enter into an addendum to specify and allocate the project costs after the Project is bid and awarded to the successful bidder. The City and County agree that the most favorable bid was submitted by E.R. Snell, and are preparing to enter into a contract with E.R. Snell to construct the Project.

Based on the costs of the improvements located in the respective boundaries of the City and County the parties shall pay the following costs of the Project:

City of Newnan:	\$955,307.63
Coweta County	\$908,590.07
Total based bid:	\$1,863,897.70

Motion by Councilman Shell, seconded by Councilman Hicks to approve the second amendment to the Intergovernmental Agreement between the City of Newnan and Coweta County authorizing Coweta County to enter into a contract with E. R. Snell for the construction of the 5 Points Intersection project for contract price of \$1,863,897.70, with the City's estimated cost at \$955,307.63.

MOTION CARRIED. (7 – 0)

2ND AND FINAL READING – ORDINANCE – AMEND ZONING ORDINANCE BY ADOPTING TEXT AMENDMENTS TO AMEND CHAPTER 21, GENERAL PROVISIONS; SECTION 1.00 OF TABLE 21.04-ALLOWABLE USES PAGE 21-15 TO ADD GROUND FLOOR RESIDENTIAL AS A SPECIAL EXCEPTION USE IN THE CBD CENTRAL BUSINESS ZONING DISTRICT BY ADOPTING A NEW SECTION 34.070 CHAPTER 34, ALTERNATIVE RESIDENTIAL ACCOMMODATIONS

Mayor Brady recuses himself because family members (wife and two sisters) own the property located at Perry Street. Since Mayor Pro Tem Jenkins is absent we will need to elect an acting Mayor Pro Tem.

Motion by Councilman Shell, seconded by Councilman Koritko to appoint Councilman DuBose as acting Mayor Pro Tem in the absence of Mayor Pro Tem Jenkins.

MOTION CARRIED. (6 – 0 -1)

Motion by Councilman Alexander, seconded by Councilman Koritko to adopt an Ordinance on 2nd and final reading to amend Zoning Ordinance by adopting Text Amendments to Amend Chapter 21, General provisions; Section 1.00 of Table 21-04- Allowable Uses Page 21-15 to add Ground Floor Residential as a Special Exception Use in the CBD Central Business Zoning District; by adopting a New Section 34.070 Chapter 34, Alternative Residential Accommodations as amended. (Page 6 (f) should be 500 square feet.)

MOTION CARRIED. (7 – 0)

The meeting was turned over to Mayor Brady.

SUBSTANDARD HOUSING STATUS REPORTS – 3 ANNIE STREET, 4 DEWEY STREET, 4 WELCH STREET, 7 LANDERS STREET, 7 UPPER MANN STREET, 10 FARMER STREET, 11 TUXEDO AVENUE, 20 DIXON STREET, 67 FAIRMOUNT STREET, 68 SAVANNAH STREET AND 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>
<u>3 Annie Street</u>	Alvin Williams	No Progress Request Extension	Feb 22, 2015

Motion by Councilman Coggin, seconded by Councilman Alexander to continue the request for an extension on the structure located at 3 Annie Street until the February 24, 2015 Council meeting instructing the owner to be in attendance.

MOTION CARRIED. (7 – 0)

<u>4 Dewey Street</u>	Dean Riede	No Progress	Jan 26, 2015
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Council instructed the Code Enforcement Officer to inform the new owner of 4 Dewey Street that considerable improvements are expected by the resolution date of March 17, 2015.

<u>4 Welch Street</u>	Tynisha Adufo	No Progress	Mar 15, 2015
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<u>7 Landers Street</u>	David Thompson	No Progress Request Extension	March 8, 2015
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CITY OF NEWNAN, GEORGIA
REGULAR COUNCIL MEETING

FEBRUARY 10, 2015

The new owner of 7 Landers Street informed Council due to health issues no repairs have been made. He was instructed by Council to be at the February 24, 2015 meeting.

7 Upper Mann Donald Smith No Progress Attend meeting

Mr. Donald Smith, owner, was instructed to be at the Council meeting on February 24, 2015.

10 Farmer Street Joe Crain Jr Permits issues Request Ext
Request Extension

New owner, Joe Crain, Jr. is requesting an extension of ninety (90) days to bring the structure up to code.

Motion by Councilman Hicks, seconded by Councilman Alexander to grant an extension for the structure located at 10 Farmer Street for ninety (90) days beginning February 23, 2015.

MOTION CARRIED. (7 – 0)

11 Tuxedo Ave Irvin Jones No Progress Feb 22, 2015

The Code Enforcement Officer informed Council the owner of 11 Tuxedo Ave was unable to attend because of family issues. He is requesting an extension of one hundred eighty (180) days. There has been no progress on the structure.

Motion by Councilman Coggin, seconded by Councilman Alexander to continue the structure located at 11 Tuxedo Avenue until the February 24, 2015 meeting requesting owner to be in attendance.

20 Dixon Street Woodie Wood Some Progress Mar 14, 1015

67 Fairmount Eugene Rachel No Progress June 14, 2015

68 Savannah Street Cherie Robinson Permanent power Mar 15, 2015
Request Extension

Ms. Cherie Robinson, owner, is requesting an extension of ninety (90) days to bring the structure up to code.

Motion by Councilman Alexander, seconded by Councilman Hicks to approve the extension of ninety (90) days for the structure at 68 Savannah Street.

MOTION CARRIED. (7 – 0)

121 Pinson Street Marcus Beasley Foreclosing Feb 22, 1015

The owner, Marcus Beasley, 121 Pinson Street is requesting an extension of one hundred eighty (180) days to resolve some legal issues with getting a clear title.

Motion by Councilman Alexander, seconded by Councilman Shell to approve an extension for the owner of **121 Pinson Street** for one hundred eighty (180) days.

MOTION CARRIED. (7 – 0)

REQUEST – SUICIDE PREVENTION ACTION NETWORK-GEORGIA- HOLD ANNUAL 5K WALK – ROUTE IN AND AROUND CARL MILLER PARK

Motion by Councilman Hicks, seconded by Councilman Alexander to approve the request from Suicide Prevention Action Network-Georgia to hold annual 5K Walk on route in and around Carl Miller Park at 74 Sewell Road on Saturday, September 12, 2015 beginning at 8:30 am.

MOTION CARRIED. (7 – 0)

COUNCIL REMARKS

Councilman Coggin thanked staff for the outstanding job and the way the project for the Public Safety Complex was handled.

Councilman DuBose received a compliment from the Angles House Run on Saturday on how well the run was organized.

Councilman Koritko stated the lights in front of the University look really good at night.

MOTION FOR EXECUTIVE SESSION

Motion by Councilman Hicks, seconded by Councilman Alexander 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 real estate 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 3:10 p.m.

MOTION CARRIED. (7 - 0)

EXECUTIVE SESSION

RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION

Motion by Councilman Hicks, 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. (7 - 0)

ADJOURNMENT

Motion by Councilman Alexander, seconded by Councilman Coggin to adjourn the Council meeting at 3:28 p.m.

MOTION CARRIED. (7 – 0)

Della Hill, City Clerk

Keith Brady, Mayor