

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, May 26, 2015 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; Robert Coggin; Dustin Koritko and Rhodes Shell. Council member absent: Georgia Alexander. City Manager, Cleatus Phillips; City Clerk, Della Hill; Planning Director Tracy Dunnavant; City Planner: Dean Smith; Code Enforcement Officer, Shane Pridgen; Public Works Director, Michael Klahr; City Attorney, Brad Sears and Deputy Police Chief Rodney Riggs.

MINUTES – REGULAR COUNCIL MEETING – MAY 12, 2015

Motion by Councilman DuBose, seconded by Councilman Hicks to dispense with the reading of the minutes of the Regular Council meeting for May 12, 2015 and adopt them as presented.

MOTION CARRIED. (7 – 0)

APPOINTMENT – NEWNAN CHRISTMAS COMMISSION

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

APPOINTMENT – NEWNAN YOUTH ACTIVITIES COMMISSION – 3 YEAR TERM
EXPIRES APRIL 2016

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

APPOINTMENTS – URBAN REDEVELOPMENT AGENCY

Mayor Brady asked the City Manager to place Councilman Shell's appointment to the Urban Redevelopment Agency on the agenda for the next meeting.

APPOINTMENT - NEWNAN YOUTH ACTIVITIES COMMISSION – RESIGNED
POSITION OF DAVID ALBRIGHT

Mayor Brady asked the City Manager to place Councilman Alexander’s appointment to the Newnan Youth Activities Commission for the position of David Albright, term to expire April 2016 to be placed on the agenda for the next meeting.

NEWNAN YOUTH COUNCIL

Batten, Laura	12 th Grade	Newnan
Cullen, Larry	12 th Grade	East Coweta
Johnston, Jake	11 th Grade	Newnan

REQUEST – STAFF TO ANALYZE BENEFITS OF TAG READERS

The City Manager informed Council this request is something the Police Chief would like to look into. He asked staff to give us a report on the cost associated for the Tag Readers.

RE-NEW JAIL AGREEMENT BETWEEN THE CITY OF NEWNAN AND COWETA COUNTY – HOUSING CITY INMATES

Motion by Councilman Coggin, seconded by Councilman Hicks to re-new the Jail Agreement between the City of Newnan and Coweta County for housing City inmates.

MOTION CARRIED. (7 - 0)

2015 MEAG POWER ANNUAL ELECTION DELEGATE

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Hicks to appoint Councilman George Alexander and Councilman Rhodes Shell for the 2015 MEAG Power Annual Election Delegates.

MOTION CARRIED. (7 – 0)

2015 VOTING DELEGATE – GMA CONVENTION SAVANNAH

Motion by Mayor Pro Tem Jenkins, seconded by Councilman DuBose to appoint Mayor Brady as voting delegate for the Annual GMA Convention in Savannah.

MOTION CARRIED. (7 – 0)

REQUEST – REZONING OF 5.816+ ACRES – 110 JACKSON STREET - REZONE FROM OI-1 (LOW DENSITY- OFFICE AND INSTITUTIONAL DISTRICT) TO CUN (URBAN NEIGHBORHOOD COMMERCIAL) TO ACCOMMODATE MIXTURE OF RETAIL COMMERCIAL, RESIDENTIAL CONDOMINIUM AND OFFICES USES – REFERAL PLANNING COMMISSION – INFORMATION ONLY

This request is for information only no action needed at this time.

AWARD CONTRACT – FDR & PAVING – LAGRANGE STREET AND OTHER WORK
2015

Motion by Councilman Coggin, seconded by Councilman Hicks to award a contract to Atlanta Paving & Concrete Construction, Inc. at \$889,717.20 for the paving of LaGrange Street from Salbide Avenue through the intersection at Boone Drive which includes repairs/replacement of concrete curb/gutter and sidewalks.

MOTION CARRIED. (7 – 0)

ORDINANCE - PROPOSED REVISION – CODE OF ORDINANCES FOR PROCESS OF
DEMOLISHING STRUCTURES BUILT PRIOR TO JANUARY 1, 1940

The City Planner indicated staff was instructed to review the Ordinance for revision for the process of demolishing structures built prior to January 1, 1940. Staff provided some background information on the work that was performed by the Jaeger Company from 1998 to 2002. The Jaeger Company had been commissioned by the City to aid in developing a Historic Preservation Ordinance. As a part of that research The Jaeger Company conducted a survey of properties in the City and developed a list of properties that were identified as either contributing or non-contributing in terms of historical significance. A map was created by The Jaeger Company that identified non-contributing properties; also we have a 24 page list of properties that are non-contributing properties. Staff is proposing if someone wants to demolish a structure built before 1940 the Chief Building Official will have the authority to review this list and if he finds the property non-contributing on the list he will be able to issue the demolition permit. A structure that has been identified as contributing in historical significance will come before Council in a Public Hearing forum to seek approval to demolish the structure in question.

Mayor Pro Tem Jenkins has concerns with a certain date rather than a period of time.

The City Attorney advised that part of the discussion in regards to the historical preservation ordinance that was not adopted indicated a different ordinance was adopted on the issues relating to the process of demolishing structures built prior to January, 1940. State regulations states that any structure that is 50 years old is historic. Council thought that was too long so they picked 1940.

Councilman Shell and Mayor Pro Tem Jenkins have a problem with a specific date. They would like for it to be a period of time. Mayor Pro Tem Jenkins has expressed opposition from the beginning. She would like to know if some of those non-contributing properties are now considered contributing since the last report.

Councilman Koritko indicated the rolling time period would continually roll up more property rights and could violate private property rights of owners.

Mayor Pro Tem Jenkins stated we have lost some properties because we did not know there was historic significance. She is also concerned with the period of time and who would determine what was historically significant.

Mayor Brady indicated the city would have to hire another company like The Jaeger Company at least every 10 years for another survey.

Motion by Councilman Coggin, seconded by Councilman Koritko to adopt an Ordinance to amend the Ordinance by deleting section 5-25 demolition, removal or relocate of structures of Article II Powers and duties of Chief Building Official; Unsafe Building, of Chapter 5, Buildings and Building Regulations and adopt new section 5-125 .

MOTION FAILED. (3 – 0)
Coggin, Koritko, and Hicks

Mayor Brady stated there has been some comments made that maybe the Planning Commission might not been the right entity to handle this issue.

The City Attorney stated that “Council” should be the entity because this is a Council initiated ordinance. The feedback should be before Council and staff as to what they want moving forward.

The City Manager informed Council they should look at the cost involved to maintain whatever changes are implemented to the ordinance.

CONTINUED /OWNER REQUEST - 90 DAY EXTENSION – 7 LANDERS

The Code Enforcement Officer indicated the owner is present and is requesting an extension of one hundred twenty (120) days to complete the repairs. He met with the owner’s brother who will be overseeing the project on 7 Landers Street. There has been some progress. He has provided a list of repairs and will meet with him for dates.

Motion by Councilman Coggin, seconded by Councilman Hicks to approve an extension of one hundred twenty (120) days for the structure located at 7 Landers Street.

MOTION CARRIED. (7 – 0)

CONTINUED REPORT – 7 UPPER MANN STREET

The Code Enforcement Officer informed Council the owner, Mr. Smith, has purchased his general repair permit, also a licensed electrician has pulled the electrical permit (no inspections as of this date). He is requesting an extension of one hundred twenty (120) days noting progress has been made.

Motion by Councilman Coggin, seconded by Councilman Hicks to approve an extension of one hundred twenty days for the structure located at 7 Upper Mann Street.

MOTION CARRIED. (7 – 0)

REQUEST – FIRST BAPTIST CHURCH – CLOSE MADISON STREET TO THROUGH-TRAFFIC FOR FOOD DISTRIBUTION FROM THE “MOBILE FOOD PANTRY”

Motion by Councilman DuBose, seconded by Mayor Pro Tem Jenkins to approve the request by First Baptist Church to close Madison Street to through traffic for food distribution from the “Mobile Food Pantry” on June 19, 2015 from 7:00 am to 1:00 pm.

MOTION CARRIED. (7 – 0)

REQUEST – CLARENCE BOHANNON – WESLEY STREET BE CLOSED FROM ST. CLAIR STREET TO RICHARD ALLEN DRIVE – ROCKY HILL COMMUNITY REUNION

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Hicks to approve the request by Clarence Bohannon to close Wesley Street from St. Clair Street to Richard Allen Drive during Rocky Hill Community Reunion on Saturday July 25, 2015 from noon until 6:00 pm.

MOTION CARRIED. (7 - 0)

COUNCIL’S REMARKS

Councilman Koritko thanked the Veterans Club for the program on Memorial Day very good job.

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, 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 6.58 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)

PROPERTY

Motion by Councilman Shell, seconded by Councilman Hicks to ratify the purchase of property adjacent to the First Avenue Park.

MOTION CARRIED. (7 - 0)

Motion by Councilman Hicks, seconded by Councilman DuBose to ratify the purchase of property adjacent to the Fire Station on Temple Avenue.

MOTION CARRIED. (7 - 0)

ADJOURNMENT

Motion by Councilman Coggin, seconded by Councilman DuBose to adjourn the Council meeting at 7.33 p.m.

MOTION CARRIED. (7 - 0)

Della Hill, City Clerk

Keith Brady, Mayor