

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday October 28, 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; Rhodes Shell and George Alexander. Also present were: City Manager, Cleatus Phillips; City Clerk, Della Hill; Planning Director, Tracy Dunnavant; Code Enforcement Officer, Shane Pridgen; City Planner, Dean Smith; City Attorney, Brad Sears and Police Chief Douglas "Buster" Meadows.

MINUTES – REGULAR COUNCIL MEETING – OCTOBER 14, 2014

Motion by Councilman Hicks, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council meeting for October 14, 2014 and adopt them as presented.

MOTION CARRIED. (8 - 0)

BOY SCOUT TROOP

A member of Troop 2193 Cokes Chapel United Methodist Church was present working on his Citizenship and Community Badge.

APPOINTMENT – NEWNAN YOUTH ACTIVITIES COMMISSION

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

NEWNAN YOUTH ACTIVITIES MEMBERS

Taylor Williams	12 th Grade	East Coweta
Alexis Trolinger	12 th Grade	East Coweta
Emma Korstanje	12 th Grade	East Coweta
Isabel Gutierrez	12 th Grade	Heritage
Halley Psathas	11 th Grade	East Coweta

PARTICIPATION – BLOOMBERG PHILANTHROPIES PUBLIC ART CHALLENGE

Mayor Brady stated this is a new program to support temporary public art projects that can transform civic spaces and drive economic development. This grant will be used between

the Historical Society and the Arts Associations in regard to their upcoming project next spring placing trains around downtown.

Motion by Councilman DuBose, seconded by Councilman Hicks to authorize the Mayor to sign the grant application when completed. Opposed: Koritko

MOTION CARRIED. (7 – 1)

Councilman Koritko asked if there are any other conditions that are not in the letter.

The Planning Director informed Council it has to be temporary art projects that demonstrate close collaboration between artists, arts organizations and city government. The control of the content of whatever the artist do will be under local control.

BID – COMPREHENSIVE ZONING ORDINANCE REWRITE CONSULTANT SERVICES

The Planning Director informed Council the selection committee reviewed the proposals and interviewed the three firms. Those firms were AMEC, TSW, and Canvas Planning Group. Each firm was given the opportunity to discuss their proposal and was asked questions regarding their approach. Upon completion of the interview phase, the selection committee unanimously chose AMEC at \$85,000.

Motion by Councilman Coggin, seconded by Councilman Alexander to award the bid for the Comprehensive Zoning Ordinance Rewrite Consultant Services to the lowest bidder AMEC at \$85,000 and indicated that they could complete the process within the Council's requested twelve month time frame.

MOTION CARRIED. (8 – 0)

BID – LANDSCAPE TRUCK

Three bids were received ranging from \$42,267.33 to \$43,993.33 for the landscape truck. Staff is recommending the City accept the lowest bid of \$42,267.33 from Rush Truck Center for the landscape truck.

Motion by Councilman Alexander, seconded by Councilman Hicks to award the bid for the landscape truck to the lowest bidder, Rush Truck Center at \$42,267.33 and funding from Beautification Capital Improvement Budget.

MOTION CARRIED. (8 – 0)

TEXT AMENDMENT – ZONING ORDINANCE TO ALLOW GROUND LEVEL SINGLE FAMILY RESIDENTIAL AS A SPECIAL EXCEPTION IN THE CBD DISTRICT – REFER TO PLANNING COMMISSION

Mayor Brady turned the meeting over to Mayor Pro Tem Jenkins, because this particular property is owned by a family member. He is recusing himself.

Motion by Councilman Coggin, seconded by Councilman Hicks to refer the Text amendment to the Zoning Ordinance to allow ground level single family residential as a special exception in the CBD District to the Planning Commission.

MOTION CARRIED. (7 – 0 - 1)

Mayor Pro Tem turned the meeting back over to Mayor Brady.

RESOLUTION – AUTHORIZATION TO SUBMIT AN LCI GRANT APPLICATION TO STUDY THE JACKSON/JEFFERSON/CLARK/BULLSBORO ROADWAY SEGMENT AND TO COMMIT \$11,000 FOR THE REQUIRED MATCH FROM THE 2014 BUDGET

Motion by Councilman Alexander, seconded by Councilman Coggin to adopt a resolution authorizing staff to submit an LCI Grant Application to study the Jackson/Jefferson/Clark/Bullsboro Roadway segment and to commit \$11,000 for the required match from the 2014 budget.

MOTION CARRIED. (8 – 0)

2ND AND FINAL READING – RESOLUTION COVERING PARCEL 6/FIVE POINTS INTERSECTION IMPROVEMENTS PROJECT

Motion by Councilman Alexander, seconded by Councilman Coggin to adopt on second and final reading a resolution covering Parcel 6/Five Points Intersection Improvements Project.

MOTION CARRIED. (8 – 0)

CONTINUE PUBLIC HEARING – REZONING REQUEST – MICHELLE ALEXANDER TO REZONE 1.17± ACRES AT 176 MILLARD FARMER INDUSTRIAL BOULEVARD FROM OI-1 TO CGN TO ACCOMMODATE A CATERING/BAKERY BUSINESS WITH AN APARTMENT ABOVE

Mayor Brady turned the meeting over to Mayor Pro Tem Jenkins because his real estate firm has a relationship with owner of property.

Mayor Pro Tem Jenkins opened a public hearing that was continued from a previous meeting on the rezoning request to rezone 1.17 acres on 176 Millard Farmer Industrial

Boulevard from OI-1 (Low Density Office and Industrial) to CGN (General Commercial) and asked if anyone wanted to speak for or against the issue.

Ms. Anita Adams, 7 Maple Court, lives across from the proposed property that is seeking rezoning (176 Millard Farmer Industrial Boulevard). She voiced her concern with the noise, increase traffic and the car lights shining in her house.

Ms. Michelle Alexander, applicant, is seeking approval to expand their business for a retail bakery on this property. They would like to serve and provide the community with fresh bakery items. The building will be placed on the concrete pad on the property.

Mr. Alexander informed Council they have designed a building that will fit on the concrete pad that is already on the property.

The Planning Director informed Council that plans for the building have not been submitted. Staff will have to review and make sure they meet all the requirements. The proposed use would be consistent with the proposed zoning as a bakery and catering service in a CGN designation. The residence above the storefront would require a special exception from the Board of Zoning Appeals. On August 12, 2014 the Planning Commission held a public hearing regarding this issue and voted unanimously to recommend approval of the request for a CGN zoning with two conditions:

The Building would meet the QDC overlay requirements.
Staff would review the elevations to ensure they would be compatible with the surrounding neighborhood.

Mayor Pro Tem Jenkins closed the public hearing.

The Alexander's are fine with the conditions that were recommended by the Planning Commission.

ORDINANCE – AMEND THE ZONING MAP FOR PROPERTY LOCATED IN LAND LOT 75 OF THE 5TH LAND DISTRICT LOCATED AT 176 MILLARD FARMER INDUSTRIAL BOULEVARD, CONTAINING 1.17± ACRES IN THE CITY OF NEWNAN, GEORGIA

Motion by Councilman Alexander, seconded by Councilman Coggin to adopt an Ordinance to amend the Zoning Map for property located in Land Lot 75 of the 5th Land District located at 176 Millard Farmer Industrial Boulevard, containing 1.17± acres with two conditions:

The Building would meet the QDC overlay requirements.
Staff would review the elevations to ensure they would be compatible with the surrounding neighborhood.

MOTION CARRIED. (7 – 0 - 1)

PUBLIC HEARING – TEXT AMENDMENT ZONING ORDINANCE TO ALLOW CLASS III AND CLASS IV ASSISTED LIVING FACILITIES IN THE CGN (GENERAL COMMERCIAL DISTRICT) ZONING DISTRICTS AS SPECIAL EXCEPTION USES

Mayor Brady opened a public hearing on the rezoning issue to amend the Zoning Ordinance to allow Class III and Class IV Assisted Living Facilities in the CGN (General Commercial District) as Special Exception Uses.

Ms. Melissa Griffis, Attorney with Rosenzweig, Jones, Hone and Griffis, is here on behalf of Pointe Newnan LLC and Mr. Victor Young to amend Text Amendment in the Zoning Ordinance to allow Class III and Class IV Assisted Living Facilities in CGN (General Commercial Districts) as Special Exception Uses. The Planning Commission voted in favor of the proposed amendment and recommended the Zoning Ordinance be amended to allow Class III & IV Assisted Living Facilities as Special Exception Uses in CGN (General Commercial District) zoning designations. By amending the GCN District it will allow for these uses. It will offer senior citizens housing choices and support services. They are asking for Council's support.

Mayor Brady closed the public hearing.

Motion by Councilman DuBose, seconded by Mayor Pro Tem Jenkins to accept the report by the Planning Department.

MOTION CARRIED. (8 – 0)

ORDINANCE TO AMEND THE ZONING ORDINANCE OF THE CITY OF NEWNAN GEORGIA BY ADOPTING TEXT AMENDMENTS TO AMEND CHAPTER 21, GENERAL PROVISIONS; PAGE 21-16 OF TABLE 21.04- ALLOWABLE USES TO ADD CLASS III AND CLASS IV ASSISTED LIVING FACILITIES AS SPECIAL EXCEPTION USES IN THE CGN ZONING DISTRICT, AND FOR OTHER PURPOSES

Motion by Councilman Coggin, seconded by Councilman Hicks to adopt an Ordinance to amend the Zoning Ordinance by adopting Text Amendments to amend Chapter 21, General Provisions; Page 21-16 of Table 21.04 to allowable uses to add Class III and Class IV Assisted Living Facilities as Special Exception Uses in the CGN Zoning District, and for other purposes.

MOTION CARRIED. (8 – 0)

PUBLIC HEARING – PROPOSED AMENDMENTS TO CHAPTER 37 – TELECOMMUNICATIONS TOWERS AND ANTENNAS OF THE CITY'S ZONING ORDINANCE

Mayor Brady opened a public hearing on the amendments to Chapter 37 of the Zoning Ordinance.

The City Planner informed Council on July 1, 2014, HB176 entitled “Mobile Broadband Infrastructure Leads to Development Act” or BILD went into effect. The changes will not affect cities’ substantive zoning authority, but will impact the time frame for government approval of a cell phone tower and facilities. Since the agenda packet was sent out some minor changes were presented.

Staff has changed the title of the chapter from Telecommunications Towers and Antennas to Telecommunications Facilities to reflect the more comprehensive intent of the ordinance.

The Planning Commission held a Public Hearing and voted in favor of the proposed amendment to the Zoning Ordinance.

Mayor Brady closed the public hearing.

Motion by Councilman Coggin, seconded by Councilman Hicks to accept the report from the Planning Commission on the amendments to Chapter 37 – Telecommunications Towers and Antennas of the Zoning Ordinance.

MOTION CARRIED. (8 – 0)

ORDINANCE – AMEND THE ZONING ORDINANCE OF THE CITY OF NEWNAN, GEORGIA BY ADOPTING A TEXT AMENDMENT TO AMEND CHAPTER 37, TELECOMMUNICATIONS TOWERS AND ANTENNAS; AND FOR OTHER PURPOSES

Motion by Councilman Coggin, seconded by Councilman Hicks to adopt an Ordinance to amend the Zoning Ordinance by adopting a Text Amendment to amend Chapter 37, Telecommunications Towers and Antennas as amended.

MOTION CARRIED. (8 – 0)

SUBSTANDARD STRUCTURE – REQUEST FOR EXTENSION – 4 DEWEY STREET

The Code Enforcement Officer advised Council the owner, Dean Riede, is requesting an extension of ninety (90) days on the substandard structure located at 4 Dewey Street.

Motion by Councilman Alexander, seconded by Councilman Hicks to approve the request by the owner and grant an extension for ninety (90) days on the substandard structure located at 4 Dewey Street.

MOTION CARRIED. (8 – 0)

SUBSTANDARD STRUCTURE - ATTEMPT TO LOCATE OWNER – 16 WHEAT STREET

The Code Enforcement Officer informed Council he has not had any communications from anyone in regards to the substandard structure located at 16 Wheat Street.

Motion by Councilman Alexander, seconded by Councilman Coggin to adopt a resolution giving the owner forty five (45) days to either repair or demolish the structure located at 16 Wheat Street.

MOTION CARRIED. (8 – 0)

ADJOURNMENT

Motion by Councilman Coggin, seconded by Councilman Alexander to adjourn the Council meeting at 7:05 p.m.

MOTION CARRIED. (8 – 0)

Della Hill, City Clerk

Keith Brady, Mayor