

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, September 9, 2014 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; Cynthia E. Jenkins; Robert Coggin; George Alexander; Dustin Koritko and Rhodes Shell. Also present were: City Manager, Cleatus Phillips; City Clerk, Della Hill; Public Works Director, Michael Klahr; Planning Director, Tracy Dunnavant; Code Enforcement Officer, Shane Pridgen; City Attorney, Brad Sears and Police Chief Douglas "Buster" Meadows.

MINUTES – REGULAR COUNCIL MEETING – AUGUST 26, 2014

Motion by Councilman DuBose, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council meeting for August 26, 2014 and adopt them as presented.

MOTION CARRIED. (8 - 0)

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.

APPOINTMENT – NEWNAN CULTURAL ARTS COMMISSION

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

APPOINTMENTS – NEWNAN ETHICS COMMITTEE

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to re-appoint Irving Jackson to the Newnan Ethics Committee for another two year term.

MOTION CARRIED. (8 – 0)

Motion by Councilman Alexander, seconded by Councilman Hicks to re-appoint Minnie Robinson to the Newnan Ethics Committee for another two year term.

MOTION CARRIED. (8 – 0)

Motion by Mayor Brady, seconded by Councilman Alexander to re-appoint Carrie Knight to the Newnan Ethics Committee for another two year term.

MOTION CARRIED. (8 – 0)

Motion by Mayor Brady, seconded by Mayor Pro Tem Jenkins to re-appoint Robert McKoon to the Newnan Ethics Committee for another two year term.

MOTION CARRIED. (8 - 0)

Motion by Councilman Coggin, seconded by Councilman Alexander to re-appoint Daniel Dietz to the Newnan Ethics Committee for another two year term.

MOTION CARRIED. (8 – 0)

Motion by Councilman Coggin, seconded by Councilman Alexander to re-appoint Frank Reece to the Newnan Ethics Committee for another two year term.

MOTION CARRIED. (8 – 0)

Motion by Councilman DuBose, seconded by Mayor Pro Tem Jenkins to re-appoint Bud Freeburg to the Newnan Ethics Committee for another two year term.

MOTION CARRIED. (8 – 0)

Motion by Councilman DuBose, seconded by Mayor Pro Tem Jenkins to re-appoint Rev Winston Skinner to the Newnan Ethics Committee for another two year term.

MOTION CARRIED. (8 - 0)

Motion by Councilman Hicks, seconded by Councilman Koritko to re-appoint Brenda Dunn to the Newnan Ethics Committee for another two year term.

MOTION CARRIED. (8 – 0)

Motion by Councilman Hicks, seconded by Councilman Koritko to re-appoint Patrick McKee to the Newnan Ethics Committee for another two year term.

MOTION CARRIED. (8 – 0)

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Hicks to re-appoint Alan Dean to the Newnan Ethics Committee for another two year term.

MOTION CARRIED. (8 – 0)

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Hicks to re-appoint Sarah Towns to the Newnan Ethics Committee for another two year term.

MOTION CARRIED. (8 – 0)

Motion by Councilman Shell, seconded by Councilman Alexander to re-appoint Thomas W Barron (Chip) to the Newnan Ethics Committee for another two year term.

MOTION CARRIED. (8 – 0)

Motion by Councilman Shell, seconded by Councilman Hicks to re-appoint David McMichael to the Newnan Ethics Committee for another two year term.

MOTION CARRIED. (8 – 0)

PROCLAMATION – CONSTITUTION WEEK – 2014

Mayor Brady stated the Proclamation for Constitution Week is an annual event and this year it will be the week of September 17 – 23, 2014. He read the Proclamation and presented it to the DAR members that were present. They presented a flag that was flown over the American compound, Camp Phoenix, Afghanistan by the Officers and Airman of the 466th Air Expeditionary Group during operation to the City.

PUBLIC HEARING – ALCOHOL BEVERAGE – MICROBREWERY – ABIDE BREWING COMPANY, LLC – 100 WERZ INDUSTRIAL BLVD

Mayor Brady opened a public hearing on the application for a Microbrewery for Abide Brewing Company, LLC located at 100 Werz Industrial Blvd., Suite 130.

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 Coggin, seconded by Councilman Hicks to approve the application for a Microbrewery License for Abide Brewing Company, LLC located at 100 Werz Industrial Blvd., Suite 130.

MOTION CARRIED. (8 – 0)

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – RINCON LATINO, LLC

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Malt Beverages and Wine License for Rincon Latino, LLC located at 1329 Bullsboro Drive.

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 Alexander, seconded by Councilman Hicks to approve the application for a Retail On Premise (Pouring) Sales of Malt Beverages and Wine License for Rincon Latino, LLC located at 1329 Bullsboro Drive.

MOTION CARRIED. (8 – 0)

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – THE FIRESTONE, LLC D/B/A THE CELLAR AT THE FIRESTONE – 20 JEFFERSON STREET

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for The Firestone, LLC d/b/a The Cellar at the Firestone located at 20 Jefferson Street.

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 DuBose, seconded by Councilman Hicks to approve the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for The Firestone, LLC d/b/a The Cellar at the Firestone located at 20 Jefferson Street.

MOTION CARRIED. (8 - 0)

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – TRANSFER OF LICENSE
REPRESENTATIVE – LA PARRILLA MEXICAN RESTAURANT – 222 NEWNAN
CROSSING BYPASS

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for transfer of License Representative FROM: Sandra Loeza-Hernandez TO: Leonel M. Guerrero for La Parrilla Mexican Restaurant located at 222 Newnan Crossing Bypass.

A representative of 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 Coggin, seconded by Councilman Hicks to approve the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for transfer of License Representative FROM: Sandra Loeza-Hernandez TO: Leonel M. Guerrero for La Parrilla Mexican Restaurant located at 222 Newnan Crossing Bypass.

MOTION CARRIED. (8 – 0)

PUBLIC HEARING –ALCOHOL BEVERAGE LICENSE – TRANSFER LICENSE
REPRESENTATIVE – NEWNAN COWETA EVENT CENTER LLC D/B/A YESTERDAYS
385 JACKSON STREET

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Distilled Spirits and Malt Beverages and Wine License for transfer of License Representative FROM: Thomas A. Estelle TO: Chad Bufkin for Newnan Coweta Event Center LLC d/b/a Yesterdays located at 385 Jackson Street.

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 Coggin, seconded by Councilman Hicks to approve the application for a Retail On Premise (Pouring) Sales of Distilled Spirits and Malt Beverages and Wine License for transfer of License Representative FROM: Thomas A. Estelle TO: Chad Bufkin

for Newnan Coweta Event Center LLC d/b/a Yesterdays located at 385 Jackson Street.

MOTION CARRIED. (8 – 0)

APPROVAL – PROPOSED REVISIONS TO THE PERSONNEL POLICY MANUAL

Motion by Councilman Alexander, seconded by Councilman Shell to approve the revisions presented to the Personnel Policy Manual.

MOTION CARRIED. (8 – 0)

Motion by Councilman Coggin, seconded by Councilman Alexander to approve December 1, 2014 as the effective date for the revisions to the Personnel Policy Manual.

MOTION CARRIED. (8 – 0)

SURPLUS PROPERTY DECLARATION AND DISPOSITION

Staff recommends that Council declare as surplus the equipment and/or vehicles listed below and grant authorization for the disposal of such.

Thermal Imager	MX10524
Large Document Scanner	Asset #200045
Large Document Copier	Asset #200041
1998 Chevy 3500	1GBJC4R4XF023167

Motion by Councilman Hicks, second by Councilman Alexander to declare the equipment and/or vehicles listed as surplus and/or obsolete and grant authorization for disposal.

MOTION CARRIED. (8 – 0)

AUTHORIZATION – SEEK RFPs GRANT WRITING/ADMINISTRATION AND ENGINEERING SERVICES RELATED TO THE DEVELOPMENT OF A CDBG APPLICATION - HOWARD WARNER RECREATION/COMMUNITY CENTER PROJECT

Mayor Brady advised Council this is on the agenda in advance of us receiving the Memorandum of Understanding that is needed from the Boys and Girls Club and the YMCA.

Motion by Councilman Alexander, seconded by Councilman Coggin to authorize staff to move forward with the RFPs related to the consulting services associated with grant writing/administration and engineering services for the CDBG application for the Howard Warner Recreation/Community Center project when the Memorandum of Understandings have been received and approved from the Boys and Girls Club and the YMCA.

MOTION CARRIED. (8 – 0)

ORDINANCE – AMEND THE CODE OF ORDINANCE TO IMPLEMENT EXCISE TAX ON HOTELS, PART II OF THE CODE OF ORDINANCES, CHAPTER 82, TAXATION, ARTICLE III; TO PROVIDE FOR SEVERABILITY TO REPEAL CONFLICTING ORDINANCES – SECOND READING

Motion by Councilman Hicks, seconded by Councilman Coggin to adopt an ordinance to amend the Code of Ordinances to implement excise tax on Hotels, Part II of the Code of Ordinances , Chapter 82, Taxation, Article III; to Provide for Severability; to Repeal Conflicting Ordinances; and for Other Purposes on second reading.

MOTION CARRIED. (8 – 0)

ORDINANCE – GOVERNING AUTHORITY OF THE CITY OF NEWNAN TO AUTHORIZE THE CITY TO ACCEPT AND ACKNOWLEDGE AN AMENDMENT TO THE LOAN AND SECURITY AGREEMENT DATED AS OF NOVEMBER 1, 2013 (CITY OF NEWNAN FACILITY REDEVELOPMENT PROJECT), BETWEEN THE DOWNTOWN DEVELOPMENT AUTHORITY OF THE CITY OF NEWNAN AND UNITED BANK AND FOR OTHER PURPOSES – SECOND READING

Motion by Councilman Coggin, seconded by Councilman Alexander to adopt an Ordinance of the Governing Authority of the City of Newnan, Georgia to authorize the City to Accept and Acknowledge an Amendment to the Loan and Security Agreement dated as of November 1, 2013 (City of Newnan Facility Redevelopment Project), between the Downtown Development Authority of the City of Newnan and United Bank and for other purposes on second reading.

MOTION CARRIED. (8 – 0)

SUBSTANDARD HOUSING – 4 AND 6 ST CLAIR STREET – CONTINUED

The Code Enforcement Officer advised Council the owner requested an extension at the last meeting of forty five (45) days and it was continued until this meeting. The owner has made application for a variance to the Board of Appeals for their September meeting.

Died for lack of motion.

REQUEST – EXTENSION 11 TUXEDO AVENUE

The owner, Irvin Jones, is requesting six months to renovate and repair 11 Tuxedo Avenue in order to bring this property into compliance with all necessary codes.

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Alexander to approve the request by Irvin Jones for an extension of one hundred eighty (180) days on the property located at 11 Tuxedo Avenue with thirty (30) day reports.

MOTION CARRIED. (8 – 0)

REQUEST – ANNUAL RUN FOR ANGELS 5K AND 10K ROAD RACE

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Alexander to approve the request for the annual Run for Angels 5K and 10K road races and one mile fun run/walk on Saturday February 7, 2015 on the same downtown race course.

MOTION CARRIED. (8 – 0)

REQUEST – NEWNAN JUNIOR SERVICE LEAGUE – ANNUAL CAN-A-THON

Motion by Councilman Hicks, seconded by Mayor Pro Tem Jenkins to approve the request by the Newnan Junior Service League for their annual Can-A-Thon on December 2, 2014 on the north side of the square from 7 am to 7 pm to benefit Coweta County Food Pantry.

MOTION CARRIED. (8 - 0)

REQUEST – FULL CIRCLE TOYS – CLOSE MADISON STREET BETWEEN JEFFERSON AND PERRY STREETS – ZOMBIE DAY EVENT

Motion by Mayor Pro Tem Jenkins, seconded by Councilman DuBose to approve the request by Full Circle Toys to close Madison Street between Jefferson and Perry Streets, as they have the last two years, on Saturday, October 11, 2014 to hold Zombie Day Event around their store location.

MOTION CARRIED. (8 – 0)

REQUEST – NEWNAN HIGH SCHOOL – HOLD HOMECOMING PARADE AND PEP RALLY

Motion by Councilman Hicks, seconded by Councilman Coggin to approve the request by Newnan High School to hold their Homecoming Parade and Pep Rally on the Square as they have in previous years on Thursday, September 25, 2014 beginning at NHS at 5:30 pm.

MOTION CARRIED. (8 – 0)

REQUEST – FIRST BAPTIST CHURCH – CLOSE MADISON STREET TO THROUGH-TRAFFIC – MOBILE FOOD PANTRY

Motion by Councilman Coggin, seconded by Mayor Pro Tem Jenkins to approve the request by First Baptist Church to close Madison Street to through-traffic for Mobile Food Pantry events on October 24, November 14, and December 26, 2014 from 7 am to 1 pm for the distribution of food.

MOTION CARRIED. (8 – 0)

REQUEST – STALWART FILMS – FILM ON E. BROAD AND AROUND CALDWELL TANKS

Motion by Councilman Coggin, seconded by Councilman Alexander to approve the request by Stalwart Films to film on East Broad and around Caldwell Tanks on September 12, 2014 during day and night closing some portions of streets indicating Police Officers will assist to ensure the proper flow of traffic.

MOTION CARRIED. (8 – 0)

MOTION FOR EXECUTIVE SESSION

Motion by Mayor Pro Tem Jenkins, seconded by Councilman DuBose 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 and 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 2.55 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 3:34 p.m.

MOTION CARRIED. (8 - 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. (8 - 0)

Motion by Councilman Coggin, second by Councilman Alexander to send a letter to the Newnan Water & Light Commission stating that centralized sewer was not to be made available as part of the settlement negotiations for the Greentop Road Rezoning without approval by the City Council.

MOTION CARRIED. (8 – 0)

ADJOURNMENT

Motion by Councilman Alexander, seconded by Councilman Hicks to adjourn the Council meeting at 3:35 p.m.

MOTION CARRIED. (8 – 0)

Della Hill, City Clerk

Keith Brady, Mayor