

The regular meeting of the City Council of the City of Newnan, Georgia was held on Thursday, June 19, 2014 at 9:00 a.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; George Alexander; Rhodes Shell and Robert Coggin. 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 Planner, Chris Cole; Business Development Director, Hasco Craver; Landscape Architect/Arborist, Mike Furbush; Attorney, Brad Sears and Police Chief Douglas "Buster" Meadows.

**MINUTES – REGULAR COUNCIL MEETING – MAY 27, 2014**

Motion by Councilman Coggin, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council meeting for May 27, 2014 and adopt them as presented.

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

**RESIGNATION – NEWNAN DEVELOPMENT AUTHORITY AND URBAN REDEVELOPMENT AUTHORITY – RODNEY CAGE**

Motion by Councilman Alexander, seconded by Councilman Coggin to accept with regrets the resignation of Rodney Cage from the Newnan Development Authority, four year term and the Urban Redevelopment Authority, three year term.

**MOTION CARRIED. (8 – 0)**

**APPOINTMENTS – NEWNAN YOUTH ACTIVITIES COMMITTEE – 3 YEAR TERM**

Motion by Councilman DuBose, seconded by Councilman Hicks to appoint Tom Dennis to the Newnan Youth Activities Commission to fill the three year term of Chip Gordon.

**MOTION CARRIED. (8 – 0)**

Mayor Brady asked the City Manager to place his and Councilman Alexander's appointments to the Newnan Youth Activities Committee on the agenda for the next meeting.

**APPOINTMENTS - NEWNAN CONVENTION AUTHORITY**

Motion by Councilman DuBose, seconded by Councilman Hicks to re-appoint Parks Avery to the Newnan Convention Center Authority for another three year term.

**MOTION CARRIED. (8 – 0)**

Mayor Brady asked the City Manager to place Councilman Alexander and Mayor Pro Tem Jenkins's appointments to the Newnan Convention Authority on the agenda for the next meeting.

**APPOINTMENTS – NEWNAN CULTURAL ARTS COMMISSION**

Motion by Councilman Shell, seconded by Councilman Alexander to re-appoint Bob McKoon to the Newnan Cultural Arts Commission for another three year term.

**MOTION CARRIED. (8 – 0)**

Motion by Councilman Coggin, seconded by Councilman Alexander to re-appoint Kim Wright to the Newnan Cultural Arts Commission for another three year term.

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

Mayor Brady asked the City Manager to place Mayor Pro Tem Jenkins's, Councilman Hicks's and Councilman Alexander's appointments to the Newnan Cultural Arts Commission on the agenda for the next meeting.

**APPOINTMENTS – KEEP NEWNAN BEAUTIFUL**

Motion by Councilman Coggin, seconded by Councilman Alexander to re-appoint Jack Homer to the Keep Newnan Beautiful Commission for another three year term.

**MOTION CARRIED. (8 – 0)**

Mayor Brady asked the City Manager to place Councilman DuBose, Councilman Coggin, and Councilman Alexander's appointments to the Keep Newnan Beautiful Commission on the agenda for the next meeting.

**PUBLIC HEARING – ALCOHOL BEVERAGE – LICENSE REPRESENTATIVE  
TRANSFER – RUBY TUESDAY**

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) License sales Distilled Spirits, Malt Beverages and Wine for transfer of License Representative FROM: Katrina Polk Lyle TO: Sonna Wood for Ruby Tuesday located at 1120 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 Hicks, seconded by Councilman Alexander to approve the application for Retail On Premise (Pouring) License Sales Distilled Spirits, Malt Beverages and Wine for transfer of License Representative FROM: Katrina Polk Lyle TO: Sonna Wood for Ruby Tuesday located at 1120 Bullsboro Drive.

**MOTION CARRIED. (8 – 0)**

**SURPLUS PROPERTY DECLARATION AND DISPOSITION**

Motion by Councilman Coggin, seconded by Councilman Alexander to declare as surplus the 2005 Ford Crown Vic and grant authorization for the disposal of such.

**MOTION CARRIED. (8 – 0)**

**BID – RESCUE TRUCK**

Motion by Councilman Coggin, seconded by Councilman Hicks to award the bid for the Fire Rescue Truck to Custom Truck and Body Works for \$123,900 and funding taken from SPLOST 2007.

**MOTION CARRIED. (8 – 0)**

**BID – RESCUE TRUCK EQUIPMENT**

The City Manager informed Council the Rescue Truck and the equipment was under the \$200,000 budget. He is requesting additional equipment for the Rescue truck not to exceed the budgeted \$200,000.

Motion by Councilman Alexander, seconded by Councilman Hicks to award the bid to Georgia Fire and Rescue Supply for the equipment to be placed on the 2014 rescue truck with the additional equipment limit not to exceed the budgeted \$200,000 and funding taken from SPLOST 2007.

**MOTION CARRIED. (8 – 0)**

**BID –RECLAMATION AND PAVING OF LOCAL ROADS 2014**

Motion by Councilman Coggin, seconded by Councilman Alexander to award the bid to the lowest bidder submitted by The Miller Group, Inc. for a base bid amount of

\$440,928.20 for the full depth reclamation and paving of 1.21 centerline miles on two local roads (Spence Avenue and Highwoods Parkway) and the roads serving East view Cemetery Annex and funding taken from SPLOST 2013, LMIG Fund.

**MOTION CARRIED. (8 – 0)**

**AUDIO/VISUAL SYSTEMS CONTRACT FOR NEWNAN HOSPITAL REDEVELOPMENT PROJECT**

The City Manager stated a bid was received from TSAV (Technical Services Audiovisual) through State Contract. It has been thoroughly reviewed by the City's representative, Comprehensive Program Services as well as the University of West Georgia to assure that the proposal meets all the required criteria. This contract will satisfy a portion of our \$1.76M FFE obligation per the agreement that came in under the \$600,000 budget for this item. Staff recommends Council approve the contract from TSAV in the amount of \$513,750.04. He noted there will be an up charge to this contract of 1.8 percent for the bond making the total \$522,997.54.

Motion by Councilman Alexander, seconded by Councilman Hicks to award the bid for the Audio/Visual Systems Contract for the Newnan Hospital Redevelopment Project to TSAV in the amount of \$513,750.04 with the additional funding for the bonding.

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

**PUBLIC HEARING – 2014 UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT INCLUDES 2014 UPDATE TO THE SHORT-TERM WORK PROGRAM**

Mayor Brady opened a public hearing to inform the public of the City's completion and intent to adopt the update to its CIE Program.

The City Planner informed Council as a part of the planning process, all local governments must hold one public hearing prior to the transmittal of their updates. Official transmittal to the Three Rivers Regional Commission (RC) and the Georgia Department of Community Affairs (DCA) is planned to be requested at the July 8 Council meeting. After review and approval of the CIE update by the RC and DCA, Council will be asked to officially adopt the CIE update for 2014.

Mayor Brady closed the public hearing.

**RECOMMENDATION – BUSINESS DEVELOPMENT – ECONOMIC DEVELOPMENT INCENTIVE POLICY**

The Business Development Director presented a report and recommendation to amend the current Economic Development Incentive Policy. He asked Council to consider developing a superior business recruitment strategy that engages local, regional, statewide and national stakeholders and targets high-quality sustainable development;

that supports a diversified tax base, should require a minimum amount of private investment, a minimum number of net new jobs being created and the identification of specific industry types. If Council approves the proposed amendment to the existing Economic Development Incentives Policy it will allow for the successful promotion and management of specific new project development incentives. This will provide Staff the ability to work with projects.

Motion by Councilman Alexander, seconded by Councilman Coggin to approve the recommendation by the Business Development Director to amend the current Economic Development Incentive Policy as presented.

**MOTION CARRIED. (8 – 0)**

**PUBLIC HEARING – TEXT AMENDMENT TO ZONING ORDINANCE TO ALLOW RESTAURANTS AND SIMILAR ESTABLISHMENTS IN THE OI-1 AND OI-2 DISTRICTS AS A SPECIAL EXCEPTION**

Mayor Brady opened a public hearing on the Text Amendment to the Zoning Ordinance.

The Planning Director stated Travis Adams is hoping to open a donut and coffee shop at the old pharmacy building located at 75 Jackson Street. Currently the ordinance does not allow standalone restaurants. She indicated Mr. Adams is seeking a text amendment to change the zoning ordinance. This request is City wide and if approved; this request would be presented to the Boards of Appeals. The Planning Commission held a public hearing and voted to approve the text amendment with conditions;

- 1) The restaurant or similar establishment must be located within or adjacent to property containing a minimum of 40,000 square feet of gross leasable office/institutional space.
- 2) The restaurant shall be limited to 25 percent (25%) of the total floor area if located within an office building or limited to 2,500 square feet if the restaurant is a stand-alone structure.
- 3) Drive-through windows shall only be operational between the hours of 6:00 am and 8:00 pm
- 4) A minimum distance of 150 feet shall be maintained from the drive-through window to the nearest residential structure.

Mr. Jim Thomasson, representing 75 Jackson Street, stated he has concerns with the way it was generated for one location creating an exception. He is asking Council to consider the big picture and the best way to approach the issue.

Councilman Shell asked about parking and traffic if a restaurant was located at this location, it could be an issue.

The Planning Director stated the parking would be something that would have to be addressed. At this time we are looking at this issue City-Wide.

Councilman Coggin agreed the parking could be an issue; however there could be a lot of pedestrian traffic from the University.

The City Manager informed Council at the retreat staff was asked to look at overhauling the Zoning Ordinance. He indicated if you look at the big picture this amendment is moving forward with the zoning changes.

Crystal Adams, wife of Travis Adams, stated they are looking into putting in a donut and coffee shop at the location of the old pharmacy located at 75 Jackson Street. They have spoken with the person from the University of West Georgia that is coming to this campus and they are very excited with having another option for food and drink for students as opposed to machines in their facility. They have submitted a parking lot application and are waiting for approval. They hope they can be part of the community.

The Planning Director indicated they are planning to bring to Council their ideas on what direction to go on the updates to the zoning ordinances next month. We are looking at more than two years before the zoning changes will be completed.

The City Manager stated the issue before us is because of lack of revisions to the Zoning Ordinance. We will be looking to an outside consulting firm for help.

Councilman Hicks stated we are just amending the text to allow the process to continue. We are not approving this site for any business we are taking steps in the direction that allows this business or anybody else to continue the process of the possibility of putting this type of establishment into place.

The City Manager indicated this would be a special exception for anyone wanting to operate a restaurant in the OI-1 District and applicant would have to make a request to the Boards of Appeals.

Mayor Brady closed the public hearing.

Motion by Councilman Hicks, seconded by Councilman Alexander to approve the recommendation from the Planning Commission to amend the Text Amendment to the Zoning Ordinance to allow restaurants and similar establishments in the OI-1 and OI-2 Districts as a special exception with above conditions. Opposed: Shell.

**MOTION CARRIED. (7 – 1)**

**ORDINANCE – AMEND THE ZONING ORDINANCE BY ADOPTING TEXT AMENDMENTS TO AMEND CHAPTER 33, SECTION 33.080, SPECIAL EXCEPTION, CONDITIONAL, AND OTHER SPECIFIC USE REQUIREMENTS; CHAPTER 21, TABLE 21.04, ALLOWABLE USES; AND FOR OTHER PURPOSES – FIRST READING**

Motion by Councilman Hicks, seconded by Councilman Alexander to adopt an ordinance to amend the Zoning Ordinance by adopting Text Amendments to amend Chapter 33, Section 33.080, Special Exception, Conditional, and Other Specific Use Requirements; Chapter 21, Table 21.04, Allowable Uses; and for other purposes on first reading.  
Opposed: Shell.

**MOTION CARRIED. (7 – 1)**

**RESOLUTION/AGREEMENT – AUTHORIZING THE CITY OF NEWNAN AND THE GEORGIA DEPARTMENT OF TRANSPORTATION TO CONTRACT FOR FUNDING UNDER THE TRANSPORTATION EQUITY ACT FOR THE 21<sup>ST</sup> CENTURY (TEA-21)**

Motion by Councilman Alexander, seconded by Councilman Hicks to adopt a resolution authorizing the City of Newnan and the Georgia Department of Transportation to contract for funding under the Transportation Equity Act for the 21<sup>st</sup> Century (TEA-21) in the amount of \$360,547.

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

**REPORT – FEASIBILITY OF RESTROOM FACILITIES WITHIN SELECT CITY PARKS**

The City Landscape Architect/Arborist presented a report on the feasibility of possible restroom facilities within select City parks resulting as an action item from the Park's Commission's annual report in February. Staff is proposing the following:

**GREENVILLE STREET PARK** - Single family restroom facility which will serve both men and women.

**FIRST AVENUE PARK** - Men's and women's restroom facility.

**RAY PARK** – Men's and women's restroom facility.

**PICKETT FIELD AT LYNCH PARK** – Modifications and improvements, existing restroom facility.

Mayor Brady suggested including changing trays for babies in all the proposed facilities.

Motion by Councilman Alexander, seconded by Councilman Coggin to accept Staff's report on the recommendation for possibility of restroom facilities for the above City Parks

adding changing trays to all facilities and instruct staff to move forward with RFP.

**MOTION CARRIED. (8 – 0)**

The City Manager informed Council we will need to budget for operational impacts in the 2015 budget for any additional parks.

**AGREEMENT – FARMER STREET PROPERTY – DRIVEWAY EASEMENT AND ENCROACHMENT**

The City Manager indicated several months ago we had a request by Larry Banach to either purchase or utilize open right-of-way on Farmer and Jefferson Street. We have research and found infrastructure in the right-of-way and this rules out the possibility of selling. We have developed a plan where he can actually utilize the right-of-way for driving purposes. This is an easement agreement allowing him to construct the driveway.

Motion by Councilman Coggin, seconded by Councilman Alexander to approve the Driveway Easement and Encroachment Agreement allowing Mr. Banach to construct a driveway on the Farmer Street property.

**MOTION CARRIED. (8 – 0)**

**CONTINUE REQUEST – MICHAEL E SUMNER – CONSERVATOR FOR JOANN WILLIAMSON – ABANDON THE RIGHT-OF-WAY OF SUMMER PLACE IN ORDER TO RESOLVE ISSUES WITH PROPERTY TITLES**

The City Manager stated at this time we cannot yet determine the impact the McIntosh Parkway will have on the property. His recommendation is not to take any action on the right-of-way abandonment at Summer Place at this time.

Motion by Councilman Coggin, seconded by Mayor Pro Tem Jenkins to instruct staff to contact Mr. Sumner that no action was taken on the right-of-way abandonment at Summer Place.

**MOTION CARRIED. (8 – 0)**

**SUBSTANDARD STRUCTURE – 3 ANNIE STREET SOUTH – SCHEDULE PUBLIC HEARING – AUGUST 26, 2014**

The Code Enforcement Officer is requesting a public hearing be scheduled for August 26, 2014 for the substandard structure located at 3 Annie Street South.

Motion by Councilman Hicks, seconded by Councilman Alexander to approve the request



to schedule a public hearing on the substandard structure located at 3 Annie Street South for August 26, 2014.

**MOTION CARRIED. (8 – 0)**

**SUBSTANDARD STRUCTURE – 10 SECOND STREET – SCHEDULE PUBLIC HEARING AUGUST 26, 2014**

The Code Enforcement Officer is requesting a public hearing be scheduled for August 26, 2014 for the substandard structure located at 10 Second Street. This structure is unsecured and vacant.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Jenkins to approve the request to schedule a public hearing on the substandard structure located at 10 Second Street for August 26, 2014.

**MOTION CARRIED. (8 – 0)**

**SUBSTANDARD STRUCTURE – 16 WHEAT STREET – SCHEDULE PUBLIC HEARING AUGUST 26, 2014**

The Code Enforcement Officer is requesting a public hearing be scheduled for August 26, 2014 for the substandard structure located at 16 Wheat Street. This structure is unsecured and vacant.

Motion by Councilman Coggin, seconded by Councilman Alexander to approve the request to schedule a public hearing on the substandard structure located at 16 Wheat for August 26, 2014.

**MOTION CARRIED. (8 – 0)**

**STATUS REPORTS – 4 WELCH STREET, 7 LANDERS STREET, 7 UPPER MANN STREET, 20 DIXON STREET, 48 FAIR STREET, 67 FAIRMOUNT STREET, 79 WEST WASHINGTON STREET**

The Code Enforcement Officer presented the status reports on the following properties that have been before Council in Public Hearings.

<u>Property</u>	<u>Owner</u>	<u>Status</u>	<u>Resolution Deadline</u>
4 Welch Street	Tynisiha Adufo	Progress Made	09/16/2014
7 Landers Street	David Thompson	No Progress	09/09/2014
7 Upper Mann	Donald Smith	No Progress	06/21/2014
20 Dixon Street	Woodie Wood	Progress Made	06/19/2014
48 Fair Street	Bill Fike	Completed	

**CITY OF NEWNAN, GEORGIA  
REGULAR COUNCIL MEETING**

**JUNE 19, 2014**

67 Fairmount St	Eugene Rachel (Life Int)	No Progress	10/14/2014
79 W. Washington St	Josephine Bailey	Demolished By owner	10/14/2014

No action required information only.

**REQUEST – EXTENSION 7 UPPER MANN STREET**

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Hicks to approve an extension for one hundred (180) days on the substandard structure located at 7 Upper Mann Street instructing the owner to provide a schedule for repairs within thirty (30) days.

**MOTION CARRIED. (8 – 0)**

**DEMOLITION NOTICE - DEWEY STREET – BY JOE CRAIN ON BEHALF OF KMS PROPERTIES**

Mr. Joe Crain, Jr., representing KMS Properties, is requesting an extension for one hundred (120) days on the substandard structure located at 4 Dewey Street. He stated the property is currently listed for sale. Also they have received an estimate on demolishing the structure and clearing the lot. The extension will allow them time to make the best decision for the property.

Motion by Councilman Shell, seconded by Mayor Pro Tem Jenkins to approve the extension for one hundred twenty (120) days on the substandard structure located at 4 Dewey Street.

**MOTION CARRIED. (8 – 0)**

**REQUEST – FIRST BAPTIST CHURCH – MADISON STREET CLOSED TO THROUGH TRAFFIC – 7:00 AM TO 1:00 PM – AUGUST 8 AND SEPTEMBER 12, 2014 “MOBILE FOOD PANTRY” DISTRIBUTION OF FOOD**

Motion by Councilman Coggin, seconded by Councilman Alexander to approve the request by First Baptist Church to close Madison Street to through traffic from 7:00 am to 1:00 pm on August 8 and September 12, 2014 for the “Mobile Food Pantry” for distribution of food.

**MOTION CARRIED. (8 – 0)**

**STORM CLEAN-UP**

Councilman Hicks complimented the Public Works Department for the great job during the recent storms in cleaning the streets.

Mayor Pro Tem Jenkins stated the Newnan Cultural Arts Commission along with City Staff did a wonderful job planning the Scotland Event.

**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 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 9:45 a.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 9:59 a.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)**

**ADJOURNMENT**

Motion by Councilman DuBose, seconded by Councilman Hicks to adjourn the Council meeting at 10:00 a.m.

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

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Della Hill, City Clerk

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Keith Brady, Mayor