

CITY OF NEWNAN, GEORGIA
REGULAR COUNCIL MEETING

NOVEMBER 8, 2022

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, November 8, 2022 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, Rhodes Shell, George Alexander, Cynthia Jenkins, and Paul Guillaume. Absent – Dustin Koritko. Also present: City Manager, Cleatus Phillips; Assistant City Manager, Hasco Craver; City Clerk, Megan Shea and City Attorney, Brad Sears.

MINUTES – SPECIAL CALLED MEETING – OCTOBER 17, 2022

Motion by Mayor Pro Tem DuBose, seconded by Councilman Guillaume to dispense with the reading of the minutes of the Special Called meeting on October 17, 2022 with Coweta County and adopt them as presented.

MOTION CARRIED. (6-0)

MINUTES – REGULAR COUNCIL MEETING – OCTOBER 25, 2022

Motion by Councilman Guillaume, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council meeting on October 25, 2022 and adopt them as presented.

MOTION CARRIED. (6-0)

APPOINTMENT – ETHICS COMMISSION, 2 YEAR TERM

Motion by Councilman Alexander, seconded by Councilwoman Jenkins to reappoint Rebecca Gibson for another two-year term.

MOTION CARRIED. (6-0)

APPOINTMENT – NEWNAN YOUTH ACTIVITIES COMMISSION

Motion by Mayor Pro Tem DuBose, seconded by Councilman Alexander to regretfully accept the resignation of Steve Cothran and to appoint Tracy Behm to replace him until the end of his term.

MOTION CARRIED. (6-0)

ANNUAL REPORT – KEEP NEWNAN BEAUTIFUL

Rachel Murrell, Chair of the Keep Newnan Beautiful commission gave the annual report. She explained that the commission has 12 members and they are a community outreach program, sharing education on how to recycle, reduce and reuse. Highlights of this year's events included 54 tons of tires from the City and County through a State grant.

They have planted a lot of pollinator gardens around the community and there is a community garden. They have many volunteer teams that give their time and help clean up. Councilwoman Jenkins added a correction to one picture that had the incorrect alumni group.

Other education that they contributed to this year was a family event at the YMCA and an outdoor classroom at Ruth Hill Elementary. They have also helped Evans Middle School get a hydroponic garden system which will help them learn about sustainable gardening and eating well.

ANNUAL REPORT- NEWNAN URBAN REDEVELOPMENT AGENCY

Gerald Walton, Chair of NURA presented the annual report. He showed the new logo that the commission has, that was designed by Anthony Urda, the City's Communication Coordinator. He gave an overview of 2022 projects including Murray Street Project to construct 7 affordable homes on Murray Street with \$1,750,000 in ARPA Funds received. There are 3 designs for the homes that have been approved by the NURA Board and construction plans are being prepared.

The Chalk Level National Register District nomination has been updated to include Farmer Street Cemetery and photos are being taken to reflect the tornado damage. The nomination will be submitted by the end of this year.

The 100 East Washington house has been demolished. Since the ARPA Murray Street project has a deadline of December 2024, they have decided to focus on that and put this house on hold for now. He also highlighted the two paint days that are done each year. Goals for 2023 include constructing at least 4 of 7 homes on Murray St., consider conducting a housing assessment for redevelopment area and continue to attend trainings geared toward affordable housing opportunities.

Councilman Guillaume asked about a timeline on the 100 E. Washington project, are they pausing temporarily or waiting until the other project is completely done? Mr. Walton said they are pausing for now, they want to wait until market conditions improve.

MAYOR

Mayor Brady stated there was an off-agenda item.

Motion by Councilwoman Jenkins, seconded by Councilman Shell to amend the agenda and include this item.

MOTION CARRIED. (6-0)

Mayor Brady had a request from Evans Middle School to close Evans Dr. on November 18th for a couple hours for a Turkey Trot event.

Motion by Councilman Alexander, seconded by Councilwoman Jenkins to approve the request as presented.

MOTION CARRIED. (6-0)

PUBLIC HEARING- APPLICATION FOR ALCOHOL BEVERAGE LICENSE- WAL-MART SUPERSTORE #494

Mayor Brady opened a public hearing on the application for a Retail On Premise (Package) Sales of Malt Beverages and Wine for Wal-Mart Superstore at 1025 Hwy 34 E.

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 Guillaume to approve the application for a Retail On Premise (Package) Sales Malt Beverages and Wine License.

MOTION CARRIED. (6-0)

CONSIDERATION OF A RESOLUTION FOR THE USE OF UNASSIGNED FUND BALANCE

City Manager explained that the City is in a good financial position and have had a good response from FEMA with reimbursement. The majority of the requested funds would be for roadway paving and rehabilitation. Staff is also working on a plan of improvements as was discussed at the retreat and hope to have that to Council soon. This resolution will just move the funds from unassigned into the committed category and not expended until contracts are secured.

Councilman Alexander asked about the \$200,000 for Lynch Park Pool repairs. City Manager explained that it's been almost 12 years since the pool opened. The drainage has settled and some correction is needed around the perimeter, basically just 12 years of use.

Motion by Councilman Guillaume, seconded by Councilwoman Jenkins to adopt the resolution as presented.

MOTION CARRIED. (6-0)

PRESENT THE CURRENT STATUS OF OBGLIGATIONS AND EXPENDITURES FROM THE ARPA FUND AND CONSIDERATION OF THE CLOSURE OF THE APPLICATION FOR ARPA FUNDS

Andrew Moody, ARPA Special Projects Manager, stated that there is about \$14.4 million obligated and about half of that has been expended. He explained we are at the point where it is safe to close the application but will still consider the ones that are in the pool. The request is to close the application as of today and not accept any more applications.

City Manager asked Mr. Moody to discuss the tree debris removal program. Mr. Moody stated that that program will continue until November 27th which is the automatic cut off date. People can still apply for tree debris removal.

Motion by Councilman Alexander, seconded by Councilman Shell to accept staff recommendation and close the application for ARPA Funds as of 11/8/22 at 5pm.

MOTION CARRIED. (6-0)

CONSIDERATION OF AN ENCROACHMENT AGREEMENT BETWEEN THE CITY OF NEWNAN AND 37 LAGRANGE ST., LLC TO ALLOW FOR THE CONSTRUCTION OF RETAINING WALLS ALONG LONG PL AND LAGRANGE ST.

Michael Klahr, City Engineer, explained that this is the Bonnell project at the intersection of Lagrange St. and Long Pl. Their plans call for a retaining wall and planter/sitting type area. The footing would extend into the right of way so this is just to allow them to do this. The sidewalk will still be there, this will be underneath the sidewalk. They will have to tear up the sidewalk and then put it back.

Motion by Mayor Pro Tem DuBose, seconded by Councilman Alexander to approve the agreement as presented.

MOTION CARRIED. (6-0)

CONSIDERATION OF A CONSENT TO ASSIGNMENT, HEATH & LINEBACK ENGINEERS, INC. TO BCC ENGINEERING, LLC AND EXTENSION OF ENGINEERING SERVICES MASTER AGREEMENT

Michael Klahr, City Engineer, stated that Heath & Lineback have been design consultant's primary for Lower Fayetteville Rd. project and we have a master agreement with them that will carry through the entire project. BCC Engineering out of Florida has acquired Heath & Lineback and this acknowledges that BCC can assume the contracts on behalf of Heath &

Lineback. The staff is going to stay the same, all pre-qualifications with GDOT stay the same. There is also an extension of 4 years being requested on the master agreement which will include the complete PE Phase of the Lower Fayetteville Rd. project.

Motion by Councilwoman Jenkins, seconded by Councilman Alexander to accept the consent assignment.

MOTION CARRIED. (6-0)

Motion by Councilman Alexander, seconded by Councilman Shell to extend the agreement for 4 years.

MOTION CARRIED. (6-0)

176 LAGRANGE ST. – OWNER UPDATE AND REQUEST EXTENSION

Matt Murray, Code Enforcement Officer, explained that this property was last before Council in May and was given 180-day extension which has expired. There has been a lot of work done on the property, a lot of exterior and they are starting on the interior. The owner is requesting a 90-day extension to complete everything.

Councilwoman Jenkins asked if at this point is the property still out of compliance with the safety violations that first brought them before Council? Mr. Murray says they have addressed the safety issues. Council discussed whether this property should still be monitored by Council.

Motion by Councilman Shell, seconded by Councilman Alexander to approve a 90-day extension.

MOTION CARRIED. (6-0)

REQUEST FROM LILLIAN GARDENS FOR COUNCIL TO CONSIDER MODIFYING THE CODE OF ORDINANCE PERTAINING TO SPECIAL PERMITTED LOCATION LICENSES

Ashley Keeley-Bereich with Lillian Gardens explained that she currently has to maintain both an alcohol beverage license and special permitted location license for events. She would like this changed as she is more like a restaurant with in house catering.

City Manager explained that most special event places have a special permitted location license but, in most situations, they do not have in house catering so they hire licensed caterers. Then for each event they pull a special permit. Lillian Gardens does hold two licenses, has to fill out two applications and pay two separate fees. Mr. Phillips see this as two requests, one to combine the licenses and to eliminate the need for a special event permit to be pulled for every event if both the location and the caterer are already licensed.

City Attorney said that Ms. Keeley-Bereich is in a unique situation. The amendment would need to be drafted with wording to avoid these locations being able to open on a random Friday night as a bar, it would have to specify that an event would have to be going on.

Motion by Councilman Shell, seconded by Councilman Guillaume to instruct staff to draft an ordinance amendment for this change and bring it back to Council for consideration.

MOTION CARRIED. (6-0)

COUNCIL

Councilman Alexander asked City Manager about the funding that was discussed for streets, is long term being looked at? Mr. Phillips said they are going to try and approach in a 3-year maintenance plan but there will be variables. They are looking at low scoring streets and high traffic streets first.

EXECUTIVE SESSION

MOTION EXECUTIVE SESSION

Motion by Mayor Pro Tem DuBose, seconded by Councilman Alexander that we now enter into closed session as allowed by O.C.G.A. Section 50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing legal and personnel issues and that we move, in open session to adopt a resolution authorizing and directing the Mayor or presiding officer to execute an affidavit in compliance with O.C.G.A. Section 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 3:04PM.

MOTION CARRIED. (6-0)

RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION

Motion by Councilwoman Jenkins, seconded by Councilman Guillaume to adopt the resolution authorizing the Mayor to execute the affidavit stating that the subject matter of the closed portion of the Council was within the exceptions provided by O.C.G.A. Section 50-14-4(b). Mayor Brady and Mayor Pro Tem DuBose recused.

MOTION CARRIED. (4-0)

ADJOURNMENT

Motion by Councilman Alexander, seconded by Councilman Shell to adjourn the Council meeting at 3:24pm.

MOTION CARRIED. (4-0)

Megan Shea, City Clerk

Keith Brady, Mayor