

CITY OF NEWNAN, GEORGIA
REGULAR COUNCIL MEETING

JULY 12, 2022

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, July 12, 2022 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, Rhodes Shell, George Alexander, Cynthia Jenkins, Dustin Koritko and Paul Guillaume. Also present: City Manager, Cleatus Phillips; Assistant City Manager, Hasco Craver; City Clerk, Megan Shea and City Attorney, Brad Sears.

MINUTES – REGULAR COUNCIL MEETING – JUNE 14, 2022

Councilwoman Jenkins stated a correction was needed in the minutes. Under the ARPA external request it should say “rent to own” and not “rent to lease”.

Motion by Councilman Koritko, seconded by Councilman Alexander to amend the minutes of the Regular Council meeting on June 14, 2022 and adopt them as amended.

MOTION CARRIED. (7-0)

MINUTES – SPECIAL CALLED MEETING – JUNE 15, 2022

Motion by Councilman Alexander, seconded by Councilman Koritko to dispense with the reading of the minutes of the Special Called meeting with the Coweta County Board of Commissioners on June 15, 2022 and adopt them as presented.

MOTION CARRIED. (7-0)

MINUTES – SPECIAL CALLED MEETING – JUNE 16, 2022

Motion by Councilman Koritko, seconded by Councilman Shell to dispense with the reading of the minutes of the Special Called meeting on June 16, 2022 and adopt them as presented.

MOTION CARRIED. (7-0)

APPOINTMENT- NEWNAN YOUTH ACTIVITIES, 3 YEAR TERM

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

APPOINTMENTS- CULTURAL ARTS COMMISSION, 3 YEAR TERM

Councilman Alexander stated the Phyllis Graham has decided to step down and he put forth Jenny Enderlin as her replacement. He asked that a thank you letter be sent to Ms. Graham for her service.

Motion by Councilman Alexander, seconded by Councilwoman Jenkins to appoint Jenny Enderlin to the Cultural Arts Commission.

MOTION CARRIED. (7-0)

Motion by Councilman DuBose, seconded by Councilman Alexander to reappoint Jaami Rutledge to the Cultural Arts Commission for another term.

MOTION CARRIED. (7-0)

Motion by Councilwoman Jenkins, seconded by Councilman Alexander to reappoint Makisha Strickland to the Cultural Arts Commission for another term.

MOTION CARRIED. (7-0)

RESIGNATION OF TRACEY BROOKS- CULTURAL ARTS COMMISSION

Councilman Koritko recognized the resignation of Tracey Brooks and asked that a thank you letter be sent to her for her service.

Mayor Brady asked the City Manager to place Councilman Koritko's appointment on the next agenda.

APPOINTMENTS- KEEP NEWNAN BEAUTIFUL, 3 YEAR TERM

Motion by Councilman DuBose, seconded by Councilman Alexander to reappoint Rachel Murell to the Keep Newnan Beautiful commission for another term.

MOTION CARRIED. (7-0)

Mayor Brady asked the City Manager to place Councilman Alexander's appointment on the next agenda.

CITY MANAGER

Mr. Phillips stated that everyone is aware of the situation with inconveniences and missed pickups from the sanitation provider. City is working diligently to find a solution. A statement was put out on social media and Mr. Phillips read that statement.

We are aware that residents of the City of Newnan have been experiencing inconsistent sanitation services from GFL, the City's residential refuse and recycling contractor. Most recently, the service delays have been significant and widespread. We learned on Monday, July 11th, that GFL has been experiencing mechanical breakdowns within their truck fleet. At one point a total of 15 trucks, representing 50% of their fleet within this service area, were out of service. GFL was not able to give the City an estimated time as to when our residents would receive service. GFL stated that mechanics are in route from other regions of the company's service territory.

GFL has been made aware of their contractual obligations and the City has asked them to commit the necessary resources to service our residents immediately. We are closely monitoring the streets to see if the required resources are allocated. If GFL does not respond accordingly, the City is preparing to provide short-term solutions with internal resources.

We apologize to our citizens for the inconveniences that have been created by the service interruptions. Please be assured that we hear your concerns and are working diligently towards a solution.

Mr. Phillips then gave an update that there are still areas that need to be serviced but that progress has been made. There were 2 trucks put into service in the morning, 2 additional at lunch and a 5th truck later in the day. The concern is that we are about 1/5 of the accounts that GFL services and there have been service delays in other cities and towns recently.

Mayor Brady stated that he has been staying very close to this situation the past several days and staff has worked extremely hard to find solutions to the problem and to bring Newnan to the attention of GFL. They are a national company so they have trucks all over and we expect them to pull those trucks here. Councilman Guillaume asked if the City allocates funds to take care of the problem, would GFL reimburse us? Mr. Phillips said that we would try. Right now, the issue is not having trucks available. Expenses will be tracked and options looked at. The first priority is to keep the City clean and safe.

**PUBLIC HEARING- 2022 UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT,
INCLUDING 2022 UPDATE TO THE SHORT-TERM WORK PROGRAM**

Mayor Brady opened the public hearing.

Chris Cole, Senior Planner, explained that this is a required public hearing to be held prior to the transmittal of the updates for review to the Three Rivers Regional Commission and Georgia Department of Community Affairs. This transmittal will be requested at the August 9th City Council meeting. After review then Council will be asked to formally adopt the updates for 2022.

Mayor Brady closed the public hearing.

No action needed.

INTERNAL REQUEST FOR FUNDING UNDER THE AMERICAN RESCUE PLAN ACT (ARPA)

Andrew Moody, ARPA Special Projects Manager stated that the request is for the replacement of 8 emergency sirens.

Nick Burgess, Emergency Management Coordinator with Coweta County presented the request. He showed an overlay of all county sirens on the map, 30 total tornado warning sirens in Coweta County and 8 of those are in the City of Newnan. The proposed sirens are 10 stacks and put out sound 360 degrees, both alert tone and verbal.

Proposed locations for the new sirens were shown to get maximum coverage for tornado warning. Locations include Newnan Utilities to relocate to front of Newnan High School, V C St. to relocate to Poplar Rd near hospital, NFD Station 2, Welsh Elementary, Sprayberry BBQ, Perry St., Ashley Park and Grieson Trail to relocate to Cliffhaven Circle area.

All proposed locations can be changed if desired. The new sirens also have the ability to do silent testing, which sends out signal and checks battery etc. Currently no testing is being done as the older sirens do not have the capability.

Councilman Alexander asked if topography is considered when placing the sirens? Mr. Burgess stated yes, for example several of the proposed location changes are to put the sirens at higher ground. Mayor Brady asked who will make the final decision on location? Assistant City Manager explained that staff has been working with Mr. Burgess and Fire Chief, Stephen Brown and other professionals to help make these decisions.

Councilman Koritko asked about costs and timeline on getting the new sirens. Mr. Burgess explained that the full quote is \$4800 per siren. Unfortunately, there are still shortages especially on the concrete poles so there is no exact time frame, hopefully a year to two years. City Manager stated that allocating the money now locks in the price. Mr. Burgess explained that the warranty on the sirens starts when they are installed and batteries have about a 5-year life and they are monitored closely.

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

MOTION CARRIED. (7-0)

CONSIDERATION OF A RESOLUTION TO OBLIGATE FUNDS FROM THE ARPA STANDARD ALLOWANCE FOR THE PURPOSE OF PROVIDING A PROGRAM FOR THE CLEARING OF VEGETATIVE DEBRIS AS A RESULT OF THE MARCH 2021 TORNADO

Mr. Moody explained that this is to appropriate ARPA funds for a vegetative debris program within the tornado tract. This would allocate \$1 million to the program with a maximum \$25,000 to property owners.

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

MOTION CARRIED. (7-0)

REZONING REQUEST RZ2022-07 BY ROBERT BERGMANN ON BEHALF OF FOURTY QUARTER PROPERTIES, LLC; 8.44 + ACRES AT 440 NEWNAN CROSSING BYPASS (TAX PARCEL #086 5043 004); REQUESTED CHANGE IN MXD PLAN CONDITIONS TO ADD 72 MORE APARTMENT UNITS- FOR INFORMATION ONLY

No action needed.

ANNEXATION REQUEST ANNEX2022-05 BY JEFF ANTHONY ON BEHALF OF LENNAR GEORGIA, LLC; 31.79 + ACRES AT 521 LOWER FAYETTEVILLE RD. (TAX PARCEL #087 5011 001); REQUESTED ZONING OF PDR (PLANNED DEVELOPMENT RESIDENTIAL DISTRICT) FOR 90 SINGLE-FAMILY HOMES AND 60 TOWNHOUSES- REFERRAL TO PLANNING COMMISSION

Mayor Brady had to recuse himself due to business relationship with property owner. Mayor Pro Tem DuBose took over the meeting.

Motion by Councilman Alexander, seconded by Councilman Shell to refer to the Planning Commission.

MOTION CARRIED. (7-0)

PUBLIC HEARING- ANNEXATION REQUEST 2022-03, DONALD L. SPRAYBERRY, JR.; SPRAYBERRY'S BARBEQUE, INC.; 1.22 + ACRES AT 30 AMLAJACK BLVD (TAX PARCEL #097-5044-013); REQUESTED ZONING OF CHV (HEAVY COMMERCIAL DISTRICT)

Mayor Brady opened the public hearing.

Dean Smith, Senior Planner, explained that the purpose of the request is to upgrade existing billboard sign or highway sign. Current sign is legal, non-conforming in unincorporated Coweta County and is ineligible for a new sign or upgrade based on County regulations. The applicant would like to bring the property into the City with a Heavy Commercial Zoning category to be able to upgrade to a newer, larger highway sign. Currently it is zoned M-Industrial District in Coweta County and the Heavy Commercial would be a less intensive use.

Mr. Smith reviewed the 8 standards including is the proposed use suitable, reasons why the property should not be used as currently zoned, any excessive or burdensome use of public facilities and compatibility with the comprehensive plan. The petition for annexation meets all 8 standards. There is no objection from Coweta County and the Planning

Commission voted 6-0 in favor of the annexation. Planning Commission did have 3 conditions.

- Special exception be granted for the construction of the highway sign, maximum size of 400 sq. ft., maximum height of 65 ft, minimum setback from interstate 65 ft and minimum setback from other property lines 40 ft.
- Grant a variance to reduce the required interstate road frontage from 400 ft to 364 ft.
- Limit use of property to only a billboard sign for a one-year period. After that property eligible for other uses within the CHV district.

Councilman Koritko asked about fire department servicing that area in the event of wild fire and Mr. Smith stated it would not be a result of this particular use but just a random occurrence. Councilwoman Jenkins asked why the one-year stipulation on use? Mr. Smith explained it has to do with how the County accepted the application originally.

Councilman Koritko asked about other uses that the applicant may want? Mr. Steven Sprayberry, owner of the property, stated the land has always been for a sign. If some day someone offered to buy it then other uses could be an option but they have no plans to sell.

No one spoke in opposition. Mayor Brady closed the public hearing.

Motion by Mayor Pro Tem DuBose, seconded by Councilman Koritko to accept the report and recommendation from the Planning Commission.

MOTION CARRIED. (7-0)

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

MOTION CARRIED. (7-0)

Motion by Councilman Shell, seconded by Councilman Alexander to adopt the ordinance and rezone the property as presented.

MOTION CARRIED. (7-0)

**PUBLIC HEARING- REZONING REQUEST RZ2022-05 BY GEORGE ROSENZWEIG
ON BEHALF OF SOUTHTREE COMMERCIAL DEVELOPMENT, LLC AND STG
NEWNAN, LLC; 0.741 + ACRES AT 18 SAVANNAH ST. (TAX PARCEL #N12 0001 010)
FROM ILT (LIGHT INDUSTRIAL DISTRICT) TO CBD (CENTRAL BUSINESS DISTRICT)
TO OPERATE A MICROBREWERY- CONSIDERATION OF ORDINANCE**

Mayor Brady opened the public hearing.

Tracy Dunnavant, Planning Director, stated that the applicant would like to expand the building and use the existing parking lot for entertainment including a food truck yard, seating areas, outside bar and a stage. The site is currently occupied by Knox Furniture.

Ms. Dunnavant reviewed the 8 required standards. Staff felt the proposed use would be suitable in this area and have a limited adverse impact due to noise and parking but homes are 300 ft away and the business will have to adhere to the City's noise ordinance. There will be minor impact to services and the use is compatible with the comprehensive plan. The development met 7 of the 8 standards and the Planning Commission unanimously recommended approval with conditions:

- Project will be consistent with the concept plan and renderings provided as part of the rezoning application.
- Applicant will provide 18 parking spaces either on the subject tract or on the adjacent tract to the west, parcel number N12 0001 007.

George Rosenzweig, representing the applicant, Southtree Commercial, presented the project. Chuck Ogletree, one of the owners of Southtree and Kip Oldham, project architect, were both present. Mr. Rosenzweig showed renderings of the microbrewery and site plans. There will be covered seating, stage and food truck area.

Chuck Ogletree introduced himself, developer and part-owner of Line Creek Brewing Company. He said there's been talk about coming to Newnan for years. Two ingredients make a successful brewery, great beer and great environment. People want to be outside and that is their focus. They like to invest themselves in community and they want to make this location unique to Newnan. This location would be the hub for their barrel age program. There will also be private meeting rooms for all kinds of events.

Councilman Alexander asked about landscaping on the East and South. Mr. Ogletree stated that the East side will have equipment screened with a fence and access area for trucks. Then to the South side will be the front and be accessed from several locations.

Councilwoman Jenkins asked about the screening as it is very visible. Mr. Ogletree said it will be a solid privacy fence. They are hoping to be pedestrian friendly with the Caldwell Tanks development as well.

No one spoke in opposition. Mayor Brady closed the public hearing.

Motion by Councilman Shell, seconded by Councilman Alexander to accept the report and recommendation from the Planning Commission.

MOTION CARRIED. (7-0)

Motion by Councilman Shell, seconded by Councilman Alexander to approve the rezoning request as presented.

MOTION CARRIED. (7-0)

157 LAGRANGE ST. – OWNER UPDATE AND REQUEST FOR EXTENSION

Matt Murray, Code Enforcement Officer, explained that this property was before Council in May and 60-day resolution was granted. The property was sold and closed on June 28th. The same person purchased 178 Lagrange and had that demolished. He is asking for 30-days to complete demolition on this property.

Motion by Councilman Shell, seconded by Councilman Alexander to approve the request for 30-day extension.

MOTION CARRIED. (7-0)

2ND AND FINAL READING- REZONING REQUEST RZ2022-03 BY CHER MCWILLIAMS FOR 0.22 + ACRES AT 14 LEE ST.; FROM OI-1 (LOW DENSITY AND INSTITUTIONAL DISTRICT) TO RU-I (URBAN RESIDENTIAL DWELLING DISTRICT- HISTORICAL AND INFILL)

Motion by Councilman Alexander, seconded by Councilman Shell to adopt the ordinance and rezone the property as presented.

MOTION CARRIED. (7-0)

2ND AND FINAL READING- REZONING REQUEST RZ2022-02 BY ALICE CORNEJO FOR DUI SCHOOL OF COWETA, INC. FOR 0.27 + ACRES AT 39 MAIN St.; FROM RU-7 (URBAN RESIDENTIAL SINGLE-FAMILY DWELLING DISTRICT- HIGH DENSITY) TO CGN (GENERAL COMMERCIAL DISTRICT)

Motion by Councilman Shell, seconded by Councilman Alexander to adopt the ordinance and rezone the property as presented.

MOTION CARRIED. (7-0)

APPLICANT REQUEST TO CONTINUE TO AUGUST 23, 2022 CITY COUNCIL MEETING; CONTINUATION OF PUBLIC HEARING- ANNEX2022-01 BY APEX LAND COMPANY FOR 1.1994 + ACRES ON STATE ROUTE 34 BYPASS AND RZ2022-01 BY APEX LAND COMPANY FOR 20.0119 + ACRES ON ROSCOE ROAD TO BE COMBINED WITH ANNEXATION TRACT FOR 135 FEE-SIMPLE TOWNHOMES

Motion by Councilman Shell, seconded by Councilman Alexander to approve the request and continue the public hearing to the August 23, 2022 City Council Meeting.

MOTION CARRIED. (7-0)

**REQUEST FROM CODY KELLY WITH THE ALAMO TO CONTINUE RESERVING
FIRST 3 PARKING SPACES FOR EVENTS, FIRST FRIDAY OF EVERY MONTH THRU
DECEMBER 2022**

Cody Kelly from The Alamo stated he had made the request a couple months ago for the parking spaces. Things have been going well with the events and there haven't been any issues. He is requesting to be able to continue with the events. Mr. Craver said there have not been any issues.

Motion by Councilman Shell, seconded by Mayor Pro Tem DuBose to approve the request.

MOTION CARRIED. (7-0)

EXECUTIVE SESSION

MOTION EXECUTIVE SESSION

Motion by Mayor Pro Tem DuBose, seconded by Councilman Koritko 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 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 7:27PM.

MOTION CARRIED. (7-0)

RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION

Motion by Mayor Pro Tem DuBose, seconded by Councilman Koritko 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).

MOTION CARRIED. (7-0)

ADJOURNMENT

Motion by Councilman Alexander, seconded by Councilman Koritko to adjourn the Council meeting at 7:37pm.

MOTION CARRIED. (7-0)

Megan Shea, City Clerk

Keith Brady, Mayor