CITY OF NEWNAN, GEORGIA
REGULAR COUNCIL MEETING JUNE 14, 2022

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, June 14, 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: Rhodes Shell, George Alexander; Dustin Koritko and Paul Guillaume. Absent: Cynthia Jenkins and Ray DuBose. Also present: City Manager, Cleatus Phillips; Assistant City Manager, Hasco Craver; City Clerk, Megan Shea and City Attorney, Brad Sears.

MINUTES – SPECIAL CALLED MEETING – MAY 24, 2022

Motion by Councilman Koritko, seconded by Councilman Shell to dispense with the reading of the minutes of the Special Called Council meeting on May 24, 2022 and adopt them as presented.

MOTION CARRIED. (5-0)

MINUTES – REGULAR COUNCIL MEETING – MAY 24, 2022

Motion by Councilman Koritko, seconded by Councilman Shell to dispense with the reading of the minutes of the Regular Council meeting on May 24, 2022 and adopt them as presented.

MOTION CARRIED. (5-0)

APPOINTMENTS- NEWNAN YOUTH ACTIVITIES, 3 YEAR TERM

Motion by Mayor Brady, seconded by Councilman Alexander to reappoint Lillie Smith for another term.

MOTION CARRIED. (5-0)

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

RESIGNATION OF MADELINE BARROW, NEWNAN YOUTH ACTIVITIES

Motion by Councilman Alexander, seconded by Councilman Shell to accept the resignation of Madeline Barrow with regret.

MOTION CARRIED. (5-0)

APPOINTMENTS- CONVENTION CENTER AUTHORITY, 3 YEAR TERM

Motion by Mayor Brady, seconded by Councilman Koritko to reappoint John Goodrum for another term.

MOTION CARRIED. (5-0)

Motion by Councilman Shell, seconded by Councilman Koritko to reappoint Michael Colpoys for another term.

MOTION CARRIED. (5-0)

APPOINTMENTS- CULTURAL ARTS COMMISSION, 3 YEAR TERM

Mayor Brady stated that Craig Ruby does not want to continue with another term on the Cultural Arts Commission.

Motion by Mayor Brady, seconded by Councilman Shell to appoint Ashley Nelson to the Cultural Arts Commission to replace Craig Ruby.

MOTION CARRIED. (5-0)

Mayor Brady asked the City Manager to place all other appointments on the Cultural Arts Commission on the next agenda.

APPOINTMENTS- KEEP NEWNAN BEAUTIFUL, 3 YEAR TERM

Councilman Alexander stated that Shalonda Vassar-West is moving and will no longer be able to serve on the commission. He asked that a letter be sent thanking her and for this appointment to be put on the next agenda.

Motion by Councilman Alexander, seconded by Councilman Koritko to reappoint Alicia Bohannon for another term.

MOTION CARRIED. (5-0)

Motion by Councilman Shell, seconded by Councilman Koritko to reappoint Emmie VanPatten for another term.

MOTION CARRIED. (5-0)

Mayor Brady asked the City Manager to place Mayor Pro Tem DuBose's appointment on the next agenda.

CONSIDERATION OF ADOPTION OF AN UPDATED PAY CLASSIFICATION PLAN AND MID-YEAR 2022 BUDGET AMENDMENT

City Manager presented a mid-year budget amendment and the purpose of that is the pay plan adjustment. In today's market, there are recruiting and retainment issues. It is Council's intention to hire the best in order to provide the best resources to our citizens. Management team went through and revamped the whole pay system, reviewed job descriptions and compared to similar jobs outside the City.

There are two items in front of Council, one a resolution to adopt the new pay plan which includes general, police and fire. The second item is an ordinance to amend the 2022 budget, amending the general fund, sanitation fund and NSP program. This addresses wages, FICA and pension. Total impact to the general fund is $778,000, sanitation is $12,900 and ARPA is $2,800. Impact to the budget next year would be $1.6 million.

Motion by Councilman Alexander, seconded by Councilman Shell to adopt the pay plan resolution as presented.

MOTION CARRIED. (5-0)

Motion by Councilman Alexander, seconded by Councilman Shell to adopt the ordinance amendment. 2nd and Final Reading next agenda.

MOTION CARRIED. (5-0)

Mayor Brady stated that the rules are when there is not a full vote on an ordinance there needs to be second and final reading. He called a special meeting on Thursday, June 16th at 8am with the one item to be the second and final reading of this budget amendment ordinance.

Motion by Councilman Alexander, seconded by Councilman Shell to call the special meeting on June 16th.

MOTION CARRIED. (5-0)

CONSIDERATION OF GEORGIA POWER UNDERGROUND EASEMENT ON LOWER FAYETTEVILLE RD.

Michael Klahr, City Engineer, explained that the red lines on the illustration show the work done at the roundabout and the underground utilities. This would just be above ground boxes. There are no conflicts.

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

MOTION CARRIED. (5-0)

CONSIDERATION OF GROUNDS LEASE AGREEMENT BETWEEN CITY OF NEWNAN AND THE COMMUNITY ACTION FOR IMPROVEMENT (CAFI)

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

MOTION CARRIED. (5-0)

CONSIDERATION OF CONTRACT AWARD FOR PROJECT, MILL, RESURFACE AND RECLAMATION OF VARIOUS STREETS

Motion by Councilman Guillaume, seconded by Councilman Koritko to approve the contract award as presented.

MOTION CARRIED. (5-0)

CONSIDERATION OF ENTERING INTO AN AGREEMENT WITH A QUALIFIED FIRM TO PROVIDE RESIDENTIAL REFUSE AND RECYCLING SERVICES

Hasco Craver, Assistant City Manager, gave a recap of the process that staff has been going through. There were 3 proposals received and 2 were interviewed by a panel of City staff and the selection committee is recommending the City enter into an agreement with GFL with an initial term starting on January 2, 2023. Some changes being made include City handling customer service and billing, only residential not commercial or multi-family and glass items will be allowed in the recycling program. This does not include brush and bulk items; the City will continue to manage that.

Other changes include the contractor incurring penalties for missed pickups, $25 each if not rectified in 24 hours.

Eric Bergin, Regional Vice President of GFL was present. Councilman Shell asked Mr. Bergin what happens currently if a pickup is missed and why no one answers the phone or email? Mr. Bergin stated that they are making changes, all their Fairburn customer service agents are being moved to the Newnan office. More agents have been hired. They handle all the calls for all of South Georgia which is a lot but they are hoping moving the agents will allow them to be more efficient and responsive. They also implemented a new phone system.

Councilman Guillaume asked about garbage bags outside of containers and how that is handled? Mr. Craver said that the new contract addresses that and states that all refuse must be in the container. If someone continually has excess bags then they will be required to purchase a second container. The new contract will also mandate new technologies that will allow these issues to be identified.

Mr. Craver went over the pricing, current and proposed. The current billing fee will disappear as the City will be handling that now. There will be a billing fee for brush and bulk since the City handles that. He explained that GFL was the lowest pricing in comparison to the other proposals received.

Councilman Koritko asked about the billing being in house? Mr. Craver said that this was proposed due to the complaints that had been received from citizens and to help make improvements. If someone has an issue they will have the ability to come to the City office for assistance.

Motion by Councilman Alexander, seconded by Councilman Shell to approve the agreement with GFL beginning in 2023 as presented.

MOTION CARRIED. (5-0)

INTERNAL REQUESTS FOR FUNDING UNDER AMERICAN RESCUE PLAN ACT (ARPA)

Andrew Moody, ARPA Special Projects Manager stated that the first request is from the police department for replacement computers in the vehicles, phased over 3 years with 15 computers each year.

Councilman Koritko asked if this is fixed pricing? Chief Blankenship stated yes, they have discussed that with the vendor.

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

MOTION CARRIED. (5-0)

Mr. Moody explained that the second request for the police department is for storage systems for the vehicles to store weapons and other evidence.

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

MOTION CARRIED. (5-0)

EXTERNAL REQUESTS FOR FUNDING AMERICAN RESCUE PLAN ACT (ARPA)

Andrew Moody, ARPA Special Projects Manager presented an external request from the Housing Authority, for an affordable housing project in the Chalk Level neighborhood. This will assist families effected by Covid and the tornado. This will build replacement homes and create a rent to own option for the owner.

Mr. Moody did verify that these are uninsured as was stated in the application. There was also a correction that needed to be made to one of the addresses listed, not 2 Johnson but 4 Johnson.

Motion by Councilman Alexander, seconded by Councilman Shell to approve the request with the noted correction.

MOTION CARRIED. (5-0)

PUBLIC HEARING- REQUEST BY OWNER (CITY OF NEWNAN) TO DEMOLISH STRUCTURE AT 100 E. WASHINGTON ST.

Mayor Brady opened the public hearing.

Bill Stephenson, Chief Building Official, explained that this is a historic house by condition of age but not on any historic maps or surveys.

Ms. Sandra Comfort, owner of the residence at 102 E. Washington St. spoke. She stated she had been interested in buying this property a year ago but was told that the City was going to build a house valued at $350,000. Now she is hearing it will be affordable housing. She is concerned and wants to know the value of the new house to determine if she should sell her house now given market values.

Tracy Dunnavant, Planning Director, stated that the program is through NURA (Newnan Urban Redevelopment Agency) and they are working on a design still and once that is finalized they will know a cost on the house. Mr. Phillips stated that the square footage will be very similar so there shouldn't be a huge difference in value.

Ms. Comfort asked what the time frame is on the project and knowing a value? Ms. Dunnavant explained they have been waiting on the demo decision to finalize the design. They should have something in 90 days or so. Mayor Brady stated that once the value is known the City Manager will contact her to let her know.

Mayor Brady closed the public hearing.

Councilman Alexander asked about how much money the City has put into this project? Mr. Phillips said there are costs that won't be recaptured. Councilman Alexander expressed concern with the costs and ensuring this property is affordable housing. There was a discussion around pricing and costs to re-build. Ms. Dunnavant said the goal of the program is to support homeownership.

Motion by Councilman Alexander, seconded by Councilman Guillaume to grant the request to demolish the structure at 100 E. Washington St.

MOTION CARRIED. (5-0)

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); REQUESTED ZONING FROM ILT (LIGHT INDUSTRIAL DISTRICT) TO CBD (CENTRAL BUSINESS DISTRICT) FOR MICROBREWERY- INFORMATION ONLY

No action needed.

REZONING REQUEST- RZ2022-06 BY GEORGE ROSENZWEIG FOR 35.49 + ACRES AT 2037 NEWNAN CROSSING BYPASS (TAX PARCEL #087 5011 003); REQUESTED ZONING FROM RS-15 (SUBURBAN RESIDENTIAL SINGLE-FAMILY DWELLING DISTRICT- MEDIUM DENSITY) TO RML (RESIDENTIAL MULTIPLE-FAMILY DWELLING- LOWER DENSITY) FOR 196 ATTACHED COTTAGE APARTMENTS- INFORMATION ONLY

No action needed.

STATUS REPORTS- VARIOUS STORM DAMAGED PROPERTIES

Matt Murray, Code Enforcement, explained that over the past couple months 12 storm damaged properties have come before Council and 11 of those had resolutions passed. 1 was dismissed as the property had made sufficient repairs. 3 properties have been demolished.

Update on 178 Lagrange St. – was sold and new owner started utility disconnect and should be demolished by June 30th.

July deadlines are approaching for some resolutions. 5 Mink Hollow Ct, the owner was located and is aware of the deadline, plans to demolish the property and rebuild.

CONSIDERATION OF RESOLUTION TO ABANDON UNIMPROVED RIGHT-OF-WAY KNOWN AS HIGHLAND AVENUE

Dean Smith, Planner, gave a recap of the property in question and showed pictures of a survey that has been done. The decision is to sub-divide half or give all to one owner.

Mayor Brady asked Mr. and Mrs. Woodruff if they want half of the right-of-way? Mrs. Woodruff stated yes, the lodge does want it. At the last meeting they had requested to have ample time to get their own survey conducted on the Lodge property and don’t feel that time was given. They did hire a surveyor but it is not cut and dry. The surveyor is scheduled to begin staking on June 20th and told Mrs. Woodruff it could be July before a final plat is complete.

Brad Sears, City Attorney stated that a survey was done on the unabandoned right-of-way. Mayor Brady stated the discussion is not about the Lodge survey but the unabandoned right-of-way.

Mrs. Woodruff said they want to ensure the survey is correct. The Lodge members also want to know why can't the Lodge get all, why only half? Mr. Sears stated it is because Mr. Avery wants his half. Mayor Brady recommended splitting the right-of-way property.

Councilman Koritko commented that the Lodge can still conduct a survey on their property. Mrs. Woodruff stated the Lodge members believe something happened after 1965 with the property. Mr. Sears did not find anything about that. If a discrepancy is found with another survey then that would have to be resolved between surveyors.

Motion by Councilman Shell, seconded by Councilman Guillaume to adopt the resolution to split the property.

MOTION CARRIED. (5-0)

PUBLIC HEARING- REZONING REQUEST- RZ2022-03 BY CHER MCWILLIAMS; 0.22+ ACRES AT 14 LEE ST. (TAX PARCEL #N05 0004 006); FROM OI-1 (LOW DENSITY OFFICE AND INSTITUTIONAL DISTRICT) TO RU-I (URBAN RESIDENTIAL DWELLING DISTRICT- HISTORICAL AND INFILL)- CONSIDERATION OF ORDINANCE

Mayor Brady opened the public hearing.

Tracy Dunnavant, Planning Director, explained that this request is for the home, which is non-conforming in an OI-1 to be rezoned to RU-I to make it conforming and allow for construction of an addition. Staff completed an assessment of the 8 required standards and Ms. Dunnavant gave a summary.

The property is suitable in regards to zoning as it is not changing and most adjacent properties are residences, so there would also be no adverse impacts on nearby properties. There would be no impact on public facilities. The use would be compatible with the comprehensive plan. The rezoning will make the structure conforming. Staff found that the property met all 8 standards.

The Planning Commission voted unanimously to recommend the rezoning with no conditions.

Ms. Cher McWilliams, the owner, stated that this is necessary for her to add on to the house.

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

Motion by Councilman Shell, seconded by Councilman Guillaume to accept the report from the Planning Commission.

MOTION CARRIED. (5-0)

Motion by Councilman Shell, seconded by Councilman Koritko to adopt the ordinance to rezone the property as presented. 2nd and Final Reading next agenda.

MOTION CARRIED. (5-0)

PUBLIC HEARING- REZONING REQUEST- RZ2022-02 BY ALICE CORNEJO FOR DUI SCHOOL OF COWETA, INC. FOR 0.27+_ACRES AT 39 MAIN ST. (TAX PARCEL #N58 0004 007); FROM RU-7 (URBAN RESIDENTIAL SINGLE-FAMILY DWELLILNG DISTRICT-HIGH DENSITY) TO CGN (GENERAL COMMERCIAL DISTRICT) – CONSIDERATION OF ORDINANCE

Mayor Brady opened the public hearing.

Tracy Dunnavant, Planning Director, explained that this request is for the purpose of housing a counseling office. The site is currently a single-family home and applicant is willing to make modifications to change it from residence to office. Staff completed an assessment of the 8 required standards and Ms. Dunnavant gave a summary.

Staff felt the proposed use would be suitable in view of zoning and development of adjacent properties and would serve as a good transition between the nearby commercial and residential properties. The applicant has stated there will be a couple of counselors on site meeting in person or via teleconference so traffic should not impact the neighborhood. Staff did receive an email from property owner at 42 Main St. who is opposed with concerns about the impact of a commercial business on existing residences.

The property can be used as currently zoned and the impact on services would be minor. Staff finds this to be consistent with the Comprehensive Plan and with the purpose and intent of the proposed zoning. Staff would be concerned with a blanket CGN zoning however, limiting the uses to office only and using the existing house will maintain the neighborhood character. Staff found that the development met 7 of 8 standards.

Planning Commission unanimously recommended approving the rezoning request with conditions to include; the property will be rezoned to OI-1 instead of CGN and use limited to office and counseling only, the business will be located in the existing house currently on the property, all parking shall be located in the side and rear yards and hours of operation limited between 8am and 6pm.

S. William Kelley, representing the applicant, Alice Cornejo spoke to Council. He stated that this business was established in 2013 as a DUI and counseling center. The need now for more counseling will help in that area, add more jobs, affordable counseling, mental health services.

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

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

MOTION CARRIED. (5-0)

Councilman Koritko asked about parking and Mr. Kelley stated there is parking available in the building next door and they are wiling to add more if needed.

Alice Cornejo, the applicant, addressed Council and stated that she would do what is needed to make this place comfortable for clientele.

Councilman Shell asked the difference between CGN zoning and OI-1? Ms. Dunnavant explained that OI-1 is less intense with residential properties. Ms. Cornejo stated that a petition was circulated in the neighborhood and there was a lot of positive responses for the additional counseling.

Motion by Councilman Shell, seconded by Councilman Guillaume to approve the rezoning request and adopt the ordinance as presented. 2nd and Final Reading next agenda.

MOTION CARRIED. (5-0)

APPLICANT REQUEST TO CONTINUE TO JULY 12, 2022 CITY COUNCIL MEETING; CONTINUATION OF PUBLIC HEARING- ANNEXATION REQUEST- ANNEX2022-01 BY APEX LAND COMPANY FOR 1.1994 + ACRES ON STATE ROUTE 34 BYPASS (PORTION OF TAX PARCEL 073B 033); REQUESTED ZONING OF RML AND REZONING REQUEST – RZ2022-01 BY APEX LAND COMPANY FOR 20.0119 + ACRES ON ROSCOE RD (PORTION OF TAX PARCEL 073B 010) FROM CGN TO RML, TO BE COMBINED WITH ANNEXATION REQUEST FOR CONSTRUCTION OF 135 FEE-SIMPLE TOWNHOMES

Motion by Councilman Koritko, seconded by Councilman Shell to continue the public hearing to July 12, 2022.

MOTION CARRIED. (5-0)

VISITOR

Jeanie Melson explained that there is a tree she would like removed from in front of her home. She stated the tree fell the night of the storm and was moved from the street to the sidewalk then into the vacant lot in front of her house. The tree is an eye sore. What is the procedure to get the tree removed?

City Manager asked Public Works Director if he is aware of the tree? Mr. Norton said he asked Code Enforcement to reach out to the property owner of the vacant lot to address clean up but he was unaware of the tree. City Manager stated the radio station owns property there that has tree damage and that has been discussed. If this particular tree is a City right-of-way tree then the City will remove it. There is not a program in place yet for debris removal on private property.

Mayor Brady asked that it be determined who is responsible for the tree and then communicate with Ms. Melson.

EXECUTIVE SESSION

MOTION EXECUTIVE SESSION

Motion by Councilman Alexander, 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 legal and real estate 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 3:30pmPM.

MOTION CARRIED. (5-0)

RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION

Motion by Councilman Alexander, 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. (5-0)

SHAW CLAIM

Motion by Councilman Alexander, seconded by Councilman Koritko to deny the Shaw claim.

MOTION CARRIED. (5-0)

WYNN CLAIM

Motion by Councilman Alexander, seconded by Councilman Koritko to deny the Wynn claim.

MOTION CARRIED. (5-0)

PERMANENT EASEMENT

Motion by Councilman Alexander, seconded by Councilman Koritko to approve the acquisition of a permanent easement from VR Holdings in the amount of $70,000.

MOTION CARRIED. (5-0)

ADJOURNMENT

Motion by Councilman Koritko, seconded by Councilman Guillaume to adjourn the Council meeting at 8:04pm.

MOTION CARRIED. (5-0)

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Megan Shea, City Clerk

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Keith Brady, Mayor