

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

**JULY 18, 2023**

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, July 18, 2023 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, George Alexander, Cynthia Jenkins, Dustin Koritko and Paul Guillaume. Absent: Rhodes Shell. Also present: City Manager, Cleatus Phillips; Assistant City Manager, Hasco Craver; City Clerk, Megan Shea and City Attorney, Brad Sears.

**READING OF MINUTES**

**A. Minutes from the Work Session on June 13, 2023**

Motion by Councilman Alexander, seconded by Councilman DuBose to dispense with the reading of the minutes of the Work Session on June 13, 2023 and adopt them as presented.

**MOTION CARRIED. (6-0)**

**B. Minutes from the Regular Meeting on June 13, 2023**

Motion by Councilman DuBose, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council Meeting on June 13, 2023 and adopt them as presented.

**MOTION CARRIED. (6-0)**

**REPORTS OF BOARDS AND COMMISSIONS**

**C. 3 Appointments – Cultural Arts Commission, 3-year term**

Continue to next agenda.

**D. 3 Appointments – Keep Newnan Beautiful, 3-year term**

Motion by Mayor Pro Tem Koritko, seconded by Councilman Alexander to re-appoint Brenda Jessel for another 3-year term.

**MOTION CARRIED. (6-0)**

Continue other appointments to the next agenda.

**E. Appointment – Parks Commission, 3-year term**

Continue to next agenda.

**F. Appointment – Tree Commission, 3-year term**

Continue to next agenda.

**G. Recommendation from the Convention Center Authority Regarding Feasibility Study for Moving the Convention Center Downtown**

Parks Avery, Chairman of the Convention Center Authority (CCA) spoke. He stated that the CCA is recommending Hunden Partners to execute a study to determine the viability of moving the Newnan Centre to the property at 57 East Broad St. The study will include imagining, sizing and management of space, parking and economic impact. They interviewed three potential candidates and believe Hunden had the best understanding of the project and the experience. The study is expected to take 12 weeks to complete the study and the cost is \$58,000.

Mayor Pro Tem Koritko asked about additional services/costs that was referenced in the provided letter. Mr. Avery explained that if the City decides to proceed with the project then Hunden can provide help with other things such as developer solicitations. There is no obligation for this.

City Manager wanted to clarify that the City is being asked to pay for the study as well. The CCA will manage the study and bring recommendations back to Council.

Motion by Councilman DuBose, seconded by Councilman Alexander to approve the recommendation as presented and to fund the study.

**MOTION CARRIED. (6-0)**

**NEW BUSINESS**

**H. Public Hearing – Application for Alcohol Beverage License – Newnan Convention Center Authority dba Newnan Centre**

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine for Newnan Centre at 1515 Lower Fayetteville Rd.

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 Alexander, seconded by Mayor Pro Tem Koritko to approve the application for a Retail On Premise (Pouring) Sales Distilled Spirits, Malt Beverages and Wine License.

**MOTION CARRIED. (6-0)**

**I. Public Hearing – Application for Alcohol Beverage License – GO Juu, LLC**

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine for GO Juu, LLC at 311 Bullsboro Dr. Ste 190.

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 Mayor Pro Tem Koritko, seconded by Councilman Guillaume to approve the application for a Retail On Premise (Pouring) Sales Distilled Spirits, Malt Beverages and Wine License.

**MOTION CARRIED. (6-0)**

**J. Consideration of Extension for Distilled Spirits Package Store License – 459 Millard Farmer Industrial Blvd**

City Manager explained that in October 2022 a 9-month extension was granted and that was up as of July 11<sup>th</sup> and another extension is being requested. There has been progress on the site.

Manny Singh, the applicant, explained that there have been some site issues and delays. Rain for several months further delayed things. A 4-month extension is being requested.

Motion by Councilman Guillaume, seconded by Mayor Pro Tem Koritko to approve an extension, to come back at the December 12, 2023 City Council Meeting.

**MOTION CARRIED. (6-0)**

**K. Public Hearing – 2023 Update to the Capital Improvements Element, including 2023 Update to the Short-Term Work Program**

Mayor Brady opened the public hearing.

Tracy Dunnivant stated that each year the Capital Improvement Element has to be amended, to be able to continue to charge impact fees. A public hearing is required for this process. This will come back to Council for transmittal at a future meeting.

No action needed.

**L. Proposal for Public-Requested Road Races, Runs, Walks and Similar Events**

Brent Blankenship, Police Chief, started by explaining that police officers deal with a lot each and every day and unfortunately this profession leads the country in suicide, divorce and life expectancy. There are a lot of events held in the City and it does have an impact on the officers at times.

Chief Blankenship said that the City holds about 36-40 events per year, both city and private events. Some events require a minimum of 12 officers and some require 20 or more officers. These events include 4 annual parades, walks, runs, road races and bike events. There are 5 routes to look at, with 4 currently being used for several events.

Chief Blankenship gave an overview of each route, what groups currently use it, how many officers are needed and for how many hours typically. Then he proposed a fee to potentially implement for each route. This fee was calculated based on looking at other local cities and seeing what they charge in comparison. Most cities charge \$40-70 per officer per hour and then other fees for paperwork etc. The fees being proposed are based on about \$35/hr per officer.

The fifth route for consideration is The LINC, which is currently not used. There are a few sections that could be used for a 5k. This is proposed to offer for free and would only take a few officers.

These events impact the police department, as 22 officers is a lot to need on a weekend. The police department is supportive of the events and want people to still be able to have them. Chief asked for consideration to limit the routes used to these that are already established and limit the number of events allowed to use them each year and to only allow the 4 established parades that are done each year and not add more.

Councilwoman Jenkins asked if any of the groups with current events have been asked to change their route? City Manager stated that a few years ago there were a lot of events going south toward the high school and there was a lot of feedback that it wasn't fair for them to all go in that direction. So, at that time other routes were developed to go north, east and west. Councilwoman Jenkins said it seems there is an opportunity to talk more about using The LINC.

Councilman Guillaume said the information given at the beginning regarding suicide, divorce and life expectancy are really key factors in determining road usage and demand on PD services. The per hour rate used also seems low. Chief Blankenship stated that the fees proposed do not cover all services completely. Councilman Guillaume suggested that the fee at least cover everything.

City Manager stated that a lot of these groups have a long history of using these routes, some are certified and so we do try to work with them. Councilman Alexander said he does not want any of the routes to be mandated for a group to use. Mayor Brady said they are not trying to mandate the routes, just saying there will be a cost to use a particular

route. This has been talked about before. A decision doesn't need to be made tonight. Maybe get some feedback from the race organizers. Councilman Guillaume asked to see a re-evaluation of the fees, more appropriate to be charged.

Mayor Pro Tem Koritko commented that the fees do seem grossly under estimated. City Manager stated that there was the thought that some groups would want to go to the less intense routes and that would help. There was a meeting held a few months ago with the regular event organizers, to start the conversation about upcoming changes. Some were surprised that we don't charge already. They were also made aware that this was on the agenda.

No action was taken. It was decided to bring this item back at the next night meeting.

**M. Consideration of Ordinance to Amend Chapter 3, Alcohol Beverages, of the Code of Ordinances to Provide for the Regulation of Sales and Consumption of Alcoholic Beverages at the Wadsworth Auditorium**

Hasco Craver, Assistant City Manager, explained that the amendment would allow for a mechanism for licensed caterers to provide food and beverage services that Council approved in December 2022. Katie Mosley, Leisure Services Manager, has tried twice unsuccessfully to find a sole vendor to do this. City Staff met with the City Attorney and this is the best way to provide the food and beverages through concession.

Councilman Alexander asked about section 3.30 which references the central business district and the Wadsworth exterior grounds. He thought the purpose was to sell alcoholic beverages inside not outside. Mr. Craver said that is to allow for a pre-function or cocktail hour to utilize the new renovated space adjacent to the parking lot. The sidewalks are eligible per the open container district.

Mayor Pro Tem Koritko asked if anyone can purchase alcohol in the district and then drink in the Wadsworth parking lot? Mr. Craver said yes that is the same as other public parking lots that are in the district. But that could not be brought into the Wadsworth, it would have to be provided by the licensed caterer.

Councilwoman Jenkins asked about the licensed caterer. Mr. Craver explained they would have to have an established license to pour beer and wine and then come get a special event permit from the City. This is not like the Newnan Centre's license.

Motion by Councilman Guillaume, seconded by Councilman Alexander to adopt the amendment as presented. 2<sup>nd</sup> and Final Reading 8/8/23 agenda.

**MOTION CARRIED. (6-0)**

**N. Contract Award Consideration for an On-Call Engineering and Consulting Services Firm**

Hasco Craver explained that because of the volume of capital projects, staff realized there is a need for an on-call contract with a firm(s) to provide for the timely delivery of the projects. There are two professional engineers on staff but they are mostly tasked with reviewing plans from outside developers. Staff is recommending hiring two firms, task orders are issued when services are needed so that we are not looking for firms on a case by case basis.

There was a great response from a number of firms. Staff reviewed the firms then interviewed 7 of them. It became clear that two firms were needed as one firm showed exceptional ability to provide storm water services and another showed exceptional ability to provide the other services needed. Staff is recommending to engage Integrated Science and Engineering (ISE) and Columbia Engineering for a three-year term.

Mayor Pro Tem Koritko asked about the ranking system used. Mr. Craver explained that those were initial rankings and the top 7 were interviewed from there.

Motion by Councilman Alexander, seconded by Councilman Guillaume to adopt the contract award as presented.

**MOTION CARRIED. (6-0)**

**O. Consideration of Agreement between the City of Newnan and Coweta Community Foundation for the Purpose of Forming a Study Committee related to homelessness and unsheltered population**

City Manager said this is a feasibility process with no predefined outcomes. This will determine what may be feasible, what may be long term solutions to get our homeless up on their feet. Mayor Brady stated that the feasibility studies would conclude mid-year next year. There is nothing set in stone, this is look at the issue and discuss the issue and have the experts give their opinions.

Councilwoman Jenkins wanted to thank the Community Foundation, Pastor Ellis and the Housing Coalition that have been meeting to talk about these issues and to look at how we can meaningfully address this.

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

**MOTION CARRIED. (6-0)**

**P. Contract Award Consideration for Slip Lining Culverts on East Broad and Timber Mill**

Ray Norton, Public Works Director explained that there are culverts on East Broad and Timber Mill with corrugated metal pipes that have deteriorated. This is similar to what happened on Newnan Crossing Blvd East. The recommendation is to engage with Piedmont Paving, to rehabilitate the pipes and get some more years out of them.

Mayor Pro Tem Koritko asked how much longer can we get out of the pipes? Mr. Norton stated 40-50 years.

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

**MOTION CARRIED. (6-0)**

**Q. Consideration to Place the City-Owned Lot at 28 Westgate Park Lane Under Surplus and to Open the Lot Up for Auction**

Andrew Moody, Special Projects Manager, stated that a request was received from the property owners at 2 Midland Park Ct to purchase this lot and use as an addition to their yard and will fence it in. Staff is requesting to put the lot under surplus and then auction and giving the proceeds of the sale to the Newnan Urban Redevelopment Agency (NURA) for more affordable housing.

Councilwoman Jenkins said that the history of this property goes back to it being a problem. The City purchased it trying to alleviate some of those problems and the intention was to turn it over to NURA to use for affordable housing. The house ended up being torn down and the vacant lot never went to NURA. There is a housing crisis and to consider selling this lot is the wrong direction to go in. There is still an opportunity to use this property as was originally intended and build a house, possibly with a housing partner like Habitat for Humanity or the Housing Authority if NURA can't do it.

Councilwoman Jenkins made a motion to deny the request.

Councilman Guillaume asked what the estimated value would be if this property were put up for auction? Mr. Moody said based solely on QPublic, market value is \$88,288 but that does not seem correct. Councilman Guillaume asked again what would we estimate to get and Mr. Moody said maybe \$20-25,000. Then Councilman Guillaume asked what would the cost of a house be on that property? Mr. Moody said \$275,000 for a two bed-two bath, all in build price. Mayor Brady commented that that number seems high. Councilman Guillaume said that doesn't seem like affordable housing and asked what a Habitat house is coming in at? Councilwoman Jenkins stated \$175-190,000 and that's 80% of the are median income. Councilman Guillaume said the reasonable thing to do seems to be to sell the lot and put the money in a place where it would be beneficial.

Councilman Guillaume made a motion to approve. Mayor Brady stated the motion to deny was still on the floor but there was never a second. Motion to deny died due to lack of second.

Mayor Brady asked if NURA has been contacted about this lot? Mr. Moody said no. Mayor Brady said he would like to know if NURA is ready to build on this lot, with house plan and everything? Mr. Moody said he's not sure there is funding available for this. It might be 5-7 years to build something given the other building happening.

Councilwoman Jenkins commented that other organizations that fit the criteria, looking for land to build affordable housing. Mayor Brady stated that this could be placed on the agenda for the next night meeting and in the meantime, Mr. Moody could go and talk to Habitat and Housing Authority and see if they are interested in build on the lot. Councilman Alexander said he would like to know what the true costs would be as well.

Motion by Councilman Guillaume, seconded by Councilwoman Jenkins to delay this item and place it on the agenda for the second meeting in August.

**MOTION CARRIED. (6-0)**

### **UNFINISHED BUSINESS**

#### **R. 33 Ray St. – Owner Update and Request Extension**

Matt Murray, Code Enforcement Officer, explained that this property was before Council in January and was given 180-days which is expiring this month. There has not been much work done. The owners are from Texas and didn't realize the amount of work that was needed. The foundation was rebuilt and floor structure but nothing has been done in 3-4 weeks. The owner would like a 90-day extension and thinks work can move quickly.

Council requested a schedule and benchmark reports. Mr. Murray said he would ask for that but he is not confident. Councilman Guillaume asked about a contact and Mr. Murray said there is the local contractor but there have been issues with him and the owner. Mayor Brady suggested maybe only a 30-day extension given the concerns. Mayor Pro Tem Koritko asked if the property can be cleaned up in the meantime too.

Motion by Councilman DuBose, seconded by Councilman Alexander to approve a 30-day extension.

**MOTION CARRIED. (6-0)**

**S. Recommendation Regarding the Sales of City-Owned properties located at 66 1<sup>st</sup> Avenue and 10 Buchanan St.**

City Manager said this item is coming back to Council with some findings and a recommendation. The first property, referred to as the Standpipe Lot or Water Tank Lot, is definitely a non-buildable lot, with no street frontage or access. When a lot is non-buildable it can be offered for sale to the adjoining property owners and in this case, there are 3 that would be eligible to make bids. City Attorney stated that this could be done through sealed bids.

The second property on 1<sup>st</sup> Ave is more complicated. There was a survey done and there are a host of driveways, easements and utilities on the lot. This is located in an RU-I category which means setbacks are determined based on lot averages. The setbacks were applied to determine if it's a buildable lot and staff feels that it is. There would be costs involved in getting it buildable but buildable area is approximately 29ft wide by 80ft long. If Council decided to move forward this property could also be sold by bid.

City Manager recommends starting bid for the Standpipe Lot to be \$2,500 and for the 1<sup>st</sup> Ave lot to be \$10,000. Council discussed public auction verse sealed bid. City Attorney explained that a sealed bid is still public. When a lot is determined as non-buildable it becomes a remnant. Council could do sealed bids for both. The tank lot is limited to those around it but the other lot is open to anyone. Mayor Brady stated there is also an option to do nothing. Councilwoman Jenkins said people have reached out to her saying not to sell.

People in the audience wanted to speak and Mayor Brady allowed comment.

Comments:

Debbie Vines, owns the lot beside 66 1<sup>st</sup> Ave and 10 Buchanan is behind her property. She appreciates all the discussions she has had with Council and staff. She has maintained the lots for 13 years and her preference would be for it to stay the same, nothing to change. She explained that her goal is to keep the spirit of the neighborhood as it is. Her concern is if the lot is sold to someone who does not want to maintain the look of the neighborhood.

Quentin Skinner, owner at 12 Buchanan, said that his property had an alleyway that was the primary access point to the rear. He explained that the tornado destroyed his garage and he had to make some decisions when re-building and had to move rear access. He requested that if the lot is sold, to allow the direct property owners to be the ones to bid on it.

Tommy Sweet said he has built on lots smaller than this one. He has a vested interest in the neighborhood and would be interested in placing a bid.

Jack McBride, lives at 23 Buchanan St. He said that this property has affected the neighborhood, caused major discomfort. He asked Council to remember that the

neighbors have maintained this property for years. He also requested that the neighbors should be given first consideration.

Councilwoman Jenkins asked if the property owners can be allowed to extend their backyards and sell to those property owners, dividing the lot? City Attorney said it would be allowable but all property owners would have to agree. Another issue is that Ms. Vines was granted a utility easement years ago and so all the property owners would then have part of her utility easement on their property if they extended.

Jenny Lewis, lives at 14 Buchanan St. She said they could work together, the 4 properties. They worked together during the tornado.

Joshua Cole, owns house at 10 Buchanan St., just in front of the Standpipe lot. He wanted to discuss the difference between the lots. He said that 10 Buchanan is hard to subdivide as there is a large concrete structure on it. Currently these lots are not doing anything for the citizens of Newnan so they should be sold so that residents can benefit and the properties can start earning tax revenue.

William Darnell, son in law of Ms. Vines wanted to speak against Mr. Cole. Mayor Brady asked him to sit down, as this was not pertinent to the discussion.

Councilman Guillaume made a motion to proceed with auction for both lots by sealed bid. This was seconded by Councilman Alexander. Mayor Brady asked City Attorney to clarify that the standpipe lot has just the 3 property owners who can bid? City Attorney stated yes.

Mayor Pro Tem Koritko asked if the buildable lot can be sold first so that person can also have an opportunity to bid on the non-buildable lot. He further commented that the 4 property owners could get together and buy the lot and subdivide it themselves and Councilwoman Jenkins agreed with that idea.

Mayor Brady said he likes the idea of the owners coming together to subdivide the larger buildable lot. There should be an opportunity for those owners to sit down with a representative of the City and the City Attorney to see if they can work out that subdivision. They would also need to pay for a survey. Then the City could sell off the lots identified by the new survey.

Councilman Guillaume and Councilman Alexander withdrew the motion and second.

City Manager asked for clarification from Council, that the meeting to be held is only for the large buildable lot and not for the standpipe lot. They said yes. Mr. Cole commented that his property also touches 66 1<sup>st</sup> Ave and Mayor Brady said he would be invited to the meeting as well.

Motion by Councilman Alexander, seconded by Councilwoman Jenkins to put this item on the agenda for the second meeting in August, to try and work through things in the meantime.

**MOTION CARRIED. (6-0)**

**T. Continuation of a Discussion on Holding Work Sessions for Rezoning and Annexation Cases**

Mayor Brady explained that this has been discussed a couple times now. Staff came up with a chart, as requested by Council. The chart showed the application dates and when it would go to Planning Commission and when it would come to Council. Then the dates of proposed work sessions were shown as well.

Motion by Councilman Alexander, seconded by Councilman Guillaume to adopt the purposed chart for holding work sessions.

**MOTION CARRIED. (6-0)**

City Attorney commented that it was brought to his attention that the public hearing for Item K had not been closed. Mayor Brady stated that the public hearing was closed.

**EXECUTIVE SESSION**

**MOTION EXECUTIVE SESSION**

Motion by Mayor Pro Tem Koritko, 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 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 7:57PM.

**MOTION CARRIED. (6-0)**

**RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION**

Motion by Mayor Pro Tem Koritko, seconded by Councilman Alexander 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. (6-0)**

**City of LaGrange**

Motion by Councilman Alexander, seconded by Councilman DuBose to file an Amicus Brief on behalf of MEAG supporting the City of LaGrange in litigation.

**MOTION CARRIED. (6-0)**

**ADJOURNMENT**

Motion by Councilman Alexander, seconded by Mayor Pro Tem Koritko to adjourn the Council meeting at 7:47pm.

**MOTION CARRIED. (6-0)**

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Megan Shea, City Clerk

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Keith Brady, Mayor