Newnan City Council Meeting

January 23, 2024
Newnan City Hall
Richard A. Bolin Council Chambers
25 LaGrange Street
6:30 PM

CALL TO ORDER

INVOCATION

READING OF MINUTES

A. Minutes from Regular Meeting on January 9, 2024

REPORTS OF BOARDS AND COMMISSIONS

B. 1 Appointment - Cultural Arts Commission, 3 year term

C. 4 Appointments - Farmer Street Cemetery Commission, 3 year terms

D. 1 Appointment - Housing Authority, 5 year term

E. 1 Appointment - Planning Commission, 3 year term

F. 1 Appointment - Tree Commission, 3 year term

G. Appointments - Retirement Board

REPORTS ON OPERATIONS BY CITY MANAGER

REPORTS AND COMMUNICATIONS FROM MAYOR

NEW BUSINESS

H. Public Hearing - 134 Millard Farmer Industrial Boulevard (Thompson's Pharmacy) - to consider a variance request from O.C.G.A. 16-12-215 (a) concerning a State of Georgia Medical Cannabis Dispensary License Application

I. Amendment to the City of Newnan Personnel Policy, Section 5.6 Retirement Plan

J. Request for various closures for 2024 Main Street Newnan Events

K. Consideration of Recommendation from Farmer Street Cemetery Commission to Acquire Real Property

L. Consideration of Settlement and Release Agreement between the City of Newnan and Principle Outdoor, LLC

M. Consideration of an Ordinance Adopting a Moratorium on the Issuance of Sign Permits

UNFINISHED BUSINESS

VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS

N. Request from Foundation Church to close South Court Square for Good Friday Event on Friday, March 29, 2024

MOTION TO ENTER INTO EXECUTIVE SESSION

O. Motion to Enter into Executive Session

ADJOURNMENT

CITY OF NEWNAN, GEORGIA
REGULAR COUNCIL MEETING JANUARY 9, 2024

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, January 9, 2024 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, George Alexander, Cynthia Jenkins, Rhodes Shell, 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

READING OF MINUTES

A. Minutes from the Special Called Meeting on December 12, 2023

Motion by Councilman Alexander, seconded by Councilman DuBose to dispense with the reading of the minutes of the Special Called Council Meeting on December 12, 2023 and adopt them as presented.

MOTION CARRIED. (7-0)

B. Minutes from the Regular Meeting on December 12, 2023

Motion by Councilman DuBose, seconded by Councilman Shell to dispense with the reading of the minutes of the Regular Council Meeting on December 12, 2023 and adopt them as presented.

MOTION CARRIED. (7-0)

CITY MANAGER

City Manager wanted to acknowledge Nanette Freeman and Bill Stephenson who are both leaving the City for new opportunities. This is the last week for both of them. Nanette is reuniting with family back in Florida. She helped change the culture in HR, she is very employee first and treats everyone very well and it’s going to be hard to replace that. Bill has been with the City for 20 years and he is now changing professions and going into the ministry. He has led one of the most stable and respected inspections department in the State of Georgia. It’s going to be hard to replace Bill and all his knowledge and leadership but we wish him the best.

REPORTS AND COMMUNICATIONS FROM MAYOR

C. Resolution in Recognition of Councilmember George M. Alexander

Mayor Brady stated that George Alexander is leaving today after 20 years serving on the Council and 14 years on Planning Commission before that.

Councilman Alexander thanked everyone and said it was a wonderful 34 years serving the City. It has been an honor to serve the citizens and the employees. He charged Council with taking care of the citizens and the employees. He is going to enjoy time with his wife now and grandson and another grandbaby is on the way.

Motion by Mayor Pro Tem Koritko, seconded by Councilwoman Jenkins to adopt the resolution as presented.

MOTION CARRIED. (7-0)

UNFINISHED BUSINESS

D. Resolution Certifying the Results for the City of Newnan Municipal Election November 7, 2023 and the City of Newnan Municipal Election Runoff December 5, 2023

Mayor Pro Tem Koritko noted a spelling error in his name on the resolution and asked for an amendment.

Motion by Councilman DuBose, seconded by Councilman Shell to adopt the resolution with amended name change
.

MOTION CARRIED. (7-0)

ADJOURNMENT – SINE DIE

Mayor Brady adjourned the meeting sine die.

CALL TO ORDER

Mayor Brady called the meeting to order for January 9, 2024 and delivered the invocation.

SWEARING IN CEREMONY

Paul Guillaume (District 1, Post A), Dustin Koritko (District 1, Post B), James J. Thomasson III (District 3, Post A) and Cynthia E. Jenkins (District 3, Post B) were duly sworn in by the City Attorney. Councilwoman Jenkins was also ceremoniously sworn in by Pastor Terri Lemons.

ELECTION OF MAYOR PRO TEM

Motion by Councilman Koritko, seconded by Councilman Shell to elect Councilman Guillaume as Mayor Pro Tem for 2024.

MOTION CARRIED. (7-0)

APPOINTMENTS – DEPARTMENT HEADS

City Manager recommended all current department heads be re-appointed for 2024.

Motion by Councilman DuBose, seconded by Councilman Koritko to approve the recommendation and re-appoint all current Department Heads.

MOTION CARRIED. (7-0)

APPOINTMENT – CITY ATTORNEY

Motion by Councilman Shell, seconded by Councilwoman Jenkins to re-appoint Brad Sears as City Attorney for 2024.

MOTION CARRIED. (7-0)

APPOINTMENT – MUNICIPAL COURT JUDGE

Motion by Councilman Koritko, seconded by Mayor Pro Tem Guillaume to re-appoint Clay Collins as Municipal Court Judge for 2024.

MOTION CARRIED. (7-0)

APPOINTMENT – MUNICIPAL COURT JUDGE PRO TEM

Motion by Councilwoman Jenkins, seconded by Councilman Koritko to re-appoint Rufus Smith, Jr. as Municipal Court Judge Pro Tem for 2024.

MOTION CARRIED. (7-0)

APPOINTMENT – MUNICIPAL COURT SOLICITOR

Motion by Councilman Koritko, seconded by Mayor Pro Tem Guillaume to re-appoint Danielle Sewell as Municipal Court Solicitor for 2024.

MOTION CARRIED. (7-0)

REPORTS OF BOARDS AND COMMISSIONS

C. 1 Appointment – Cultural Arts Commission, 3-year term

Continue to next agenda.

D. 1 Appointment – Development Authority, 4-year term

Motion by Mayor Pro Tem Guillaume, seconded by Councilman Koritko to appoint Joy Barnes to the Development Authority.

MOTION CARRIED. (7-0)

E. 6 Appointments – Farmer Street Cemetery Commission, 3-year terms

Motion by Councilwoman Jenkins, seconded by Councilman Koritko to reappoint Loren Taylor for another term.

MOTION CARRIED. (7-0)

Motion by Mayor Pro Tem Guillaume, seconded by Councilman Koritko to reappoint John Pulicare for another term.

MOTION CARRIED. (7-0)

Mayor Pro Tem Guillaume asked that a thank you letter be sent to Chris Hunt for his years of service.

All other appointments continue to next agenda.

F. 1 Appointment – Housing Authority, 5-year term

Continue to next agenda.

G. 1 Appointment – Planning Commission, 3-year term

Continue to next agenda.

H. 1 Appointment – Tree Commission, 3-year term

Continue to next agenda.

CITY MANAGER

I. Schedule City Floating Holiday for 2024

Motion by Mayor Pro Tem Guillaume, seconded by Councilman Koritko to approve the recommendation from the City Manager and set the City floating holiday as July 5, 2024.

MOTION CARRIED. (7-0)

NEW BUSINESS

J. Consideration of an Ordinance to Provide for the Adoption of a Budget, Its Execution and Effect for the Fiscal Year Beginning January 1, 2024 and Ending December 31, 2024

Motion by Councilman Shell, seconded by Councilwoman Jenkins to adopt the ordinance as presented.

MOTION CARRIED. (7-0)

K. Consideration of a Resolution to Amend the 2024 Pay Plan

Motion by Councilman DuBose, seconded by Councilman Shell to adopt the resolution as presented.

MOTION CARRIED. (7-0)

L. Consideration of MEAG Power Sale of Reserve and Supplemental Capacity to the City of Newnan on behalf of the City of Marietta

Motion by Councilman Shell, seconded by Councilman Koritko to approve the sales presented.

MOTION CARRIED. (7-0)

M. 60 Sunset Ln – Request a public hearing on February 27, 2024 for structure

Matt Murray, Code Enforcement Officer, explained that this is to request from the building department, to hold a public hearing on February 27th for a dilapidated and unsafe structure.

Motion by Councilman Shell, seconded by Mayor Pro Tem Guillaume to set the public hearing for 60 Sunset Ln.

MOTION CARRIED. (7-0)

N. Rezoning Request – RZ2024-01 by Robert Beregmann on behalf of Fourth Quarter Properties, LLC; 8.44+ acres located in Ashley Park at 440 Newnan Crossing Bypass (Tax Parcel #086 5043 004); Change in MXD Conditions – For Information Only

No action.

UNFINISHED BUSINESS

O. 21 Berry Ave. – Owner update and request extension

Matt Murray, Code Enforcement Officer, explained that this property had been before Council in September and was given 90 days which are now up. The plumbing has been completed and electrical has been started. The owner has struggled with accessibility of the trades. The owner is maintaining the property and is requesting a 90-day extension.

Councilman Shell asked what else needs to be done? Mr. Murray said inspections, interior finishes and dry wall and he does have crew lined up for that.

Mayor Pro Tem Guillaume asked if a progress report could be given at 45 days? Mr. Murray said yes he could do that.

Motion by Mayor Pro Tem Guillaume, seconded by Councilman Shell to grant a 90-day extension with a 45-day report.

MOTION CARRIED. (7-0)

VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS

P. Request from Mollie Roberts to block 4 parking spaces in front of Vinlyte Records on Saturday, January 13th

Councilwoman Jenkins asked if the time frame will cause any conflicts with the MLK Parade that is the same day. City Manager said he did not see any issues with the timing, they would need to monitor the spaces leading up to the time.

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

MOTION CARRIED. (7-0)

EXECUTIVE SESSION

MOTION EXECUTIVE SESSION

Motion by Mayor Pro Tem Guillaume, 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 personnel 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 2:59PM.

MOTION CARRIED. (7-0)

RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION

Motion by Mayor Pro Tem Guillaume, 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)

HOWARD CLAIM

Motion by Councilman Koritko, seconded by Councilman Shell to deny the Howard Claim.

MOTION CARRIED. (7-0)

PETROVA CLAIM

Motion by Councilman Koritko, seconded by Councilman Shell to deny the Petrova claim.

MOTION CARRIED. (7-0)

ADJOURNMENT

Motion by Councilman Shell, seconded by Councilman DuBose to adjourn the Council meeting at 3:30pm.

MOTION CARRIED. (7-0)

_____ _____
Megan Shea, City Clerk Keith Brady, Mayor

City of Newnan, Georgia - Mayor and Council

Date: January 23, 2024

Agenda Item: Public Hearing – Distance requirement variance request for the dispensation of low THC oil or products.

Prepared By: Dean Smith, Senior Planner

Purpose: To consider a variance for relief from the requirement, under state law, O.C.G.A 16-12-215 (a), that low THC oil or product dispensaries be a minimum distance of 1,000 feet from any "covered entity" which is defined as a school (private or public) or a religious place of worship.

Background: Thompson's Pharmacy, is seeking a variance to be within 1,000 feet of a school in order to continue to pursue their application with the State of Georgia for approval to become a Medical Cannabis Dispensary for low THC oil and products. The final authority on the issuance of the license will be the State of Georgia; however, as part of the application process and rules relating to qualifying with the State for consideration, a potential location cannot be within 1,000 feet of either a public or private school; an early care and education program; or a church, synagogue, or other place of public religious worship. The state statute does provide that a licensee applicant can have this distance requirement modified by their local government, "via use of existing zoning powers". This particular instance, the zoning power is the variance procedure as set out in the City of Newnan's Zoning Ordinance Article 11 – Appeals. City Council is the local zoning authority to hear this particular variance request. In accordance with city ordinance, the variance request before City Council was processed in accordance with city regulations. This process included: 1). notification of the request to all property owners within 250 feet; 2). Legal advertisement in the local legal organ, the Newnan Times-Herald, on December 20, 2023 and 3). A sign posted on the subject property advertising the variance and the hearing date on December 22, 2023.

The applicant's location – 134 Millard Farmer Industrial Boulevard is within 1,000 feet of Jefferson Street Elementary School located at 154 Millard Farmer Industrial Boulevard and Palmetto Foundation Academy (Day Care) at 212 Jefferson Parkway. The state's method of measurement is from "property boundary to property boundary". Using this method of measurement, the applicant is approximately 384 feet away from Jefferson Street Elementary School and approximately 60 feet from the day care property. Accordingly, the applicant would need relief from the 1,000-foot distance requirement completely due to the proximity of the subject property to the day care property.

Staff have received no objections to the proposed variance request.

As a matter of information, the city has identified 17 pharmacies operating within the city limits of Newnan. Out of the 17 pharmacies, 10 pharmacy locations are within 1,000 feet of a school or church. 57% of existing pharmacies would need to seek a variance, should they all seek state approval to dispense low THC oil or products.

For reference purposes only, staff wanted to make Council apprised that the cities of Douglas, Metter and Thomson Georgia have processed similar variance requests for pharmacies in their jurisdiction seeking approval from the state of Georgia to be licensed as a Medical Cannabis Dispensary. It is our understanding that those variances have been approved within those jurisdictions.

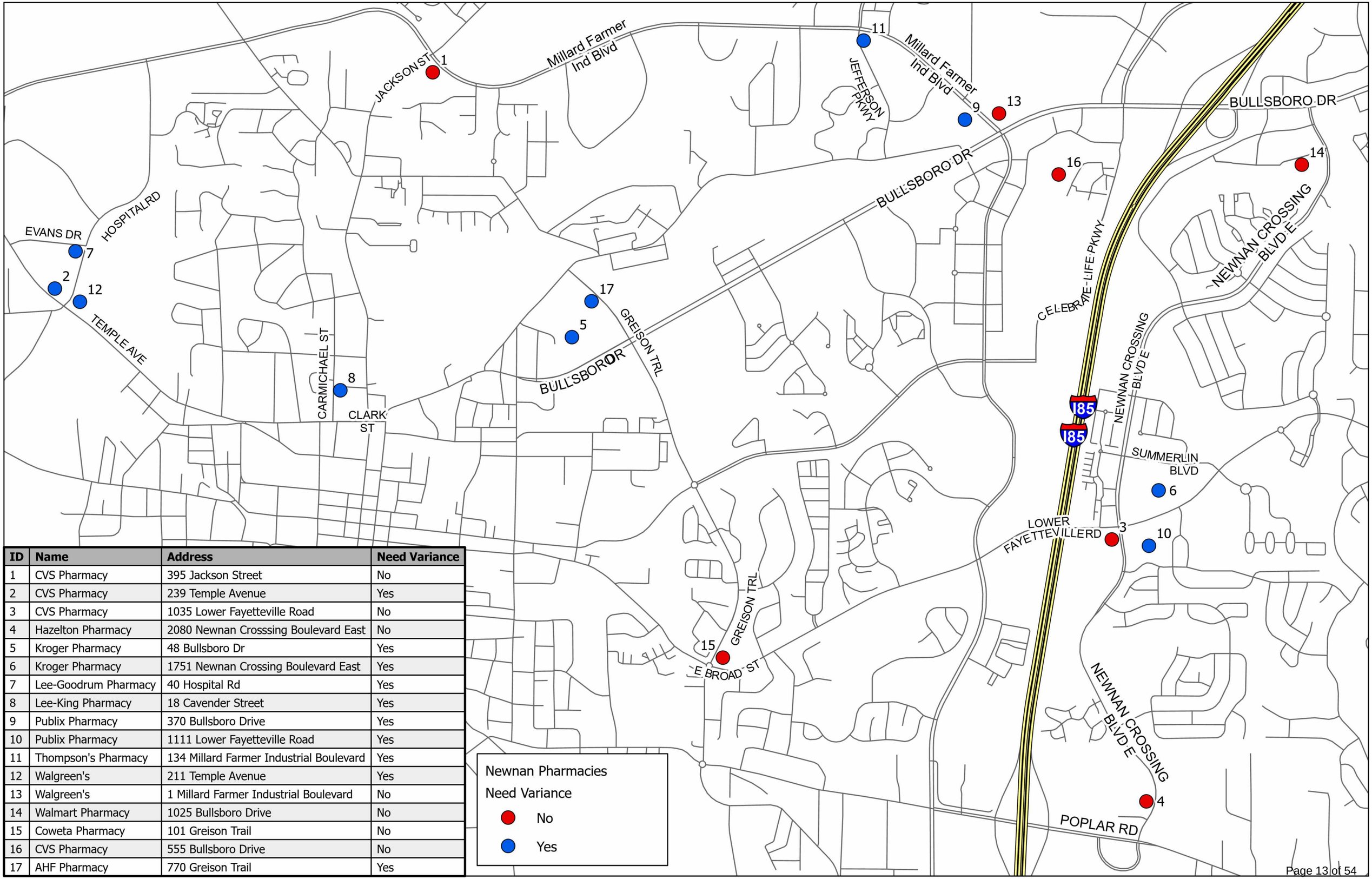
Funding: None

Recommendation: The request qualifies as an authorized variance under our regulations. Relief, if granted, would not, in the opinion of staff, cause substantial determinant of the public good or impair the purpose and intent of the City's Zoning Regulations. As a reminder, this request seeks just a reduction or elimination of the 1,000-foot distance requirement. Final approval on whom receives a license to distribute low THC oil or products rests with the State of Georgia.

Previous Discussion with Council: October 10, 2023- Information memorandum sent to Council

November 28, 2023 – Public Hearings held on same request for 18 Cavender Street and 40 Hospital Road pharmacy locations.

SARATOGA PL
CALUMET PKWY
BRENTWOOD
PADDOCK LN
BRAEMORE LN
LULLWATER CIR
ARMER INDUST
Day Care
Thompson Pharmacy
ELAINE DR
Jefferson
Parkway
Elementary
PRESTON MILL CT



ID	Name	Address	Need Variance
1	CVS Pharmacy	395 Jackson Street	No
2	CVS Pharmacy	239 Temple Avenue	Yes
3	CVS Pharmacy	1035 Lower Fayetteville Road	No
4	Hazelton Pharmacy	2080 Newnan Crosssing Boulevard East	No
5	Kroger Pharmacy	48 Bullsboro Dr	Yes
6	Kroger Pharmacy	1751 Newnan Crossing Boulevard East	Yes
7	Lee-Goodrum Pharmacy	40 Hospital Rd	Yes
8	Lee-King Pharmacy	18 Cavender Street	Yes
9	Publix Pharmacy	370 Bullsboro Drive	Yes
10	Publix Pharmacy	1111 Lower Fayetteville Road	Yes
11	Thompson's Pharmacy	134 Millard Farmer Industrial Boulevard	Yes
12	Walgreen's	211 Temple Avenue	Yes
13	Walgreen's	1 Millard Farmer Industrial Boulevard	No
14	Walmart Pharmacy	1025 Bullsboro Drive	No
15	Coweta Pharmacy	101 Greison Trail	No
16	CVS Pharmacy	555 Bullsboro Drive	No
17	AHF Pharmacy	770 Greison Trail	Yes

O.C.G.A. § 16-12-215

Copy Citation

Current through the 2022 Regular Session of the General Assembly.

Official Code of Georgia Annotated TITLE 16 Crimes and Offenses (Chs. 1 — 17) CHAPTER 12 Offenses Against Public Health and Morals (Arts. 1 — 9) Article 9 Access to Medical Cannabis (Pts. 1 — 3) PART 2 Role of Commission (§§ 16-12-210 — 16-12-226)

16-12-215. Limitation on locations; advertising or marketing prohibited; information available to physicians.

(a) No licensee shall operate in any location, whether for cultivation, harvesting, and processing of marijuana or for processing, manufacturing, packaging, or distributing low THC oil or products, within a 3,000 foot radius of a covered entity, measured from property boundary to property boundary. No dispensing licensee may operate in any location within a 1,000 foot radius of a covered entity, measured from property boundary to property boundary. Notwithstanding the provisions of this subsection, local governments may, via use of existing zoning powers otherwise provided by law, allow dispensing licensees only to locate in places other than those provided in this subsection so long as such modification is needed to allow retail outlets to be established to service registered patients residing within such local jurisdiction. As used in this subsection, the term "covered entity" means a public or private school; an early care and education program as defined in Code Section 20-1A-2; or a church, synagogue, or other place of public religious worship, in existence prior to the date of licensure of such licensee by the commission or State Board of Pharmacy.

(b) No licensee shall advertise or market low THC oil or products to registered patients or the public; provided, however, that a licensee shall be authorized to provide information regarding its low THC oil and products directly to physicians.

History

Code 1981, § 16-12-215, enacted by Ga. L. 2019, p. 43, § 4/HB 324; Ga. L. 2021, p. 184, § 12/SB 195.

CITY OF NEWNAN, GEORGIA

25 LaGrange Street
Newnan, Georgia 30263
770-254-2354

NEWNAN
GEORGIA

APPLICATION FOR VARIANCE

Name of Applicant Thompson's Pharmacy

Mailing Address 134 Millard Farmer Ind. Blvd. Newnan GA 30263

Telephone 770 251 4808 E-Mail: trey@thompsons-pharmacy.com

Property Owner (Use back if multiple names) Pam Lee and Marsha Goodrum under Kerley-Steverson Properties Inc.

Mailing Address 40 Hospital Road Newnan GA 30263

Telephone 678-378-3280

Address/Location of Property 134 Millard Farmer Ind. Blvd. Newnan GA 30263

Tax Parcel No: N57A 058

Present Zoning Classification: CGN

Present Land Use Retail Pharmacy

Intended Use Retail Pharmacy and asking for a variance to dispense medical marijuana.

Any person owning property or having a possessory or contract interest in property and the consent of the owner, may file an application for variance in regard to such property with the Board.

If you have any questions concerning this process, you may call the Planning and Zoning Department at (770) 254-2354. Office hours are 8:00 a.m. to 5:00 p.m., Monday through Friday. The Board of Zoning Appeals meets on the first Tuesday of each month. Applications must be submitted by 9:00 a.m. at least forty-five (45) days prior to that date. Incomplete applications or applications submitted after the deadline *will not be accepted.*

I (We) hereby request the following variance from the provisions of section(s) 215(a) and 2 of the Zoning Ordinance/Subdivision Regulations: OCGA § 16-12-215(a) and OCGA § 20-1A-2.

In order for the Board to consider the request, it must be claimed "application of the Ordinance to the particular piece of property would create an unnecessary hardship". Please answer the following criteria questions:

1. What are the particular provisions or requirements of the Ordinance that prevent the proposed construction on, or use of, the property?

   O.C.G.A. § 16-12-215(a) "No dispensing licensee may operate in any location w/in a 1000 foot radius of a covered entity...."
   O.C.G.A. § 20-1A-2 As used in this subsection, term covered entity means public or private school, an early care and education program..."

2. What is the existing zoning of the property, including any previously approved modifications, conditions, or proffers?

   CGN

3. What are the special conditions, circumstances or characteristics of the land, building or structure that prevent the use of the land in compliance with the requirements of the Ordinance?
We are within 1,000 feet from a school/daycare. Because of the law and necessity of medical marijuana, the State allows a pharmacy dispensary to be within 1000 feet if the city approved/approves a variance.

4. What is the particular hardship that would result if the specified provisions or requirements of the Ordinance were to be applied to the subject property?
The state of Georgia is allowing medical marijuana for multiple conditions (10+ that will allow tens to hundreds of thousands access to medical marijuana to treat these illnesses. To assist those who are in need, we need a variance. We believe not passing the variance will limit care to those in dire situations.

5. What is the minimum extent to which it would be necessary to vary the requirements of the Ordinance in order to permit the proposed construction on, or use of, the property?
The variance would allow us to dispense medical marijuana despite being within 1000 feet of a covered entity. Please see the law attached.

The Board of Zoning Appeals shall base its required findings upon the particular evidence presented in each specific case where the property owner can show:

A. The strict application of the terms of the Ordinance would effectively prohibit or unreasonably restrict utilization of the property because:

- ✓ There are extraordinary and exceptional conditions pertaining to the particular piece of property in question because of its size, shape, or topography.
- ✓ Such conditions are peculiar to the particular piece of such property involved.
- ✓ Such conditions were not imposed by the action or will of the owner of the property.
- ✓ The application of the Ordinance to the particular piece of property would create an unnecessary hardship. Such hardship does not include financial hardship in that if the variance were granted, the applicant could receive a higher rate of financial return on the use of the property and without the variance, a lesser but still reasonable return could be realized.
- ✓ Relief, if granted, would not cause substantial detriment to the public good or impair the purposes and intent of the Ordinance.

B. The granting of such variance will alleviate a clearly demonstrable hardship approaching confiscation, as distinguished from a special privilege or convenience sought by the applicant.

C. The condition or situation of the property, which give rise to the need for such variance, is not of so general or recurring a nature as to make reasonably practicable the formulation of a general regulation to be adopted as an amendment to the Ordinance.

Included with the application, the following information is required and must also be furnished in digital, pdf format:

- ✓ Plat of property, illustrating existing development and requested variance.
- ✓ Plans or drawings necessary to illustrate the requested variance.
- ✓ Legal description of property.
- ✓ List of all the names and addresses of all property owners within 250 feet of subject property. This information can be found at the Coweta County Tax Assessors Office.

Clark Properties LLC - 5515 Cameron Forest PKWY ALPHARETTA GA 30022
189 Jefferson Parkway owner LLC - 4849 Greenville Ave Atlanta GA 30309
Palmetto Foundation Academy LLC - 212 Jefferson Parkway Newnan GA 30263

✓ Check for applicable fees (**$250.00**).

I (We) do hereby certify the information provided herein is both complete and accurate to the best of my (our) knowledge, and I (we) understand any inaccuracies may be considered just cause for invalidation of this application, and any action taken on this application. I (We) do hereby understand a variance of any requirement does not exempt the development from any other requirements of the Zoning Ordinance, Subdivision Regulations, or other City or State Regulations.

Trey Thompson

Applicant(s) Name(s) (Please Print)

Signature of Applicant(s)

FOR OFFICIAL USE ONLY

RECEIVED BY Dean Smith

DATE OF FILING 11/28/23

~~BZA~~ City Council MEETING DATE 1/23/2024

DATE OF NOTICE PUBLICATION

ACTION TAKEN (DATE)

City of Newnan, Georgia
Attachment A

Property Owner's Authorization

The undersigned below, or as attached, is the owner of the property which is the subject of this application. The undersigned does duly authorize the applicant named below to act as applicant in the pursuit of a variance for property.

Name of Property Owner Marsha Goodnum

Telephone Number

Address of Subject Property 134 Millard Farmer Industrial Blvd.
Newnan GA 30263

I swear that I am the owner of the property which is the subject matter of the attached application, as it is shown in the records of Coweta County, Georgia.

Marsha S Goodnum
Signature of Property Owner

Personally appeared before me

Marsha Goodnum

who swears the information contained in this authorization is true and correct to the best of his/her knowledge and belief.

Keri Atha
Notary Public

KERI LYNN ATHA NOTARY PUBLIC COWETA COUNTY GA

(Affix Raised Seal Here)

11/9/2023
Date

JUSTIA

There is a newer version of this Section

View our newest version here

2021 Georgia Code
Title 16 - Crimes and Offenses
Chapter 12 - Offenses Against Public Health and Morals
Article 9 - Access to Medical Cannabis
Part 2 - Role of Commission
§ 16-12-215. Limitation on Locations; Advertising or Marketing Prohibited; Information Available to Physicians

Universal Citation: GA Code § 16-12-215 (2021)

a. No licensee shall operate in any location, whether for cultivation, harvesting, and processing of marijuana or for processing, manufacturing, packaging, or distributing low THC oil or products, within a 3,000 foot radius of a covered entity, measured from property boundary to property boundary. No dispensing licensee may operate in any location within a 1,000 foot radius of a covered entity, measured from property boundary to property boundary. Notwithstanding the provisions of this subsection, local governments may, via use of existing zoning powers otherwise provided by law, allow dispensing licensees only to locate in places other than those provided in this subsection so long as such modification is needed to allow retail outlets to be established to service registered patients residing within such local jurisdiction. As used in this subsection, the term "covered entity" means a public or private school; an early care and education program as defined in Code Section 20-1A-2; or a church, synagogue, or other place of public religious worship, in existence prior to the date of licensure of such licensee by the commission or State Board of Pharmacy.
b. No licensee shall advertise or market low THC oil or products to registered patients or the public; provided, however, that a licensee shall be authorized to provide information regarding its low THC oil and products directly to physicians.

(Code 1981, §16-12-215, enacted by Ga. L. 2019, p. 43, § 4/HB 324; Ga. L. 2021, p. 184, § 12/SB 195.)

The 2021 amendment, effective July 1, 2021, inserted "or products" in the first sentence of subsection (a) and in subsection (b); added the third sentence of subsection (a); and inserted "and products" near the end of subsection (b).

Editor's notes.

- Ga. L. 2021, p. 184, § 28/SB 195, not codified by the General Assembly, provides that: "Nothing in this Act shall be deemed to change, amend, or alter any criteria for applications for a Class 1 or Class 2 production license submitted to the Georgia Access to Medical Cannabis Commission on or prior to January 27, 2021."

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JUSTIA

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2010 Georgia Code
TITLE 20 - EDUCATION
CHAPTER 1A - EARLY CARE AND LEARNING
ARTICLE 1 - GENERAL PROVISIONS
§ 20-1A-2 - Definitions

O.C.G.A. 20-1A-2 (2010)
20-1A-2. Definitions

As used in this chapter, the term:

(1) "Board" means the Board of Early Care and Learning.

(2) "Child care learning center" means a day-care center that participates in Georgia's Pre-K Program.

(3) "Commissioner" means the commissioner of the Department of Early Care and Learning.

(4) "Day-care center" means any place operated by a person, society, agency, corporation, institution, or group wherein are received for pay for group care for less than 24 hours per day, without transfer of legal custody, 19 or more children under 18 years of age; provided, however, that this term shall not include a private school which provides kindergarten through grade 12 education, meets the requirements of Code Section 20-2-690, and is accredited by one or more of the entities listed in subparagraph (A) of paragraph (6) of Code Section 20-3-519 and which provides care before, after, or both before and after the customary school day to its students as an auxiliary service to such students during the regular school year only.

(5) "Department" means the Department of Early Care and Learning.

(6) "Early care and education programs" include all family day-care homes, group day-care homes, day-care centers, and child care learning centers.

(7) "Early childhood" means the period of childhood from birth to age six.

(8) "Family day-care home" means a private residence operated by any person who receives therein for pay for supervision and care fewer than 24 hours per day, without transfer of legal custody, at least three but not more than six children under 18 years of age who are not related to such person and whose parents or guardians are not residents in the same private residence.

(9) "Group day-care home" means any place operated by any person or group wherein are received for pay not less than seven nor more than 18 children under 18 years of age for care and supervision for less than 24 hours per day.

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Newnan Zoning Map

Click on Parcel to Display Information

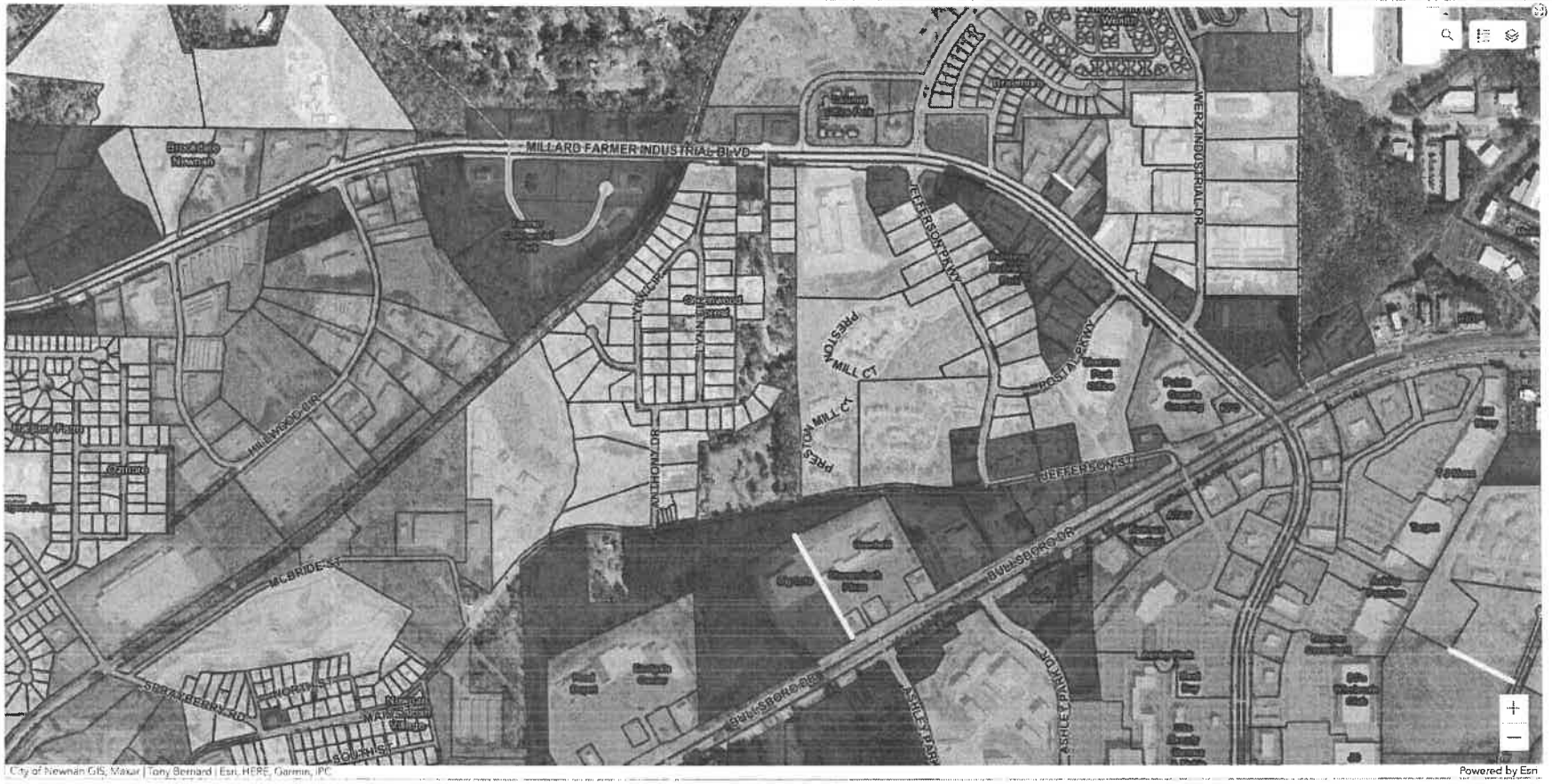
Filter by Zoning Category
None

Zoning

- PDR
- RU-7
- RS-15
- RU-I
- RU-2
- CGN
- CBD
- OSD-2
- RML
- IHV
- CUN
- CCS
- CHV
- OI-1
- PDC
- ILT
- OCR
- RMH
- PDO
- MXD
- OI-2

Road Classification

- Minor
- Major



Coweta County, GA

Summary

Parcel Number	N57A 058
Location Address	134 MILLARD FARMER INDUSTRIAL BLVD
Legal Description	2 BLDGS/.998 AC M FARMER @ JEFF PKWY
	(Note: Not to be used on legal documents)
Tax District	NEWNAN 02 (District 02)
Millage Rate	22.85
Acres	1
Homestead Exemption	No (50)
Landlot/District	N/A

View Map

Owner

KERLEY-STEVERSON PROPERTIES INC
40 HOSPITAL RD
NEWNAN, GA 30263

Land

Type	Description	Calculation Method	Square Footage	Frontage	Depth	Acres	Lots
Commercial	Comm-Millard Farmer Blvd	Acres	43,473	0	0	1	1

Commercial Improvement Information

Description	Drug Store-Good
Value	$167,469
Actual Year Built	1992
Effective Year Built	2014
Square Feet	2160
Wall Height	9
Wall Frames	
Exterior Wall	
Roof Cover	
Interior Walls	
Floor Construction	
Floor Finish	
Ceiling Finish	
Lighting	
Heating	
Number of Buildings	1

Description	Medical Office-Good
Value	$247,202
Actual Year Built	1994
Effective Year Built	2012
Square Feet	2095
Wall Height	9
Wall Frames	
Exterior Wall	
Roof Cover	
Interior Walls	
Floor Construction	
Floor Finish	
Ceiling Finish	
Lighting	
Heating	
Number of Buildings	1

Accessory Information

Description	Year Built	Dimensions/Units	Identical Units	Value
Comm-Lights-Single	1994	0x0 / 1	3	$1,809
Comm-Paving-Asphalt	1994	1x0 / 7000	1	$4,480
Comm-Paving-Asphalt	1992	1x0 / 14620	1	$7,602

Permits

Permit Date	Permit Number	Type	Description
10/23/2020	EL-01840	ELECTRIC	ELECTRICAL

Sales

Sale Date	Deed Book / Page	Plat Book / Page	Sale Price	Reason	Grantor	Grantee
4/5/2006	2942 60	53 83	$0	UNQUALIFIED IMPROVED	LEE GOODRUM INC	KERLEY-STEVERSON PROPERTIES INC
5/18/1992	677 405		$63,840	QUALIFIED VACANT		LEE GOODRUM INC
8/31/1973	239 547		$748,500	UNKNOWN STATUS		COWETA COMM REALTY I

Valuation

	2023	2022	2021	2020	2019	2018
Previous Value	$498,562	$371,118	$371,118	$395,567	$395,567	$395,567
Land Value	$70,000	$70,000	$70,000	$70,000	$70,000	$70,000
+ Improvement Value	$414,671	$414,671	$287,227	$287,227	$287,227	$287,227
+ Accessory Value	$13,891	$13,891	$13,891	$13,891	$38,340	$38,340
= Current Value	$498,562	$498,562	$371,118	$371,118	$395,567	$395,567

Assessment Notices 2019

[illegible]

Assessment Notices

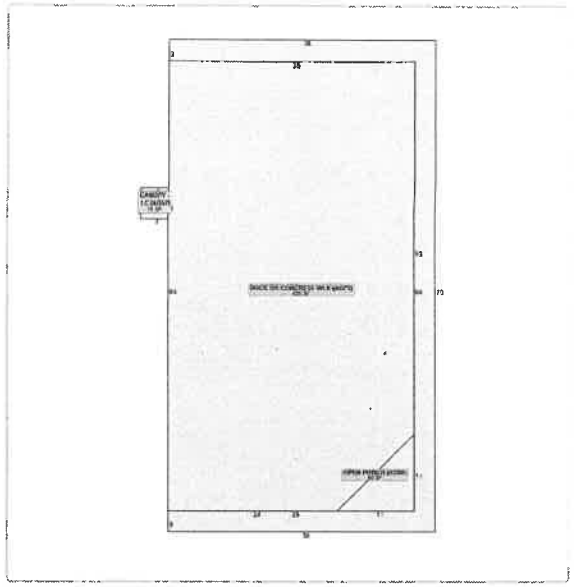
[illegible]

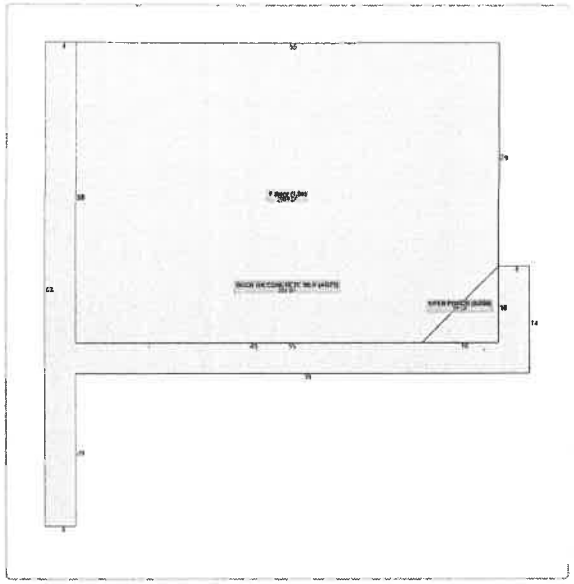
[illegible]

[illegible]

[illegible]

Sketches





No data available for the following modules: Online Appeal, Rural Land, Conservation Use Rural Land, Residential Improvement Information, Mobile Homes, Prebill Mobile Homes, Septic Drawings, Photos.

Contact Us

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Last Data Upload: 11/9/2023, 12:34:04 AM

THOMPSON'S PHARMACY
Drive-Thru
770-251-4808
Compounding
VARIANCE REQUESTED
PUBLIC HEARING
NEWNAN CITY HALL
25 LAGRANGE STREET
01/23/24
6:30 P.M.

To:	Mayor and Council
Date:	January 23, 2024
Agenda Item:	Amendment to the City of Newnan Personnel Policy, Section 5.6 Retirement Plan
Prepared By:	Cleatus Phillips, City Manager

Purpose:
To consider a resolution amending the City of Newnan Personnel Policy, Section 5.6 Retirement Plan, adding provisions related to the implementation of the City's 4019(a) Defined Contribution Plan.

Background:
The City Council previously approved the creation of a 401(a) Defined Contribution Plan. The plan was effective January 1, 2024, with all new employees hired on or after this date being enrolled in the 401(a) Plan and not the Defined Benefit Plan. The proposed amendment to the personnel policy simply clarifies this change.

Funding:
N/A

Recommendation:
Approve as submitted.

Attachments:
1. 2024 0123 Resolution for Personnel Policy 5.6
2. Personnel Policy 5.6 Retirement Plan Amendment

Previous Discussion with Council:
N/A

RESOLUTION TO AMEND PERSONNEL POLICY 5.6 RETIREMENT PLAN

WHEREAS, the City of Newnan has a Personnel Policy to provide general guidelines about City's policy and procedures for employment; and

WHEREAS, the Personnel Policy is reviewed and updated as necessitated, to reflect changes in City's policy and procedures; and

WHEREAS, the Personnel Policy Section 5.6 Retirement Plan, all Sub-Sections, have been drafted to reflect change to City provided defined benefit retirement plan and City provided defined contribution plan as approved the 28th day of November 2023, effective January 1, 2024;

NOW, THEREFORE, BE IT RESOLVED, that the ***Personnel Policy 5.6 RETIREMENT PLAN*** which is attached hereto is adopted by the City Council this 23rd day of January 2024 and is effective January 1, 2024.

DONE, RATIFIED AND PASSED by the City Council of the City of Newnan, Georgia, this 23rd day of January 2024 in regular session assembled.

Attest:

Megan Shea, City Clerk	Keith Brady, Mayor
	Paul Guillaume, Mayor Pro Tem
Witness:	Cynthia Jenkins, Councilmember
C. Bradford Sears, Jr., City Attorney	Rhodes Shell, Councilmember
Cleatus W. Phillips, City Manager	Ray DuBose, Councilmember
	Dustin Koritko, Councilmember
	James J. Thomasson, III, Councilmember

CURRENT

5.6 RETIREMENT PLAN

5.6.1 The City provides a defined benefit retirement plan for all regular full-time employees. The plan is fully funded by the City.

5.6.2 Regular full-time employees are enrolled in the City's Retirement Plan following one year of employment.

5.6.3 Upon his retirement date, a participant who meets the requirements of the City's Retirement Plan receives a monthly retirement benefit. The amount of the monthly retirement benefit shall be determined by the Plan's Agreement.

5.6.4 A former employee who was a participant in the City's Retirement Plan and is reemployed shall be granted credit (years of service) for the prior service. Participation in the retirement plan shall resume on the first of the month following the reemployment date.

AMENDED

5.6 RETIREMENT PLAN

5.6.1 The City provides a defined benefit retirement plan for all regular full-time employees hired on or before 12/31/2023. The defined benefit retirement plan is fully funded by the City.

5.6.2 A participant who meets the requirements of the City's defined benefit retirement plan receives a monthly retirement benefit. The amount of the monthly retirement benefit shall be determined by the Plan's Agreement.

5.6.3 The City provides a defined contribution retirement plan for all regular full-time employees hired or rehired on or after 01/01/2024. The City will contribute a minimum of 10.0% of employee's annualized salary, up to an additional 3.0% as a matching contribution of an employee's voluntary contribution.

5.6.4 A participant in the defined contribution retirement plan has a 3 year (33.3%) graded vesting for full ownership of the City's contribution. Employee's voluntary contributions are 100% owned by the employee. When an employee leaves the City, they will be provided directions for accessing all monies owned in their account

To:	Mayor and Council
Date:	January 16, 2024
Agenda Item:	2024 Main Street Newnan Event Closures
Prepared By:	Jesse Branch, Special Events Coordinator

January 16, 2024

Mr. Cleatus Phillips
City of Newnan
25 LaGrange Street
Newnan, GA 30263

Re: 2024 Main Street Newnan Event Closures

Mr. Phillips,

Please accept this letter as a formal request to place the following agenda items on the Newnan City Council's January 23, 2024 Meeting Agenda:

I. Permission to close streets for the following Main Street Newnan events:

- **Market Day**

Permission to close North and South Court Square between Jackson St/E Court Square and Jefferson St/W Court Square from 8:00am-3:00pm. Dates for the Market Day are:

  - March 2, 2024
  - April 6, 2024
  - May 4, 2024
  - June 1, 2024
  - July 6, 2024
  - August 3, 2024
  - September 7, 2024
  - October 5, 2024
  - November 2, 2024
  - December 7, 2024

- **Fourth of July Parade – Thursday, July 4, 2024**

The Parade will begin at Veteran's Memorial Park along Temple Avenue at 9:00 am, travel south along Jackson/LaGrange Street, and will end at the intersection of LaGrange Street and Long Pl/Salbide Avenue. The event will conclude by 10:00 am.

- **Sunrise on the Square 5K – Saturday, August 31, 2024**

The 5K Road Race will begin on W Washington St, and turn at Wesley to College, College to Hwy 34, to Carmichael Street where the route will loop through several quick turns: Atkinson St, Velma Drive, Lundy Drive, Sherwood Drive, Edgewood Drive and end on Roscoe Road. From Roscoe Road the route will travel south through Downtown Newnan on Jackson Street, toward the finish line on W Washington Street.

- **Spirits & Spice Festival – Saturday, October 19, 2024**

Permission to close North and South Court Square, West Court Square, and West Washington Streets between 11:00am and 8:00pm.

- **Holiday Sip & See –Friday, November 22, 2024**

Permission to close South Court Square between 3:00pm and the close of the event.

- **Santa on the Square – Friday, November 29, 2024**

Permission to close North Court Square between 3:00pm and the close of the event.

II. Permission to use downtown sidewalks for the following Main Street Newnan events:

- **Market Day**
  1st Saturday of each month between March and December. The event takes place between 10:00am and 2:00pm. Sidewalks located on the interior portion of the Courthouse Square.

- **Spring Art Walk – Friday, March 22, 2024**
  Use of downtown sidewalks at various participating locations between 5:00pm and 9:00pm.

- **Downtown Newnan Restaurant Week—Sunday, April 14th-Saturday, April 20th, 2024**
  Use of downtown sidewalks at various participating locations between 9:00am and 9:00pm.

- **Summer Wined Up – Friday, June 21, 2024**
  Use of downtown sidewalks at various participating locations between 5:00pm and 9:00pm.

- **Labor Day Sidewalk Sale—Friday, August 30th-Monday, September 2nd, 2024**
  Use of downtown sidewalks at various participating locations between 9:00am and 6:00pm.

- **Fall Art Walk – Friday, September 20, 2024**
  Use of downtown sidewalks at various participating locations between 5:00pm and 9:00pm.

- **Oktoberfest Craft Beer Tasting – Friday, October 4, 2024**
  Use of downtown sidewalks at various participating locations between 5:00pm and 9:00pm.
- **Spirits & Spice Festival—Saturday, October 19, 2024**

Use of downtown sidewalks at various participating locations and around the Courthouse square between 2:00pm and 7:00pm.

- **Munchkin Masquerade (Downtown Trick or Treat) – Thursday, October 31, 2024**
  Use of downtown sidewalks during the event between 10:00am and 12:00pm.

- **Holiday Sip-and-See – Friday, November 22, 2024**
  Use of downtown sidewalks at various participating locations between 5:00pm and 9:00pm

- **Plaid Friday—Friday, November 29, 2024**
  Use of downtown sidewalks at various participating locations between 9:00am and 6:00pm.

- **Santa on the Square—Friday, November 29, 2024**
  Use of downtown sidewalks at various participating locations between 6:00pm and 8:00pm

- **Small Business Saturday—Saturday, November 30, 2024**
  Use of downtown sidewalks at various participating locations between 9:00am and 6:00pm.

III. Permission to utilize parking spaces or lots for the following Main Street Newnan events:

- **Spirits & Spice Festival – Friday, October 18, 2024**
  Use of parking spaces located on West Court Square.

- **Spirits & Spice Festival – Saturday, October 19, 2024**
  Use of parking spaces located on the interior and exterior of the Courthouse Square.

Please contact me if you require additional information. Thank you for your continued support of the Main Street Newnan program.

Best Regards,

Jesse Branch
Special Events Coordinator
City of Newnan
770-253-8283 (x1)
706-333-1433 (cell)
jbranch@cityofnewnan.org

Main Street Newnan
Business Development Department
6 First Avenue
Newnan, Georgia 30263
www.mainstreetnewnan.com

To:	Mayor and Council
Date:	January 23, 2024
Agenda Item:	Consideration of Recommendation from Farmer Street Cemetery Commission to Acquire Real Property
Prepared By:	Hasco Craver, Assistant City Manager

Purpose:
Newnan City Council may consider a recommendation from the Farmer Street Cemetery Commission to acquire approximately 2.8 acres of real property adjacent to the current cemetery.

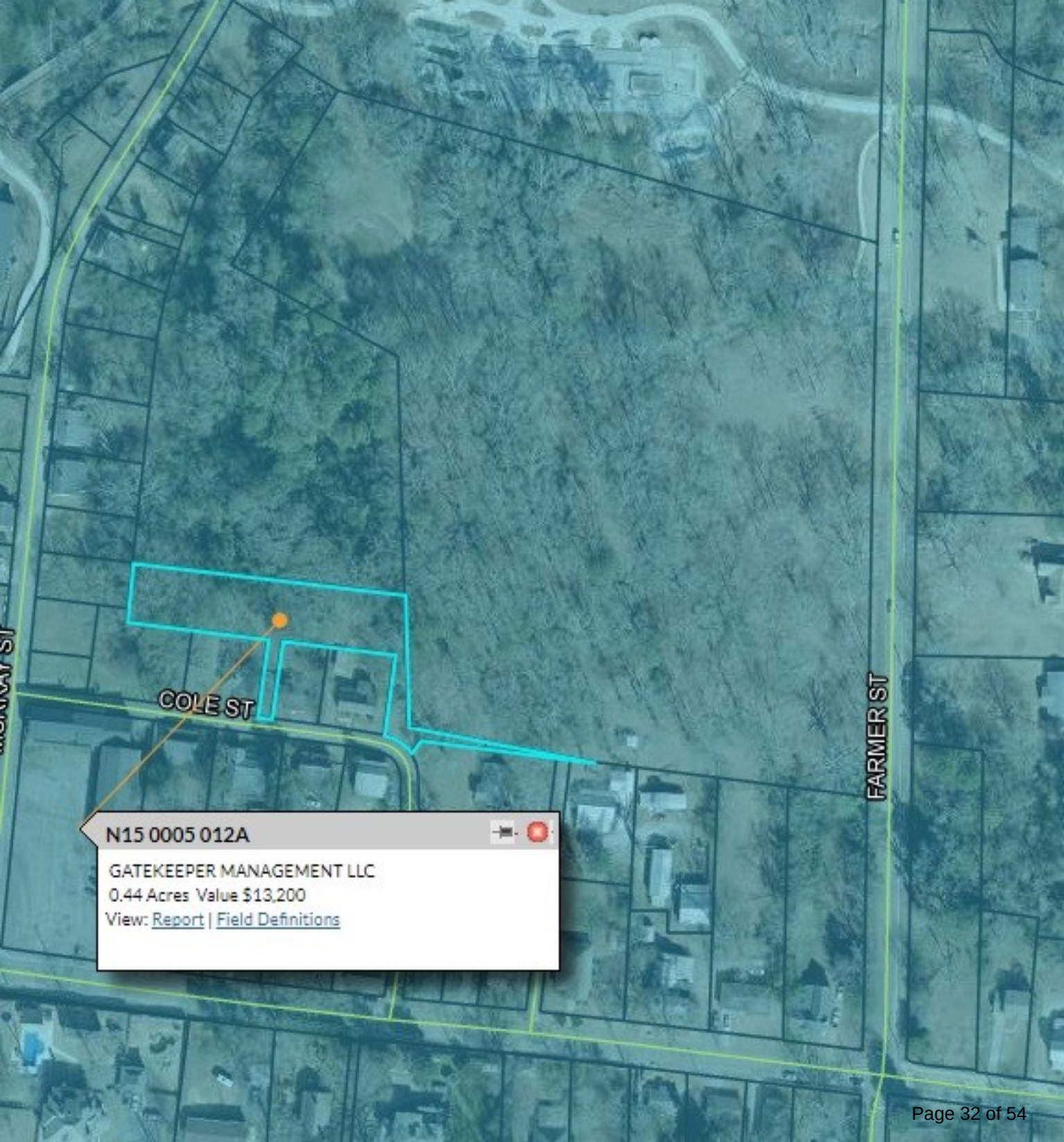
Background:
The Farmer Street Cemetery Commission, at its January 8, 2024 meeting, voted unanimously to recommend to the Newnan City Council that the city acquire two parcels located adjacent to the current cemetery. More specifically, the two subject properties are currently undeveloped, with no known improvements. In addition, both parcels are owned by the same individual/corporation. The commission considered the recommendation to acquire with the belief that there may exist additional burial sites as well as the desire to protect the cemetery from future development. Paleowest, the outfit that was previously engaged to perform ground penetrating radar (GPR) at the cemetery site, found several burial sites along the property line. In fact, there were seven burial sites that appeared to be located on the adjacent (subject) properties. Please find the attached documents, which provide greater detail related to the subject properties as well as the GPR findings.

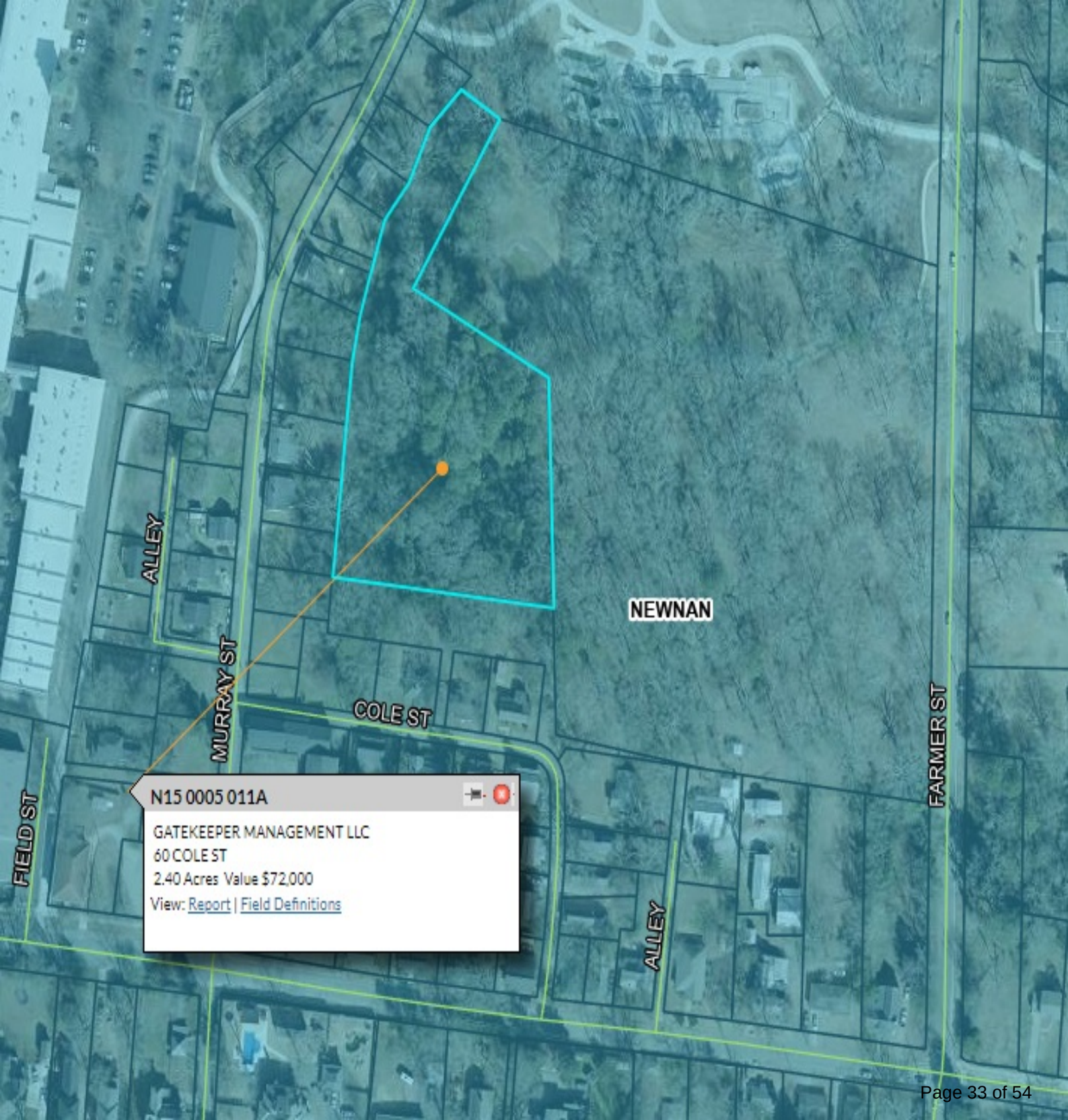
Funding:
General Fund

Recommendation:
It is the recommendation of the Farmer Street Cemetery Commission that the Newnan City Council proceed with acquiring the subject properties.

Attachments:
1. Parcel 1 - FSCC
2. Parcel 2 - FSCC
3. GPR - FSCC

Previous Discussion with Council:
The Newnan City Council, from time to time and as recently as late November 2023, has been made aware of the activities of the Farmer Street Cemetery Commission.


COLE ST
FARMER ST
N15 0005 012A
GATEKEEPER MANAGEMENT LLC
0.44 Acres Value $13,200
View: Report | Field Definitions


ALLEY
MURRAY ST
COLE ST
NEWNAN
FARMER ST
FIELD ST
ALLEY
N15 0005 011A
GATEKEEPER MANAGEMENT LLC
60 COLE ST
2.40 Acres Value $72,000
View: Report | Field Definitions

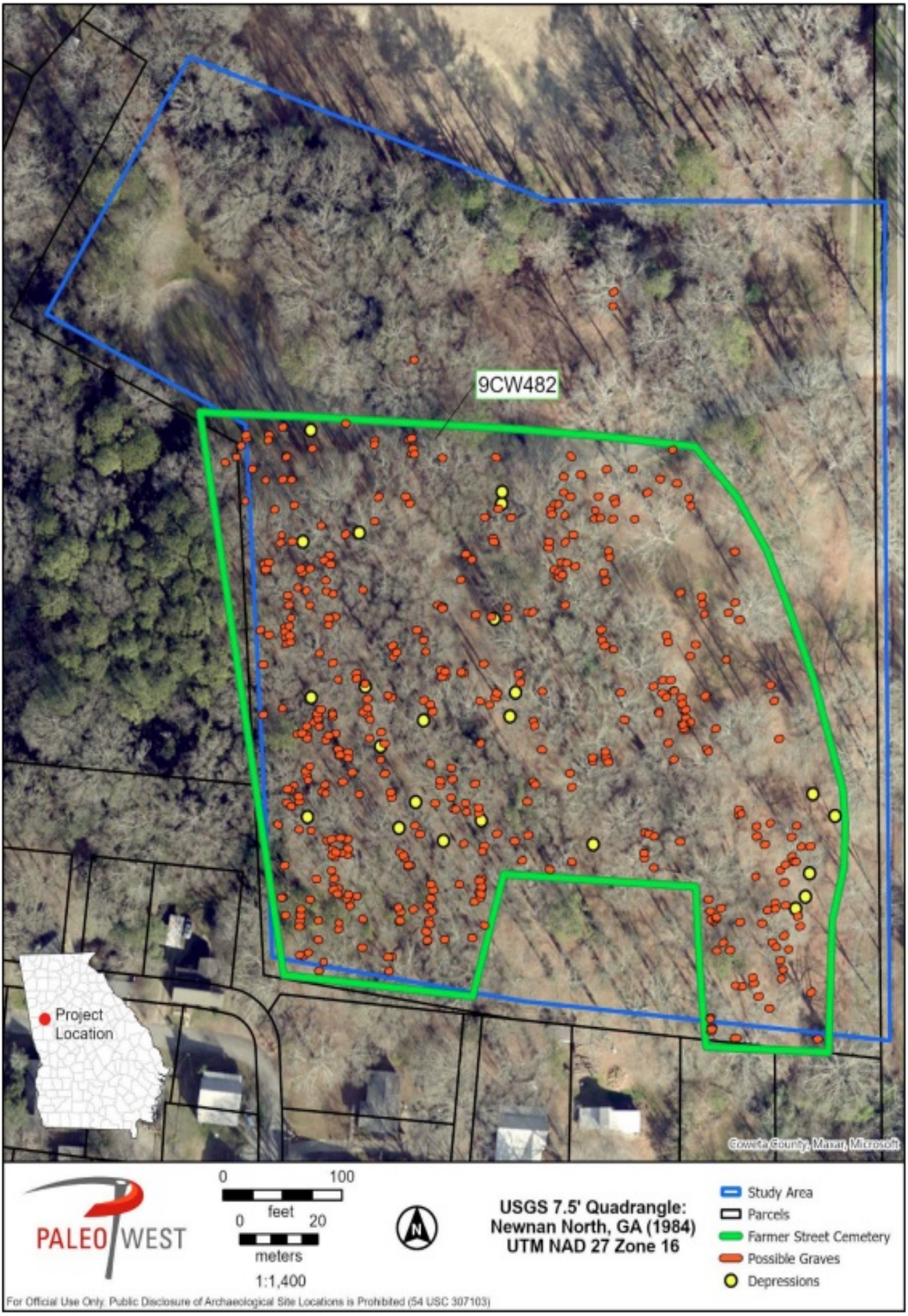


Figure 11. Map of survey results.

SETTLEMENT AND RELEASE AGREEMENT

THIS SETTLEMENT AND RELEASE AGREEMENT ("Agreement") is entered into as of the date the last party executed this Agreement (the "Effective Date") by and between the City of Newnan, Georgia ("City") and Principle Outdoor, LLC ("Principle").

RECITALS

WHEREAS Principle submitted ten (10) applications to the City for sign permits on or about January 13, 2023 and the City claimed that the applications were incomplete via a letter dated January 13, 2023, and subsequently denied the applications on January 20, 2023; and

WHEREAS Principle filed suit challenging the City's responses to the applications in a case style *Principle Outdoor, LLC v. City of Newnan*, Case No. 3:23-cv-00018-TCB (N.D. Ga. *filed* Feb. 3, 2023) (the "Litigation"); and

WHEREAS certain other disputes have arisen or might arise in the future between the parties regarding the matters contended or which could have been contended in the lawsuit related to the applications, and because the parties wish to settle any and all disputes or claims between them in their entirety, they enter into this Agreement.

Therefore, in light of the foregoing and based upon the exchange of valuable consideration, the parties agree as follows:

Each of the respective parties to this Agreement hereby mutually releases and forever discharges each of the other parties to this Agreement and all of such parties' successors, assigns, agents, affiliates, officers, directors, employees, representatives, insurers, and attorneys and each of them of and from any and all claims, debts, liabilities, demands, obligations, damages, costs, expenses, attorneys' fees, actions and causes of action, of every nature, character and description, known or unknown, which any of the respective parties to this Agreement, now own or hold or may have at any time heretofore owned or held against any other party to this Agreement, but this does not restrict either party, or any of their assignees, from enforcing this Agreement or restrict Principle, or any of its assignees from asserting the right to build, operate, or modify the signs allowed pursuant to this Agreement.

Principle further agrees to the following:

- it will release all claims asserted, or that could have been asserted in the Litigation, including claims for damages and legal fees and expenses;
- it will promptly make all LED displays available to City and State law enforcement for emergency messages, to include Amber Alerts and other missing persons announcements, disaster evacuation information, and other urgent public safety topics. Such messages will be added as soon as practicable and will remain in the advertising rotation for 48 hours or such lesser time period as requested;

- it will agree to donate free advertising to the City for promotional messages, community announcements, and the like ("Market Day," "July 4th Parade," "Summer NewnaNights," "Oktoberfest," etc.). Such messages shall be added to the advertising rotation on the LED display faces for up to 12 events each year (one week per event). The City's copy will be added to the rotation within two business days or on the state-date requested;
- it will agree, as a contractual matter, never to advertise "adult" or "mature" content or any type of tobacco or vaping products.

The City further agrees to the following:

- to allow Principle to build, operate, modify, and relocate up to three (3) outdoor advertising signs as follows: (1) One (1) sign at the railroad site on Temple Avenue, which is referred to as Application #1 in the City's files; and (2) Two (2) signs on parcels located in the City limits and along either Bullsboro Drive (Georgia Highway 34) or Poplar Road and which include any square footage within the "black boxes" shown on the maps attached hereto as Exhibits A-1, A-2, A-3, and A-4 (the areas indicated are not precise and shall be deemed to include the entire parcel up to the right-of-way). All three signs may be double-sided, with faces no larger than 350 square feet in size, height no taller than sixty feet (60') above the grade of the nearest right-of-way (in order to maintain visibility at such height, trees and vegetation may be removed from the parcel where the sign is located without further City approvals), no part of the sign to overhang the right of way, and all faces may be static or multiple message (including electronic) at Principle's option. Principle shall have 24 months from the Effective Date to apply to the City for each sign and may utilize any parcels newly annexed to the City during that period which are between the approved areas on Bullsboro Drive; and
- to issue City certifications, permits, or inspections – such as for GDOT forms or building or electrical permits – for the signs promptly and in no case longer than five (5) days after Principle's request for same, provided that each such request is complete.

This Agreement shall be governed by the substantive and procedural laws of the State of Georgia. Any suit brought to enforce this Agreement must be brought in the Georgia courts.

Each of the parties and each of the undersigned individuals hereby warrant to the other parties that the undersigned have the authority to execute this Agreement. The rights and privileges of this Agreement shall be freely assignable by Principle, however, the obligations of this Agreement shall bind any successors.

Counterparts and scanned or faxed signatures shall be deemed binding.

REVIEWED, APPROVED, AND ACCEPTED BY:

DATED: January ____, 2024. By: _____
On Behalf of Principle

Its: _____

DATED: January ____, 2024.

By: _____
On Behalf of the City

Its: _____

Exhibit A1

Ross Dress For Less
Kohl's
PetSmart
Newnan
Hampton Inn
Hampton Way
Red Lobster
Waffle House
Bullsboro Dr
Bullsboro Dr
Bullsboro Dr
Steak 'n Shake
Captain D's
Newnan Station Dr
Lakeside Way
Junction Ln
Carmike Cinemas
Junction Lanes
Shenandoah Blvd
Arby's
Hooters
Chase Bank
Newnan Crossing Blvd E
Diplomat Pkwy
Villa Dr
Forest Cir
Forest Cir
Courtyard Ln
Walmart Supercenter
Lowe's
Hobby Lobby

Exhibit A2
Millard Farmer Industrial Blvd
Publix
KFC
Walgreens
Bullsboro Dr
Golden Corral
Cracker Barrel
Burger King
Shoney's
AT&T
Fidelity Bank
Red Robin
Verizon Wireless
Olive Garden
Ashley Furniture
H H Gregg
Babies "R" Us
Target
T J Maxx
Michael's
Office Depot Office Max
Old Navy
Newnan Crossings Apartments
IHOP
Wells Fargo
Herring Rd
Amlajack Blvd
Park Way N
Zaxby's
Lewis Grizzard Hwy
Diplomat Pkwy
Alan Jackson Hwy
34
403
47
85

Exhibit A3

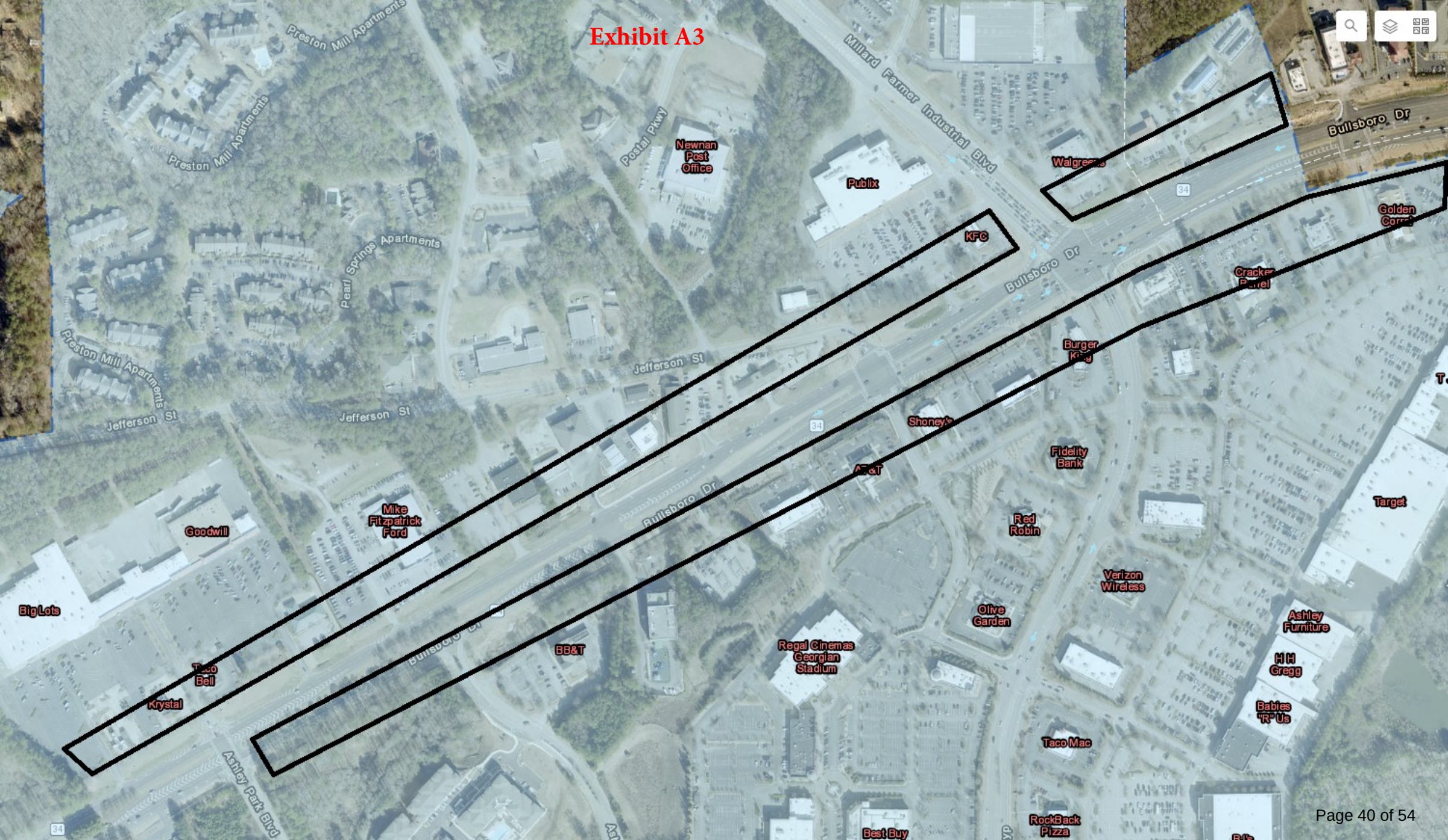

Preston Mill Apartments
Preston Mill Apartments
Preston Mill Apartments
Pearl Springs Apartments
Postal Pkwy
Newnan Post Office
Publix
Millard Farmer Industrial Blvd
Walgreens
Bullsboro Dr
34
Golden Corral
KFC
Bullsboro Dr
Cracker Barrel
Burger King
Jefferson St
Jefferson St
Jefferson St
Shoney's
Fidelity Bank
AT&T
Target
Mike Fitzpatrick Ford
Goodwill
Red Robin
Verizon Wireless
Big Lots
Olive Garden
Ashley Furniture
BB&T
Regal Cinemas Georgian Stadium
H H Gregg
Taco Bell
Krystal
Babies "R" Us
Taco Mac
Ashley Park Blvd
Best Buy
RockBack Pizza

Exhibit A4
The Residences @ Newnan Crossing
Camden Village @ Stillwood
Camden Way
Camden Village Dr
Stillwood Dr
Village Walk @ Stillwood
Village Pass
Stillwood Apartments
Newnan Crossing Blvd
Hidden Lakes
Hidden Lakes Dr
Lakeshore
Lakeshore Way
Kent Dr
Keystone Ctr
Cameo Way
Inverness Ave
Aran Ct
Kendell Ct
Aberdeen Ct
Keswick Ct
Carlisle St
Brisbane Ct
Newnan
Newnan Crossing Byp
Lewis Grizzard Hwy Alan Jackson Hwy
Lewis Grizzard Hwy
Big Poplar Rd
Poplar Rd
Hickory Dr
Oak Ln
Jensen
R B Robinson
City View (Old)
Clearview
Michael Dr
Morris Rd
Ashmore Dr
Ashmore
Camellia Dr
Swan Ave
Suburban Heights
Swan Dr
Sunrise Dr
Morningside Estates
Morning Side Dr
Appian Way
Piedmont Newnan Hospital
Sunnyland Acres
Sunnyland Dr
Clem Burke
Burke Rd
Hays Rd
Thompson Dr
Thompson Heights
Susie Pl
Katies Ln
Norfolk Southern Corporation

STATE OF GEORGIA

CITY OF NEWNAN

AN ORDINANCE ADOPTING A MORATORIUM ON THE ISSUANCE OF SIGN PERMITS WITHIN THE INCORPORATED CITY LIMITS OF THE CITY OF NEWNAN, GEORGIA, FOR A PERIOD OF NINETY TWO (92) DAYS; TO PROVIDE FOR EXCEPTIONS; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

WHEREAS, it has been a number of years since the City of Newnan Sign Ordinance (codified in Article 8 of the City of Newnan Zoning Ordinance) has undergone a thorough review; and

WHEREAS, the City of Newnan received applications for signs that do not meet the standard of the City of Newnan Sign Ordinance, necessitating a review of the City of Newnan Sign Ordinance in light of current law, technology and demand; and

WHEREAS, the City of Newnan received notice of a potential claim against in an ongoing case which challenged a provision of the City of Newnan Sign Ordinance; and

WHEREAS, the City Council needs to review the City of Newnan Sign Ordinance to ensure aesthetic signage within the City; and

WHEREAS, the City desires to adopt a moratorium on the acceptance, review and issuance of all new sign permits for monument signs, as defined in the City of Newnan Sign Ordinance, or any other signs in excess of sixteen square feet in sign area.

WHEREAS, public notice of a hearing will have to be published and a hearing held prior to consideration and adoption of the new sign ordinance; and

WHEREAS, additional time is required to complete the adoption process.

NOW THEREFORE, be it and it is hereby ordained by the City Council of the City of Newnan, Georgia that:

Section I. <u>Findings</u>.

In consideration of the adoption of this Ordinance, and based upon information provided to the City Council, it is hereby determined that:

(a) the City of Newnan's current Sign Ordinance, as codified in Article 8 of the Zoning Ordinance of the City of Newnan, Georgia, was adopted on September 12, 2017, and was last revised on August 24, 2021; and

(b) the City is facing a current legal challenge with respect to a provision of its existing Sign Ordinance; and

(c) numerous court decisions have further defined the reach of Constitutional protections provided for sign applicants since the City's Sign Ordinance was last revised and adopted; and

(d) it is necessary to review the City's Sign Ordinance and make a determination as to necessary changes to conform with those decisions.

Section II. <u>Moratorium on certain sign permits</u>.

(a) A moratorium is hereby adopted on the acceptance of applications for permits for monument signs, as such are defined in the City of Newnan's Sign Ordinance, and for signs in excess of sixteen (16) square feet in sign area, for a period of ninety two (92) days beginning on the date of adoption of this Ordinance. During the moratorium period there shall be no acceptance, review or issuance of new sign permits for monument signs or signs in excess of sixteen (16) square feet in sign area within the incorporated city limits of the City of Newnan, Georgia. The purpose of the moratorium extension is to permit the City to complete its review of a proposed new sign ordinance, to allow a period for publication of notice and to complete public hearing and consideration.

(b) During the period of this moratorium, including any extension, no sign permits shall be issued for new monument signs or signs in excess of sixteen (16) square feet in sign area in the city limits of the City of Newnan, nor shall applications for such signs be accepted and reviewed during the moratorium period; provided however, this moratorium shall not apply to nor affect the issuance of permits based upon complete applications meeting the standards of the City of Newnan's Sign Ordinance and submitted to the City prior to the effective date of this moratorium; nor shall it apply to or affect repairs to existing sign structures; nor shall it apply to or affect the replacement of sign panels on existing sign structures; nor shall it apply to complete applications meeting the standards of the City of Newnan's Sign Ordinance and submitted to City as a result of a settlement agreement in any pending litigation.

Section III. <u>Referral to Planning Commission</u>.

Any proposed revisions to the City of Newnan's Sign Ordinance shall be referred to the City of Newnan Planning Commission for its meeting on February 13, 2024 for the Planning Commission to consider and schedule a hearing on any proposed changes on March 12, 2024, forwarding its recommendations to the City Council for a hearing on April 23, 2024, following which the City Council may take action.

Section IV. Other ordinances.

Except as provided herein, all zoning and development ordinances of the City of Newnan, Georgia shall remain in full force and effect.

Section V. Effective date.

This ordinance shall become effective immediately upon its approval on January 23, 2024. The moratorium imposed by this ordinance shall expire at 5:00 p.m. on April 24, 2024, or upon adoption of an amendment to the City of Newnan's Sign Ordinance, whichever occurs first.

Section VI. Ordinances not repealed.

All resolutions and ordinances, or portions thereof, in conflict with the foregoing are hereby suspended, but not repealed, by virtue of this moratorium.

Section VII. Severability.

Should any phrase, sentence, provision or section of this Ordinance be declared invalid by a Court of competent jurisdiction, such decision shall not affect the validity of this Ordinance as a whole or any provision thereof other than the provision specifically declared to be invalid. The City Council declares that it would have passed this Ordinance and each subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more subsections, sentences, clauses or phrases may be declared invalid.

So ordained this _____ day of January, 2024.

ATTEST:

_____
Megan Shea, City Clerk

REVIEWED AS TO FORM:

_____
C. Bradford Sears, Jr., City Attorney

_____
Cleatus Phillips, City Manager

_____
L. Keith Brady, Mayor

_____
Paul Guillaume, Mayor Pro-Tem

_____
Cynthia E. Jenkins, Councilmember

_____
Rhodes H. Shell, Councilmember

_____
Raymond F. DuBose, Councilmember

_____
Dustin Koritko, Councilmember

_____
James J. Thomasson, III, Councilmember

Foundation Christian Church
6 Perry St.
Newnan, GA 30263
Tel (678) 661-6330
Jason@FoundationNewnan.com

FOUNDATION CHRISTIAN CHURCH

JANUARY 15, 2024

Dear Megan,

Foundation Christian Church is requesting to close South Court Square from **12pm to 10pm** on Friday, March 29th, 2024.We are planning to host a Good Friday gathering for the community on the Court Square. In keeping with City protocol, we plan to rent portable restrooms and line up trash services for the event. If needed, we can also provide security. We are expecting over 400 people for this gathering. We are asking for the closure of the road from **12pm** forward so that we can begin to set up our staging and production equipment in preparation for the event that evening. We have completed the details required by city staff and it is attached to this request letter. We also will be asking our people - **well over 400 people** that we expect to be coming to the square for the event - to shop and eat on the square prior to the event getting started. In the years that we have been able to host this event we have more than followed through with that ask. Our people always take care of our downtown merchants.

Also, we are requesting **each of the parking spots** on South Court Square as well. Over the last few weeks, I have spoken with all of the businesses and offices on South Court Square and the overwhelming majority are in support of our event and none are in opposition to our event, or the blocking of the parking spaces, for the event. Some of them have written letters of support for us and the event which are attached.

The following businesses/offices are in support of our event or not in opposition (at the time of this proposal being sent to City Staff):

Vinylyte Records
Brown's Guitar Mill
Corner Arts
Ace Beer Growlers
Mad Mexican
Law Office of Michael West
Buckhead FMV
Avery and Pope Wealth Management
Camp and Henderson Law Offices

We will be happy to answer any question pertaining to this request.

Jason Walton

COMMUNITY OUTREACH PASTOR

In accordance with protocol, Foundation Christian Church is requesting use of South Court Square on March 29th, 2024. See details below in red.

Sec. 18-152. Application.

A person seeking issuance of a parade permit shall file application with the office of the city manager on forms provided by the city.

(1) *Filing period.* An application for a parade permit shall be filed not less than ten days or more than 30 days before the date on which it is proposed to conduct the parade.

a. *We need to have this request approved more than 30 days in advance so that we can plan and promote our Community Good Friday Event.*

(2) *Contents.* The application for a parade permit shall set forth the following information:

a. The name, address and telephone number of the person seeking to conduct the parade; and the applicant, if different.

- *Jason Walton, 6 Perry Street Newnan 30263, 678-378-3927 (jason@foundationnewnan.com)*

b. If the parade is proposed to be conducted for, on behalf of, or by an organization, the name, address and telephone number of the headquarters of the organization, and of the authorized and responsible heads of that organization.

- *This is being requested by Foundation Christian Church (see contact details above).*

c. The name, address and telephone number of the person who will be the parade leader and who will be responsible for its conduct.

- *See above*

d. The date when the parade is to be conducted.

- *Community Good Friday Event will be held on Friday, March 29th, 2023.*

e. The route to be traveled, the starting point and the termination point.

- *N/A*

f. The approximate number of persons who, and animals and vehicles which, will constitute the parade; the type of animals, and description of the vehicles.

- *N/A*

g. The hours when the parade will start and terminate.

- *We need South Court Square to be closed from 12pm – 10pm. From 12pm-5pm, we will be getting set up for the event along with the event beginning around 7pm.*
    1. ***This includes both the road itself and the parking spots.***
    2. *We would like to have police assistance in clearing the parking spots along with barricades to help with traffic and the visual closing of the street.*
- *We will need the barricades to be delivered by 10am on the day of. We also plan to place signage around the area along with giving businesses on South Court Street ample notice of the event.*

h. A statement as to whether the parade will occupy all or only a portion of the width of the streets proposed to be traversed.

- *The entire space on above named road will be utilized* ***including parking spots.***

i. The location by streets of any assembly and dispersal areas for the parade.

- *N/A*

j. The time at which units of the parade will begin to assemble at any assembly area or areas and a designation of the assembly area and the dispersal area.

- *N/A*

k. The interval of space to be maintained between units of the parade.

- *N/A*

l. If the parade is designed to be held by, and on behalf of or for, any person other than the applicant, the applicant for the permit shall file with the office of the city business license department a communication in writing from the person proposing to hold the parade, authorizing the applicant to apply for the permit on its, his behalf.

- *N/A*

m. Any expenditure of funds by the applicant or his organization for or on behalf of participants in the parade, the amounts thereof and the names and addresses of to whom paid.

- *N/A*

n. Any additional information which the city business license department shall find reasonably necessary to a fair determination as to whether a permit should issue.

- *N/A*

(3) *Late applications.* The city manager, where good cause is shown therefor, shall have the authority to consider any application under this division which is filed less than ten days before the date the parade is proposed to be conducted.

(4) *Fee.* No fee shall be charged for such permit.

Vinylyte Records LLC

28 South Court Square

Newnan, GA 30263

January 5, 2024

Members of City Council,

I was asked by Jason of Foundation Church, who is addressing you today, to write a letter supporting the closure of South Court Square for their Good Friday Event. Considering the City Of Newnan's willingness to close South Court Square for many other events, I.E Market Days, Rock and Road Festival, etc..., I was quite surprised this letter was even necessary. To avoid any assumption to a conflict of interest it is important to note that I am in no way affiliated with Foundation Church. I have never so much as attended a service there. Having mentioned that, it is impossible to overlook the work they do for the community.

I am the owner of Vinylyte Records located at the corner of Lagrange streets and South Court Square. I am in support of the Closure of South Court Square for the entirety of their Good Friday Event and feel as a City it is the least we could do to show our appreciation for their service to our community. If you have any questions I am able to be contacted at the email provided.

Best Regards,

Jesse Yates

vinylyterecords@gmail.com

To the Newnan City Council,

I am writing in support of Foundation Church's Good Friday event coming up on March 29th, 2024 where they are requesting to close south court square. They will shift parking to other areas of downtown and it will not affect business or traffic flow. As a business owner in downtown for the past 11 years, Foundation Church has always been super supportive of us and sends us customers more than anyone else. We are truly blessed to have such a great church in downtown Newnan that goes above and beyond to not only be different but to be so supportive with the community. Foundation Church always thinks first about its downtown businesses being affected, they also drive people to our restaurant and has always strived to serve downtown merchants in every way as possible. Hopefully this great event for downtown will be approved and be very successful for not only the church but all the merchants downtown.

Thanks,

Chad Smith

Mad Mexican

To: Subject: Jason Walton
Foundation Church / Good Friday / Road Closure

We understand that Foundation Church wishes to again close South Broad Street on Good Friday, March 29, 2024. Our business will not be negatively affected by this street closure.

Parks W. Avery, Jr.
CERTIFIED FINANCIAL PLANNER®, Professional 36 South Court Square, 2nd Floor
Newnan, GA 30263
Tel: 770-683-6603
Fax: 770-825-9240 parks@averyandpope.com www.averyandpope.com

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*Please disregard typos as they are apparently inevitable

Hey Jason, hope all is well.

I wanted to reach out to you and let you (Foundation) know that my business is in complete support of any events you'd like to hold in Downtown Newnan. After seeing the amount of love and support provided to our community over the past few years, I cannot think of any reason why a community partner such as Foundation would receive any push back from business owners. I know that parking is always an issue and always will be. I'd gladly give up a few spaces any time they're needed in order to watch our community grow together.

Thank you all for everything you do for our community! We are all truly better for it and your support, it's time we return that support for many years to come!

I hope to see you in Downtown for Good Friday!

Jason Kanner
Ace Beer Growlers
Cow Eata Meat Co
Southside Safe
Southside Wood Kiln

December 23, 2023

Dear Jason,

It was great talking to you the other day about the Event you and your Church are planning to bring to the Newnan Court Square.

I am excited that this event is a Good Friday Event on the Square Friday, March 29th, 2024. There are a lot of unchurched/unbelievers this day and time and I believe that this event could bring Jesus to downtown. We are disciples and need to spread the Word!

As you know, we are located at 30 S. Court Sq, and we always love having the Events which bring in customers to our Shop.

Thank you for doing what ya'll do for our community and if I can do anything please let me know.

Sincerely,

Jenny Jones

Corner Arts Gallery

30 S. Court Square

Newnan, GA 30263

678-633-5705

Motion to Enter into Executive Session

I move 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

_____

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.

Motion to Adopt Resolution after Adjourning Back into Regular Session

I move that we 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).