

CITY OF NEWNAN, GEORGIA
REGULAR COUNCIL MEETING

NOVEMBER 26, 2024

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, November 26, 2024 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, Jim Thomasson, Rhodes Shell, Cynthia Jenkins, Paul Guillaume and Dustin Koritko. Also present: City Manager, Cleatus Phillips; Assistant City Manager, Hasco Craver; Assistant City Manager, Meg Kelsey; City Clerk, Megan Shea and City Attorney, Brad Sears.

READING OF MINUTES

A. Minutes from the Regular Meeting on November 12, 2024

Motion by Councilman DuBose, seconded by Councilman Koritko to dispense with the reading of the minutes of the Regular Council Meeting on November 12, 2024 and adopt them as presented.

MOTION CARRIED. (7-0)

REPORTS OF BOARDS AND COMMISSIONS

B. 1 Appointment – Bicentennial Committee

Continue to next agenda.

C. 1 Appointment – Christmas Commission, 3-year term

Continue to next agenda.

D. 2 Appointments – Ethics Commission, 2-year terms

Continue to next agenda.

E. 1 Appointment – Keep Newnan Beautiful, 3 year term

Continue to next agenda.

F. 1 Appointment – Urban Redevelopment Agency, interim term

Continue to next agenda.

REPORTS AND COMMUNICATIONS FROM MAYOR

G. 2 Appointments – Coweta County Board of Health

Mayor Brady explained that George Alexander has continued to serve on the Board of Health after resigning his Council seat and it was discovered that the position must be held by an elected official. Then Gloria Barnes who was appointed by the Mayor to serve on the board has resigned. Mayor Brady proposed appointing George Alexander to Gloria Barnes seat on the board.

Motion by Councilman Shell, seconded by Councilman Thomasson to appoint George Alexander to the Coweta County Board of Health.

MOTION CARRIED. (7-0)

Then the Mayor stated that the elected official position on the board will need to be filled, if anyone would like to serve? Councilman Koritko volunteered to serve.

Motion by Councilman Thomasson, seconded by Councilwoman Jenkins to appoint Councilman Koritko to the position.

MOTION CARRIED. (7-0)

Youth Council Attendees

Councilwoman Jenkins introduced the members of the Newnan Youth Council who were in attendance. Corinne Terrell, Lila McDowell, Aarav Kadam and Madi Allen.

NEW BUSINESS

H. Consideration of Request to Demolish a portion of the structure at 17 Augusta Drive

Mayor Brady opened the public hearing.

Bryan Partin, Chief Building Official, stated that this request is for a portion of the building to be torn down, the rest will be rehabbed. John Bynum was present to answer questions. No one spoke for or against the demolition. Mayor Brady closed the public hearing.

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

MOTION CARRIED. (7-0)

I. Consideration of Request to Demolish the structure at 70 Farmer Street

Mayor Brady opened the public hearing.

Mr. Partin stated that this is the old grocery store on Farmer Street and a new structure was recently completed. They want to tear down and turn into parking. No one spoke for or against the demolition. Mayor Brady closed the public hearing.

Motion by Councilman Thomasson, seconded by Mayor Pro Tem Guillaume to approve the request as presented.

MOTION CARRIED. (7-0)

J. Consideration of Request to Demolish the structure at 460 North Hwy 29

Mayor Brady opened the public hearing.

Mr. Partin stated that this is an old residential structure that will not be part of the new development. Travis Robinson was present to answer questions. No one spoke for or against the demolition. Mayor Brady closed the public hearing.

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

MOTION CARRIED. (7-0)

K. Consideration of Request to Demolish the structure at 474 North Hwy 29

Mayor Brady opened the public hearing.

This property is adjacent to the previous property discussed. No one spoke for or against the demolition. Mayor Brady closed the public hearing.

Motion by Councilman Shell, seconded by Mayor Pro Tem Guillaume to approve the request as presented.

MOTION CARRIED. (7-0)

L. Consideration of Request to Extend Lease at 23 Clark St.

Mr. Robert Hancock, with the Artists in Residence program, explained that they have been using the building for 9 of the 10 years in the original agreement due to some rehab that had to be done first. They spent significant money on new siding, roofing and doors. There has been an average of 9 artists a year, not including the pandemic. In the past year there was a Pulitzer Prize winning poet, a painter with work on the front page of Time magazine. All the artists with the program are required to do some public interaction.

Mr. Hancock said they are asking for a 10-year renewal on the lease, and they will keep it in good shape.

Councilman Koritko asked who paid for the repairs that were mentioned? Mr. Hancock said that they did from private sources.

Motion by Councilman Thomasson, seconded by Councilman Shell to approve the lease extension.

MOTION CARRIED. (7-0)

M. Consideration of MEAG Power Purchase of Reserve & Supplemental Capacity from the City of Marietta

Motion by Councilman Shell, seconded by Mayor Pro Tem Guillaume to approve the purchase as presented.

MOTION CARRIED. (7-0)

N. Consideration of Holiday Pay Resolution

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

MOTION CARRIED. (7-0)

O. Consideration of a Resolution to Purchase First Responder PTSD Coverage

Ms. Kelsey explained that the Ashley Wilson Act was discussed in the recent retreat and the need to allocate funds for PTSD coverage for first responders. The coverage must be in effect by January 1, 2025 and GIRMA is offering the coverage. The cost is \$24,953. This has been added to next year's budget.

Councilman Koritko asked if this is something that could be brought in house like with the insurance? Ms. Kelsey said this is new and GIRMA is the only one offering it right now.

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

MOTION CARRIED. (7-0)

P. Consideration of a Resolution for 2025 City Council Meeting Schedule

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

MOTION CARRIED. (7-0)

Q. Consideration of a Contract Award for the HVAC Replacement at the Wesley St. Boys and Girls Club

Mr. Mark Johnston, Facilities Maintenance Manager, was present to answer questions.

Motion by Councilwoman Jenkins, seconded by Mayor Pro Tem Guillaume to grant the contract award as presented.

MOTION CARRIED. (7-0)

R. Consideration of Resolution to Support a Downtown Development Revolving Loan Fund Award

Motion by Councilman Thomasson, seconded by Councilman Shell to approve the resolution as presented.

MOTION CARRIED. (7-0)

S. Consideration of a Resolution Supporting Amicus Brief Change V. City of Milton

Councilwoman Jenkins asked for further explanation on this item. City Attorney explained there was a case where a vehicle driving in the City of Milton struck a planter and was killed. The Judge allowed the case to go to jury and they awarded a \$35 million verdict. The Judge would not let the City of Milton out based on sovereign immunity even though the planter was not in the right of way. The case is on appeal. This is a disconcerting case especially since this was on private property and not City property.

Motion by Councilman Thomasson, seconded by Councilman Koritko to adopt the resolution as presented.

MOTION CARRIED. (7-0)

T. Consideration of a Resolution Adopting a Moratorium on the Acceptance of Occupational Tax Certificates, Site Plans, Grading Plans, Building Plans, Building Land Disturbance Plans, Grading Permits, Variances, Special Exception Use Permit in Certain Zoning Districts on Certain Uses

Mr. Craver explained that this was a Council retreat topic. This moratorium would put licenses on hold for vape shops, car dealerships and extended stay hotels and allow staff and Planning Commission to consider adding location restrictions and other regulations.

Motion by Mayor Pro Tem Guillaume, seconded by Councilman Shell to adopt the resolution as presented.

MOTION CARRIED. (7-0)

U. Request for Authorization to Sell the 100 East Washington St. Lot, Remittance of Proceeds to the City of Newnan, Cancellation of the Note and Security Deed, and Forgiveness of the Unrealized Balance

Gerald Walton, Chairman of the Newnan Urban Redevelopment Agency presented to Council. Mr. Walton explained that Council previously awarded NURA \$150,000 to rehab the property at 100 E. Washington St. Due to structural issues, the existing house was torn down. They only used \$64,055 of the awarded money. The request is to sell 100 E. Washington by competitive sealed bid, proceeds would be given to the City of Newnan and then for the City to cancel the note and security deed attached to the lot and forgive the remaining \$84,945 balance of the awarded money. NURA then wants to use the unrealized balance for other things such as legal fees, construction, lease purchases, and training events. The board voted on this but they would defer to Council on other actions.

Councilwoman Jenkins did not favor selling the property. She stated that land is the hardest to find when dealing with affordable housing. She wanted to look at other options that would keep the lot. She suggested forgiving the loan entirely, dealing with the security deed and allowing NURA to keep the funds to help build a house on the lot. There was already \$4.6 million in congressional funding given for 10 lots to build up to 16 houses so why give away a lot.

Andrew Moody, Special Projects Manager, stated that many of the lots in Chalk Level specifically are not buildable, which is why they got down to the 10 lots for the program and an 11th lot may be of some benefit. The E. Washington Lot is buildable but it is not in Chalk Level so they would need to ask HUD about moving outside of that district.

Mayor Pro Tem Guillaume asked about the total number of buildable lots. Mr. Moody stated that 10 were identified in Chalk Level but they have not looked at other areas to know a full total. Councilman Thomasson asked if the expectation is that whoever buys the lot will build a house on it? Mr. Moody said that Council could attach that restriction to the sale.

Mayor Brady asked what the pressure point was to bring this to Council? Mr. Moody stated that the loan is due and the \$150k is not payable as grant funding cannot be used and that is 90% what NURA operates with. Councilman Thomasson asked if a motion could be made to just forgive the loan and let NURA retain the lot?

Councilwoman Jenkins commented that they have the funding for 3 or 4 more houses coming with the ARPA program, so they have the capability to do far more per year than they are currently. Land banking is essential to affordable housing, it is the key.

Mayor Brady suggested putting this on the next agenda with the option of forgiving the total loan and another agenda item requesting permission to move forward to ask HUD to expand the boundaries.

Motion by Councilwoman Jenkins, seconded by Councilman Thomasson to put this on the next agenda with the second option and HUD expansion.

MOTION CARRIED. (7-0)

UNFINISHED BUSINESS

V. 2nd and Final Reading – Consideration of an Ordinance to Amend the Charter of the City of Newnan, Amending Article II, City Government, Section 2.12 (b), Ordinance Form, Procedure, to Provide for Adoption of Ordinances Upon Introduction.

Motion by Councilman Shell, seconded by Mayor Pro Tem Guillaume to adopt the ordinance as presented. Opposed: Jenkins, Koritko

MOTION CARRIED. (5-2)

W. Consideration of an Ordinance to Amend the Code of Ordinances of the City of Newnan by Amending Sec. 2-32, Introduction, Enactment of Ordinances, of Article II, City Council of Chapter 2, So As to Provide for Adoption of Ordinances Upon Introduction

Motion by Councilman Shell, seconded by Mayor Pro Tem Guillaume to adopt the ordinance as presented. Opposed: Jenkins, Koritko. 2nd and Final Reading 12/10/24.

MOTION CARRIED. (5-2)

X. Consideration of Amendments to Current Facility Use Policy and Fee Schedule

Mr. Craver explained that this was discussed at the recent retreat and Council requested more information, specifically regarding standing agreement users. Staff recommendation is to remove current standing use agreements, open all facilities to rentals, adopt a new fee schedule for the facilities, continue to allow rentals on a first come first serve basis no more than 4 times per month and adopt a hardship exemption. Spreadsheets shown illustrated times when renters did not show up and did not call staff to cancel. Mr. Craver stated that staff is not picking on a particular group or individual but feel that the current policy is not working, and there is less incentive for groups to honor their agreements as they pay nothing.

Councilwoman Jenkins stated that she sees value in keeping the standing use agreements, especially for groups that are serving lots of children and children who don't have access to other programs. She previously worked with the Cobra Foundation and saw hundreds of kids come through, many of whom ended up on Newnan Youth Council as well. She said she would like to evaluate the programs based on need and number of children they serve.

Mr. DeAndre Franklin, founder of the Cobra Foundation spoke. He said he started this in 2006 to give kids something to do, to motivate them and mentor them. He said promises were made by some members of Council and were not kept. He pointed out previous participants from Cobra who now give back and coach. Cobra Foundation has partnered with the City for Easter Egg Hunts and they started a summer program to feed kids. They helped with the SPLOST proposal in 2016 for the Howard Warner improvements. He said he is tired of the kids being swept under the rug and pushed away. He said he is passionate about what he does but he doesn't want to keep fighting for the kids when they are the Cities kids too.

Mayor Pro Tem Guillaume asked when someone is late at a facility, how does that affect staff? Mr. Brent Snodgrass, Leisure Services Director, said that staff shows up to unlock the facilities and they give a 15-minute grace period. There are a few users who have said they will not renew again. Users are also not allowed to sublet their rental. Standing users have an annual contract to fill out and are asked to put down how many participants they will have.

Councilwoman Jenkins stated that limiting groups to 4 times a month is reducing the ability of the groups to serve the kids. You can't run a program one day a week when you are serving a large number of kids. Council discussed what would be considered a hardship. Mayor Brady stated that there are groups such as Cobra who serve more kids, so how do they make that work with the 4 times per month restriction?

Mr. Snodgrass explained that they only started tracking the usage in August. He said there was one group who didn't show up all summer. Staff are seeing sporadic use of the facilities, and they are trying to help other groups be able to use the facilities. Mr. Snodgrass said they get calls weekly asking about availability and when people go to the booking platform they don't see any openings.

Mayor Brady suggested a 3-member committee with himself, Mayor Pro Tem Guillaume and Councilwoman Jenkins to sit with staff and sort through everything then bring it back to Council. He wants to ensure that the groups serving more kids have an opportunity to use the facilities and that the rest of the community can find a time slot too.

Councilman Shell asked about the fee schedule verse the usage. Ms. Kelsey stated that the fee schedules were the next item for consideration and that the facility fees had been removed from that.

Motion by Councilman Thomasson, seconded by Councilman Koritko to suspend this item until January.

MOTION CARRIED. (7-0)

Y. Consideration of a Resolution to Amend Fee Schedule

Ms. Kelsey stated that this was discussed at the Council retreat and some revisions have been made. Facility fees were removed. This would be effective January 1, 2025. Commercial downtown sanitation fees were increased 7% on April 1, 2024 so the suggestion is to increase those 3% on April 1, 2025.

Councilman Koritko asked what the sanitation increase was for the rest of the City and it was 3%. Mr. Craver clarified that two years ago Council approved changing the downtown sanitation fee increase to the consumer price index specifically for commercial garbage and that goes into effect April 1st.

Councilwoman Jenkins said she would not vote for this due to the cemetery fee changes since East View Cemetery still needs improvements. She recalled discussing bringing pricing or an RFP for

the East View improvements back to Council. City Manager stated that they are working on the RFP.

Motion by Councilwoman Jenkins to remove East View Cemetery from the fee list. Motion died from lack of a second.

Motion by Councilman DuBose, seconded by Councilman Guillaume to adopt the resolution as presented. Opposed: Jenkins.

MOTION CARRIED. (6-1)

Z. Consideration of Order and Resolution for Condemnation of Certain Properties for an Intersection Improvement Project

Motion by Councilman Shell, seconded by Mayor Pro Tem Guillaume to adopt the resolution for Parcel 1 as presented.

MOTION CARRIED. (7-0)

Motion by Councilman Shell, seconded by Mayor Pro Tem Guillaume to adopt the resolution for Parcel 2 as presented.

MOTION CARRIED. (7-0)

Motion by Councilman Shell, seconded by Mayor Pro Tem Guillaume to adopt the resolution for Parcel 3 as presented.

MOTION CARRIED. (7-0)

Motion by Councilman Shell, seconded by Mayor Pro Tem Guillaume to adopt the resolution for Parcel 4 as presented.

MOTION CARRIED. (7-0)

AA. Presentation of Cost Estimates for an Alternate Plan for the Intersections of Jackson St./ Jefferson St./ Clark St.

Michael Klahr, City Engineer, stated that Council requested cost estimates at the last meeting on this item. There are 2 options with cost estimates, one with larger signs and lettering at about \$1.33 million and the other is smaller more conventional signs at about \$970,000. The signals would also be controlled by one controller. Once Council makes a recommendation then it goes to GDOT for a signal permit, and they could come back with comments.

Councilman Shell commented that the larger signs are not what people are used to seeing around the City and no one knows the highway numbers. Mayor Brady commented that he does not want to spend the money. Councilman Shell said he thinks it will at least help with the flow. Councilman Thomasson commented that the larger signs might give people more time to decide on what way they are going. Mr. Klahr said the larger signs might not be visually appealing in the historic district.

Mayor Pro Tem Guillaume asked where the funding is coming from? Mr. Craver said SPLOST 2019, there is \$1.5 million budgeted. Mr. Klahr commented that he will come back with a contract for approval.

Motion by Councilman Shell, seconded by Councilman Thomasson to approve moving forward with the smaller sign option. Opposed: Brady and Guillaume.

MOTION CARRIED. (5-2)

VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS

BB. Request for Street Closures on December 14, 2024 from 6am – 10am for Christmas with a Cop

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

MOTION CARRIED. (7-0)

CC. Request to Close North and South Court Sq for Quick Draw Paint Out on March 29, 2025 from 9am – 12pm

Motion by Councilman Thomasson, seconded by Councilman Koritko to approve the request as presented.

MOTION CARRIED. (7-0)

Council Comments

Councilman Thomasson said there is about 700ft on Woodlane Drive with no curb and gutter, on both sides of the road. It affects 5 residents. He asked if Council could direct staff to review this and bring a recommendation back to Council.

Motion by Councilman Shell, seconded by Councilwoman Jenkins to have staff bring back a recommendation on fixing this section of street.

MOTION CARRIED. (7-0)

Mayor Pro Tem Guillaume asked if the process could be started for cleaning up the islands for annexation in the City. This has been previously discussed and he wanted to know if it could be started in 2025? Council did not object to this.

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

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Attorney, for the purpose of discussing legal and real estate 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 8:01PM.

MOTION CARRIED. (7-0)

**Mayor Brady recused himself from one item discussed in Executive Session due to a business conflict.

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. (6-0)

ADJOURNMENT

Motion by Councilman Shell, seconded by Councilman Thomasson to adjourn the Council meeting at 8:26pm.

MOTION CARRIED. (6-0)

Megan Shea, City Clerk

Keith Brady, Mayor