

CITY OF NEWNAN, GEORGIA
REGULAR COUNCIL MEETING

NOVEMBER 22, 2022

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, November 22, 2022 at 6:30 p.m. in the Richard A. Bolin Council Chambers of City Hall with Mayor Keith Brady presiding.

CALL TO ORDER

Mayor Brady called the meeting to order and delivered the invocation.

PRESENT

Mayor Keith Brady: Council members present: Ray DuBose, Rhodes Shell, George Alexander, Cynthia Jenkins, Dustin Koritko and Paul Guillaume. Also present: City Manager, Cleatus Phillips; Assistant City Manager, Hasco Craver; City Clerk, Megan Shea and City Attorney, Brad Sears.

MINUTES – REGULAR COUNCIL MEETING – NOVEMBER 8, 2022

Motion by Mayor Pro Tem DuBose, seconded by Councilman Koritko to dispense with the reading of the minutes of the Regular Council meeting on November 8, 2022 and adopt them as presented.

MOTION CARRIED. (7-0)

NEWNAN YOUTH COUNCIL ATTENDEES

Councilwoman Jenkins introduced the members of the Newnan Youth Council who were in attendance; Belinda Ramirez Ocampo, Alex Allen, Rico Lane, Mary Lois Griffis and Emma Caylor.

BOY SCOUT ATTENDEE

Mayor Brady introduced Weber Behm, a member of Troop 47 with Central Baptist Church. He was attending as a requirement for his communication badge. Chief Blankenship presented him with a Newnan Police Department Challenge Coin and baseball.

APPOINTMENT – CULTURAL ARTS COMMISSION, 3 YEAR TERM

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

APPOINTMENTS – FARMER STREET CEMETERY COMMISSION, 3 YEAR TERMS

Motion by Mayor Brady, seconded by Councilman Alexander to appoint Veda Brooks to the Farmer Street Cemetery Commission.

MOTION CARRIED. (7-0)

Motion by Councilman Guillaume, seconded by Councilman Koritko to appoint John Poulicare to the Farmer Street Cemetery Commission.

MOTION CARRIED. (7-0)

APPOINTMENT – PARKS COMMISSION, 3 YEAR TERM

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

APPOINTMENTS – TREE COMMISSION, 3 YEAR TERMS

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

APPOINTMENT – NEWNAN YOUTH ACTIVITIES, 3 YEAR TERM

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

ANNUAL REPORT – PLANNING COMMISSION

Proctor Smith, Chair of the commission presented the report. He named the members of the commission, all appointed by Council and thanked Council for their careful consideration in appointing members.

Mr. Smith gave an overview of the commission's responsibilities which include making recommendations on rezoning, annexations and text amendments, approving/denying special exceptions and variances and approve certificates of appropriateness in the Downtown and Historic districts. So far in 2022 the majority of what they have had before them are Rezoning (13), Certificates of Appropriateness (7) and Annexations (4). He also gave a look at trends from the last 5 years. Rezoning have doubled what is normally seen. There is a lot going on in the City.

Current trends that the commission is seeing is for the repurposing of cargo containers, requests for townhouses, multi-family projects and mixed-use developments, as well as Certificates of Appropriateness for renovations and new construction in the downtown area.

Potential topics for the future include minimum housing standards for rezoning and annexation requests, addressing parking in the downtown area, establishing minimum percentages for uses within mixed-use developments and finding a balance between single-family and multi-family.

Councilwoman Jenkins asked if the Planning Commission will be generating the annexation plan that was discussed in the Council retreat? City Manager said that staff is gathering data and they will be reporting to Council first. Councilwoman Jenkins then asked if Planning Commission is looking at minimum square footage and how that affects affordability? Mr. Smith said yes, they need to look at that. Affordability issue right now is the perfect storm, with the costs of materials and labor. More people have been pushed out of buying market and into rental market. It can't all be handled with zoning but it is an element.

Councilman Alexander thanked Mr. Smith and complimented him on his tenure with the commission.

Mayor Brady reminded Council that the agenda was amended.

CONSIDERATION OF HOLIDAY PAY RESOLUTION

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

MOTION CARRIED. (7-0)

CONSIDERATION OF MEAG POWER SALE OF EXCESS CAPACITY TO THE CITY OF NEWNAN ON BEHALF OF THE CITY OF MARIETTA

Motion by Mayor Pro Tem DuBose, seconded by Councilman Koritko to approve as presented.

MOTION CARRIED. (7-0)

CONSIDERATION OF MEAG POWER SALE OF EXCESS CAPACITY TO THE CITY OF NEWNAN ON BEHALF OF THE CITY OF SANDERSVILLE

Motion by Councilman Shell, seconded by Councilman Koritko to approve as presented.

MOTION CARRIED. (7-0)

PUBLIC INFORMATION SESSION: CITY OF NEWNAN MUNICIPAL VOTING DISTRICTS

City Manager explained that this process happens every 10 years after the release of the census data. The council districts have to be looked at to ensure there is compliance with the voting rights act. The main thing looked at is there still one person one vote and is there proportionate population balance in each district. In this situation that was not the case as district 1 had a little growth, district 2 had the majority of the growth and district 3 lost a little population.

The majority/minority district which is district 3 also has to be looked at to maintain that strength. The new proposed boundaries for the districts are very similar. Population was taken from district 2 and given to district 3.

This is the 4th public information session, the other 3 were held out in the community. There will be a final public hearing before final adoption of the maps.

EXTERNAL REQUESTS FOR FUNDS UNDER THE AMERICAN RESCUE PLAN ACT (ARPA)

Andrew Moody, ARPA Special Projects Manager stated that these may be the last set of requests. The first request was from Able to Serve, under the other public health category. The request was for \$190,000 for a care program for adults with disabilities, specifically to purchase a vehicle for the program.

Councilman Koritko asked if the request was for 2 drivers and a larger bus for 2 years? Mr. Moody stated that is the request and under the ARPA guidelines there is no section against hiring staff. Councilman Koritko also asked what is the plan after the ARPA funding?

Lori Whitney with Able to Serve addressed the question from Councilman Koritko. She said they are currently running and the problem is that so many people don't have transportation to get to her program. This would help the program grow and be more self-sufficient.

Councilwoman Jenkins asked about the location at 55 Savannah that is referenced? Ms. Whitney said they are doing the night program at that location on Tuesdays.

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

MOTION CARRIED. (7-0)

The second request was from Keith Ross Insurance under the Small Business category established by Council for \$75,000.

Councilman Koritko asked if this was to hire additional staff and what would happen after the ARPA funding? Mr. Moody said yes according to the application it is for additional staff which is allowed under the guidelines. Keith Ross, Owner, stated that he had 3 full time staff members and now he's down to 1 and is looking to grow the business back and employee people in the City.

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

MOTION CARRIED. (7-0)

The third request was from Hope Global in the Economic Impact Assistance Other category. The request had been amended to the amount of \$136,316.80 and this would be for a mentoring program for disadvantaged youth and the housing component had been removed from the application.

Councilman Koritko asked once the ARPA funds are spent then what happens? Luke Ayers, President of Hope Global stated that they are currently running the program with additional staff and volunteers and this would allow them to bring on part-time interns who have graduated college, as full-time employees. Then the mentorship program can be run with volunteers.

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

MOTION CARRIED. (7-0)

The fourth request was from the Newnan Times Herald in the Economic Impact Assistance Other category for \$72,901.92. This would allow them to increase access to local news through website improvements and new engagement opportunities.

Councilman Koritko asked for clarification about expanding internet access and how that would increase resident engagement? Will the rates be lowered?

Beth Neely, Co-Publisher of the paper addressed the question. She explained that by upgrading their internet platform to include SMS messaging and Geo Fencing, people who don't have reliable internet access can sign up for free text messages. A lot of homeless citizens don't have internet but they have phones and this could allow them to opt in for text messaging to notify them about housing on cold nights for example.

Councilman Koritko asked what happens after this? Long-term sustainable? Ms. Neely said they have done a lot of research and looked at papers their size to find the best platform that would sustain and gave the most viable options to the most types of subscribers.

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

MOTION CARRIED. (7-0)

REQUEST TO DEMOLISH CITY OWNED BUILDING AT 34 WALL STREET

Mayor Brady stated that this is one of the amended agenda items.

Bill Stephenson, Chief Building Official explained that there was a fire at this location. This is an old substation that has been used off and on for storage. It did have a fire the other night and the request to demolish is to prevent any future fires, so it's not a hazard. The building has deteriorated.

Councilman Alexander asked the City Manager what the plan is for this property? Mr. Phillips said there are no plans. It has not been used lately, there are dirt floors and was not fit for habitation. The lot is not great for trucks to access. Maybe the use of the property can be discussed at a later date by Council.

Motion by Mayor Pro Tem DuBose, seconded by Councilwoman Jenkins to approve the request to demolish the structure at 34 Wall St.

MOTION CARRIED. (7-0)

CONSIDERATION OF SECOND EXTENSION FOR DISTILLED SPIRITS PACKAGE
STORE LICENSE – 109 BULLSBORO DR.

Rocky Singh, Applicant, Brian Riede and Shane Hamilton were present to provide an update. Funding is in place with United Bank and a contractor has been secured. Mr. Riede said drawings were turned in and since then a few changes were made and they are waiting on the new engineering drawings. Demo permit was pulled and they are ready to get started. Approved signage has been designed and they want to use the existing lighted sign at the road to get a jump on marketing.

Mayor Brady asked the City Attorney if there is a limit on how long the signs can stay up. Mr. Sears stated as long as the can is still up there is no time limit. Councilman Shell asked for an estimated time frame on opening. Mr. Hamilton said 8-9 months from start to finish.

Andrew Williams, a resident of the Bullsboro Crossing housing development expressed a disagreement with this establishment. He expressed concerns regarding the type of building being put up and he asked if consideration was given by Council to allow this type of establishment near housing with children? Mayor Brady said that during the process of looking at the locations all those elements were taken into consideration. As far as the quality of the building, the property is in a Quality Corridor District and those regulations will be imposed.

Councilman Shell said that Council went through the process and that is a commercial area. The housing was put in after that was established as a commercial area. This building will look better than what is there currently.

Motion by Councilman Guillaume, seconded by Councilman Shell to approve a 9-month extension for 109 Bullsboro Drive.

MOTION CARRIED. (7-0)

CONSIDERATION OF AN INTERGOVERNMENTAL AGREEMENT WITH COWETA COUNTY FOR 2023-2032 LOCAL OPTION SALES TAX (LOST) DISTRIBUTION AND 2025 SPLOST DISTRIBUTION

Motion by Councilman Shell, seconded by Councilman Alexander to agree to the documents and the Intergovernmental Agreement.

MOTION CARRIED. (7-0)

PUBLIC HEARING – ZONING ORDINANCE TEXT AMENDMENTS – ARTICLES 10 AND 11, REVISING PROVISIONS PERTAINING TO LEGAL NOTIFICATION TIMELINE FOR QUASI-JUDICIAL ACTIONS

Mayor Brady opened the public hearing.

Dean Smith, Senior Planner, stated that this process started 3 months ago, notifying applicants of the increased time frame. This is required by the State. Planning Commission has recommended approval.

No one spoke for or against. Mayor Brady closed the public hearing.

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

MOTION CARRIED. (7-0)

Motion by Mayor Pro Tem DuBose, seconded by Councilwoman Jenkins to adopt the ordinance amendment as presented.

MOTION CARRIED. (7-0)

PUBLIC HEARING – REZONING REQUEST RZ2022-11, SPRAYBERRY'S BARBEQUE, INC. 1.22 + ACRES AT 30 AMLAJACK BLVD (TAX PARCEL #097-5044-013); REQUESTED CHANGE IN CONDITIONS ON PREVIOUS ANNEXATION/REZONING ORDINANCE- CONSIDERATION OF ORDINANCE

Mayor Brady opened the public hearing.

Dean Smith, Senior Planner, explained that this was previously annexed and rezoned in July. The applicant wants to change one of the conditions, the distance the billboard will be from the property line. They are asking for a reduction of 25 ft from the highway and property line. Planning Commission held a public hearing in October and voted 5-0 to approve, there was no opposition.

No one spoke for or against. Mayor Brady closed the public hearing.

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

MOTION CARRIED. (7-0)

Councilman Alexander asked for clarification on the reduction. Mr. Smith stated it is a reduction from 65 ft to 25 ft on the interstate. The applicant, Donald Sprayberry stated this would be the last change requested and that it would be an electronic billboard on one side and one side static.

Councilman Koritko asked if moving the billboard and having to remove vegetation, would that create an eye sore? Mr. Smith stated that the maximum height allowed is 65 ft and the ordinance states there is a responsibility for maintenance and electronic signs have further regulations. If it not maintained the City Code Enforcement can step in.

Motion by Councilman Shell, seconded by Councilman Guillaume to approve the rezoning.

MOTION CARRIED. (7-0)

PUBLIC HEARING – REZONING REQUEST RZ2022-12; SOUTHERN DEVELOPMENT, LLC, 3.3+ ACRES AT 420 JEFFERSON ST. (TAX PARCEL #N57D-096); FROM RS-15 (SUBURBAN RESIDENTIAL SINGLE-FAMILY DWELLING DISTRICT MEDIUM DENSITY) TO CGN (GENERAL COMMERCIAL DISTRICT) FOR THE PURPOSE OF ESTABLISHING A FOOD SERVICE CONTAINER BUILDING – CONSIDERATION OF ORDINANCE

Mayor Brady explained that a letter was submitted from Joshua Harris at Southern Development, asking for an extension until the second meeting in January 2023. The City Attorney was asked whether the public hearing should be opened and continued or just move the entire item? Mr. Sears said he had discussed this with the Planning Director, Tracy Dunnivant and the issue would be resending letters. There is a 120-day limit for Council to act so that would need to be extended as well.

Mayor Brady asked if anyone was present to speak for or against this item? No one was present for this item. The concern was that people would think the public hearing happened and not realize it was being continued.

Mayor Brady opened the public hearing and asked for a motion to continue the public hearing to the January 24, 2023 meeting.

Councilman Guillaume asked for clarification as to why the applicant is asking for an extension. Mr. Smith stated he may be changing his request.

Motion by Councilwoman Jenkins, seconded by Councilman Shell to continue the public hearing until the January 24, 2023 meeting, extend past the 120-day requirement and instruct staff to re-send letters and re-advertise.

MOTION CARRIED. (7-0)

PUBLIC HEARING – REZONING REQUEST RZ2022-10 BY DANIEL LICHTY ON BEHALF OF MORANNA CONSTRUCTION, INC.; 0.970 ACRES AT 170 LAGRANGE ST. (TAX PARCEL #N28 004B) FROM RS-15 (SUBURBAN RESIDENTIAL SINGLE-FAMILY DWELLING- MEDIUM DENSITY) TO RU-7 (URBAN RESIDENTIAL SINGLE-FAMILY DISTRICT – HIGH DENSITY) – CONSIDERATION OF ORDINANCE

Mayor Brady opened the public hearing.

Tracy Dunnivant, Planning Director, explained that this site was a 6-unit apartment that was destroyed in the tornado. As currently zoned they could do two lots with single-family homes with minimum lot sizes of 15,000 sq ft. The request is to subdivide the property into 3 lots with minimum lot sizes of 7,500 sq ft, however the applicant is showing lot sizes ranging from 16,797 sq ft to 12,492. The lots would require a variance for lot width and street frontage.

Ms. Dunnivant gave an overview of the 8 required standards. Staff felt the proposed use would be suitable in view of zoning and nearby properties and that there would be no adverse impact on nearby properties. Architectural renderings show plans to complement the character of the historic neighborhood. The property could be used as currently zoned.

There would not be an excessive or burdensome use of public facilities and it is compatible with the Comprehensive Plan. As it is currently zoned for 2 homes, the request only adds one additional unit. In summary, Staff found the development met 7 of the 8 standards. Planning Commission voted unanimously to approve the rezoning with the following conditions:

- Homes will be consistent with the character shown in the architectural renderings and certificate of appropriateness will be required for each house.
- Four existing crepe myrtles will be incorporated into the overall design.
- Driveway access will continue to be provided to the 174 Lagrange St. property.
- The lot width and frontage for the three lots will be reduced from 75 to 65 feet as depicted on the concept plan.

Applicant:

Shane Hamilton stated that the main goal is to help with the costs of living and keep the look of the area and help to remove an eye sore.

No one spoke in opposition to the rezoning request.

Councilwoman Jenkins asked what the square footages for the houses are going to be? Ms. Dunnavant stated around 1500, which is the minimum per the zoning designation. Mr. Hamilton said they were open to larger than that.

Councilman Alexander asked about the driveway access and who will be responsible for it? Mr. Hamilton said they would need to figure that out and possibly have an HOA.

Mayor Brady closed the public hearing.

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

MOTION CARRIED. (7-0)

Motion by Councilman Shell, seconded by Councilman Alexander to amend the zoning as requested.

Councilman Koritko asked if there should be a stipulation in the motion regarding the driveway? City Manager said staff has discussed one driveway is possibly a concern and they may want to do individual driveways. Shared driveways cause issues all the time.

Motion was withdrawn.

Councilwoman Jenkins stated that with the curb cuts and driveways the lots will be smaller. She suggested maybe an easement and each owner has to maintain their portion or an association that pays in for maintenance. Mr. Hamilton verified that there would be an HOA established with maintenance for the common driveway. He also verified that the square footage on the plans is 2,500.

Councilman Koritko asked if the driveway would be setback from the property line? Mr. Hamilton stated it's the same entrance that was there from the apartment complex. Councilman Koritko also asked to clarify who is doing the building, Lichy or Moranna. Mr. Hamilton stated Moranna, which is a Lichy company.

Motion by Councilman Shell, seconded by Councilman Alexander to approve the rezoning with the stipulation that the HOA will maintain the driveway.

MOTION CARRIED. (7-0)

25 PINSON ST. – OWNER UPDATE AND REQUEST EXTENSION

Matt Murray, Code Enforcement Officer, stated that this property was a storm damaged property and was given 90-days back in August. The owner is requesting another 90-day extension to complete. About 90% exterior is completed but interior still needs to be done. Motion by Councilwoman Jenkins, seconded by Councilman Alexander to approve a 90-day extension.

MOTION CARRIED. (7-0)

PUBLIC HEARING – 33 RAY ST. – RESOLUTION TO REPAIR OR DEMOLISH

Mayor Brady opened the public hearing.

Matt Murray, Code Enforcement Officer, stated that this property has been on the radar for a while. The property was sold last September and work was started but with no permits so a stop work order was issued. Jordan Davies is the current owner and said he was hiring a new contractor. The last communication was that the bank was not working with him and the property was going back to the bank. The property is an eye sore and a hazard to public safety and health in the neighborhood. The request is for a 45-day resolution to repair or demolish. Council discussed 30 days or 45 days and if staff could check that it is secured.

No one spoke and Mayor Brady closed the public hearing.

Motion by Councilman Alexander, seconded by Councilman Guillaume to adopt the resolution for 30 days to repair or demolish 33 Ray St.

MOTION CARRIED. (7-0)

PUBLIC HEARING – 4 WESTGATE PARK DR. – RESOLUTION TO REPAIR OR DEMOLISH

Mayor Brady opened a public hearing.

Matt Murray explained that this property suffered fire damage on August 1st. The property seems to be a total loss and repairs would cost more than 50% of the assessed value. The owner, Willie Joe Smith was contacted but he did not respond. A contractor working for Mr. Smith contacted the Building department last week for a demo permit.

Mr. Smith was present and said he does want to rebuild. His contractor was also present.

No one spoke and Mayor Brady closed the public hearing.

Councilman Koritko asked for a timeline to rebuild? The contractor stated 2-3 months.

Motion by Councilman Shell, seconded by Councilman Guillaume to adopt the resolution for 30 days to repair or demolish 4 Westgate Park Drive.

MOTION CARRIED. (7-0)

REQUEST FROM NEW SOUTH CONSTRUCTION AND COWETA COUNTY FOR
TEMPORARY NOISE ORDER VARIANCE FOR POURING CONCRETE ON
DECEMBER 6, 2022

Mayor Brady stated this was the second amended agenda item. This is a continuous pour situation as was done before with Newnan High School.

Councilman Alexander asked about putting out signs, letting residents know. City Manager stated that yes, the contractor and Coweta County would be asked to do that. Councilwoman Jenkins also asked about using different noises as night, which she had asked of the pouring at the high school as well.

Motion by Councilman Guillaume, seconded by Councilman Shell to grant the variance request as presented.

MOTION CARRIED. (7-0)

ADJOURNMENT

Motion by Councilman Shell, seconded by Councilman Guillaume to adjourn the Council meeting at 7:59pm.

MOTION CARRIED. (7-0)

Megan Shea, City Clerk

Keith Brady, Mayor