

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

**JULY 20, 2021**

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The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, July 20, 2021 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: George Alexander; Ray DuBose, Cynthia Jenkins, Paul Guillaume and Dustin Koritko; Absent- Rhodes Shell. Also present: City Manager, Cleatus Phillips; City Clerk, Megan Shea; Planning Director, Tracy Dunnavant; Chief Building Official, Bill Stephenson; and City Attorney, Brad Sears.

**MINUTES – REGULAR COUNCIL MEETING – JUNE 15, 2021**

Motion by Councilman DuBose, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council meeting on June 15, 2021 and adopt them as presented.

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

**APPOINTMENTS- CONVENTION CENTER AUTHORITY, 3 YEAR TERM**

Motion by Councilman Koritko, seconded by Councilman Guillaume to reappoint Krista Frost for another term.

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

**APPOINTMENTS- CULTURAL ARTS COMMISSION, 3 YEAR TERM**

Motion by Councilman DuBose, seconded by Councilman Alexander to accept the resignation of Mandy Barrett and to appoint Doug Kees to the Cultural Arts Commission.

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

Mayor Brady asked the City Manager to place Councilman Guillaume's appointment to the Cultural Arts Commission on the agenda for the next meeting.

Motion by Councilman Koritko, seconded by Councilwoman Jenkins to reappoint Brenda Jessel for another term.

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

**APPOINTMENTS- KEEP NEWNAN BEAUTIFUL, 3 YEAR TERM**

Mayor Brady asked the City Manager to place Mayor Pro Tem Shell's appointment to Keep Newnan Beautiful on the agenda for the next meeting.

Motion by Councilman Koritko, seconded by Councilman Alexander to reappoint Bill Boyd for another term.

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

**DDA RECOMMENDATION- CITY COUNCIL TO CONSIDER ORDINANCE**  
**AMENDMENT TO ALLOW RETAIL ALCOHOL LICENSE HOLDERS TO HOST**  
**TASTING EVENTS**

Councilman DuBose, Chairman of the Downtown Development Authority explained that several merchants in downtown hold wine tastings in conjunction with other events. The DDA wanted to recommend that this be made permissible.

City Manager stated that he also thinks it's a good idea. He has looked at other communities and how they regulate tastings or samplings. He thinks we should consider this city wide and not just downtown as there are other areas such as Ashley Park that would want to take advantage of this.

Motion by Councilman DuBose, seconded by Councilman Alexander to instruct staff to bring back an amendment to the ordinance to be voted on.

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

**RETIREMENT BOARD- 3 APPOINTMENTS**

City Manager explained that he has 3 nominations for the retirement board that he wanted to put forward. The first is the reappointment of Ray Norton, Public Works Director. The second was Battalion Chief, Damon Rosser. Third will be an interim appointment as we are currently searching for a new HR Director who does serve as the Pension Secretary. For now, Nanette Miller is serving in that capacity and is being nominated for the board.

Motion by Councilman Alexander, seconded by Councilwoman Jenkins to accept the appointments as presented by the City Manager.

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

**PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – CRACKER BARREL**

Mayor Brady open a public hearing on the application for a Retail On Premise (Pouring) Sales of Malt Beverages and Wine License for Cracker Barrel Old Country Store Inc. dba Cracker Barrel, 527 Bullsboro Drive.

A representative of applicant was present for the hearing. No one spoke for or against the application. Mayor Brady closed the public hearing. The City Clerk advised that all the documentation had been received and everything was in order.

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

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

**PUBLIC HEARING- 2021 UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT, INCLUDING 2021 UPDATE TO THE SHORT-TERM WORK PROGRAM**

Mayor Brady opened the public hearing.

Chris Cole, Planner explained that this is to inform the public of the City's completion and intent to adopt an update to the Capital Improvements Element including the Short-Term Work Program. All local governments that utilize an impact fee system must include CIE in their comprehensive plans and must update them annually. A public hearing must be held prior to the transmittal of the updates. Transmittal to Three Rivers Regional Commission and Department of Community Affairs will be on the August 24<sup>th</sup> City Council agenda. Once Three Rivers and DCA approve the updates then Council will be asked to adopt them.

Mayor Brady closed the public hearing.

**CONSIDERATION OF DIRECTING STAFF TO RELEASE REQUEST FOR PROPOSALS FOR THE ABATEMENT AND DEMOLITION OF FACILITIES AT 57 E. BROAD ST.**

City Manager explained that since the City acquired this property there has been a lot of environmental due diligence. This is a request to authorize staff to prepare an RFP, seeking proposals to preform the demolition of all structures with the exception of the façade of the original building and also soliciting proposals to abate the property.

The proposals will be reviewed and then brought back to council for consideration. There are estimates showing abatement may be in the \$700-800,000 range and possibly as much for the demo. We are looking at potentially \$1.6- \$2 million.

Councilwoman Jenkins asked about taking down the historical building due to contamination. City Manager explained that the issue is that soil contamination was identified directly under the foundation of the building. That would make abatement very

costly. Some initial estimates a few years ago, price per square foot to renovate was \$600/ft to remodel. In the demolition process we should be selective in saving timber, certain artifacts, saving certain things from the building to reuse them.

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

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

**CONSIDERATION OF RESOLUTION TO AMEND THE 2021 PAY PLAN**

City Manager explained that the pay plan is considered at the beginning of the year and there have been some mid-year changes. There have been 3 changes. After the Tornado, we separated the title of City Engineer and Public Works Director. We recently hired a program manager for ARPA. We also separated out Municipal Court and now have a Municipal Court Clerk Manager. Two of those positions report to the City Manager and the ARPA position reports to the Assistant City Manager. All changes are within the allocations of the 2020-2021 budget.

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

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

**CONSIDERATION OF AN ORDINANCE TO AMEND SECTION 3-25, CONSUMPTION AND SALES ON PUBLIC PROPERTY AND SECTION 3-67, GROWLERS, OF CHAPTER 3 ALCOHOLIC BEVERAGES OF THE CODE OF ORDINANCES**

City Manager stated the during COVID there were some temporary responses to help the downtown businesses. One was an open container district and another was allowing growler businesses to participate in that. This was extended once by City Council and the temporary ordinance does expire at the end of this month. This ordinance would make those two things permanent.

Councilman Koritko brought attention to a small typo in the ordinance, page 2, section 5. Exception was noted.

Councilman Koritko then asked where it states the hours are from 12 noon to 12 midnight, how does that work on Saturdays? Do they have to stop at 11:59pm before it becomes Sunday? City Attorney explained that the ordinance actually says serving establishments can stay open until 2am on Saturdays. This is how it was worded in the temporary ordinance.

Motion by Councilman Guillaume, seconded by Councilman DuBose to adopt the ordinance as presented. 2<sup>nd</sup> and Final Reading next agenda.

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

**CONSIDERATION OF ORDINANCE TO REGULATE THE SALE OF DISTILLED SPIRITS**

Mayor Brady explained that this could not be voted on but that there are questions. Council can ask questions so staff can answer and there won't be a vote on this item as it will be on a later agenda. There will not be a call for a vote on this.

Councilwoman Jenkins asked about the protections in neighborhoods? It does not address not having the liquor stores in neighborhoods. The City Manager explained that they are only permissible in certain zoning districts, they will not be permissible in residential districts or even certain community commercial districts. The question then is adding a minimum distance to the ordinance. City Attorney stated you can add any distance requirement that Council may want. He also cautioned that it needs to be carefully defined as some of the downtown areas will be closer to residential than other areas outside of the downtown. City Manager also mentioned being careful around Ashley Park as that will probably be a hot spot and residential has been approved there as well.

Councilman Alexander agreed that certain areas are of concern with residential. For example, chalk level there is an area where a liquor store could go in and it's right next to residential.

Councilman Koritko also had the concern of residential but also questioned the number of licenses being issued. He feels 4 is a lot and maybe we look at reducing that to only 2 or 3. He further asked that the wording of the ordinance that mentions no person or entity shall hold more than one license, he would like that strongly crafted so no one can get around that.

The City Attorney addressed the question about number of licenses. He stated that number can be set at whatever council may want. Staff looked at several ordinances and they picked 10,000 residents per license which is large, many other places were only 5,000. In doing research the two commonalities were either 1 per 5,000 or no limit at all.

Councilman Koritko then asked about the 300,000-inventory stipulation and is that adequate? City Manager stated that again that was what was found in the research, averages that were found in other ordinances.

Mayor Brady stated that during the next few weeks everyone should reach out to staff with questions or concerns as this will be on the next agenda again. The public can also reach out to the staff with comments or questions. This is a very important piece of legislation that will be put before the public for vote.

**CONSIDERATION OF MEAG CONTRACT APPROVAL FOR PURCHASE OF ENERGY FROM SOLAR PROJECT**

Jeff Phillips from Newnan Utilities was present for any questions. There was an extensive evaluation process with this request to purchase 10 megawatts of power.

Motion by Councilman DuBose, seconded by Councilwoman Jenkins to approve contracts.

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

**CONSIDERATION OF AN UPDATE TO THE CITY OF NEWNAN'S CODE OF ORDINANCES IN REGARDS TO ADDING TWO ADDITIONAL PERMISSIVE CODES AS ADOPTED AND AMENDED BY THE STATE OF GEORGIA DCA**

Motion by Councilman Alexander, seconded by Councilman Guillaume to adopt the ordinance as presented. 2<sup>nd</sup> and Final reading next agenda.

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

**2<sup>nd</sup> AND FINAL READING- ORDINANCE TO AMEND THE 2020 BUDGET FOR SPECIAL REVENUE FUNDS**

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

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

**CONSIDERATION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN COWETA COUNTY AND THE CITY OF NEWNAN, RELATING TO MASTER PLANNING AND POTENTIAL REDEVELOPMENT OF CERTAIN BLOCKS OF THE EASTSIDE OF DOWNTOWN**

This was on the agenda last time and it was voted on for 3 people to be on this group. The County came back and said they can't have 3 as that would give them a quorum. The County has appointed Bob Blackburn and Al Smith.

Councilwoman Jenkins thought since the issue is the County's quorum and not the City's that we could propose to them that they have 2 and we have 3. She reached out to them but was not able to reach Mr. Blackburn.

Councilman Alexander expressed his desire to be part of the planning group and he and Councilwoman Jenkins both discussed their qualifications in being part of this group.

Mayor Brady decided to withdrawal and place Councilman Alexander and Councilwoman Jenkins names forward as the two who will represent the City on this group.

**CONSIDERATION OF ADOPTING SECTION 3 POLICIES AND TWO RESOLUTIONS ASSOCIATED WITH THE FY2021 COMMUNITY HOME INVESTMENT PROGRAM (CHIP) GRANT AWARD REGARDING PROGRAM DESIGN, POLICIES/PROCEDURES, HOMEOWNER ELIGIBILITY AND REHABILITATION STANDARDS**

Councilman Koritko commented that these grants could apply to other areas, not just chalk level, in the future when we apply for these grants.

Motion by Councilwoman Jenkins, seconded by Councilman Koritko to adopt section 3 policies and the resolutions as presented.

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

**PUBLIC HEARING FOR THE CITY OF NEWNAN'S COMPREHENSIVE PLAN UPDATE 2021-2041, SECOND OF TWO TO BE HELD**

Mayor Brady stated that the full comprehensive plan is available on the city's website. The City has gone through an extensive process to get to this point and council appreciates the hard work of staff and the input of the citizens, both city and county.

Chris Cole, Planner explained that per the minimum standards of the planning process there must be two public hearings held. The first public hearing was held February 9, 2021. The purpose of this second hearing is to brief the public on the contents of the comprehensive plan and provide an opportunity for the community to comment. Final approval will be sought at the August 24, 2021 City Council Meeting for the comp plan to be submitted to the Three Rivers Regional Commission and Georgia Department of Community Affairs. Then City Council will be asked to adopt the comp plan at one of their meetings in October.

Mr. Cole wanted to emphasize that comments can be taken up until the comp plan is transmitted. He explained that staff is very proud of the efforts that went into the public participation component of this process. This included emails, popup events, zoom meeting, a dedicated website, surveys and a steering committee.

Mr. Cole highlighted parts of the future land use map. It was noticed that the map had become a zoning map and they really wanted it to show the vision over the next 20 years so there were some new categories added. The new categories include Historic Neighborhood, Built Community, Planned Development, Emerging Suburban and Emerging Missing Middle residential. Another new category is Business Office, land dedicated to non-industrial employment generators. Mixed Use is also a new category, the Steering Committee had a large part in helping to label some vacant tracks as mixed use.

Redevelopment opportunity areas were looked at a lot with management to really redefine them. These areas are defined as to spur additional growth, by allowing disinvested areas to be repurposed as livable, economically productive centers for business and social activity. This looks to convert older uses to new uses.

Mayor Brady said he appreciates staff and the community response and input, it's been tremendous. He asked Council to have a work session on this document. That meeting will be open to the public, during the evening and be interactive.

Mayor Brady closed the public hearing and he asked the City manager to schedule a date for the work session and give notice to the newspaper.

**PUBLIC HEARING- 62 MURRAY ST- RESOLUTION TO REPAIR OR DEMOLISH**

Matt Murray, Code Enforcement, explained this property had a fire in January 2020 and the cost to repair the structure exceeds 50% of the assessed value and the house has been vacant. Building department feels there is some urgency due to the location of this property, close to the new LINC trail and park. Property was sold last summer to A & C Renovations and they did complete some internal renovation but nothing more.

Mr. Matthew Cawthon, managing partner with A & C Renovations was present. He explained that within 6-8 months they plan to completely renovate the house to a single-family dwelling. Mayor Brady then suggested a 180-day time frame and explained that Mr. Murray will report back periodically to Council on milestones that are being met. Mr. Cawthon asked if the 180 days is to complete the entire project. Mayor Brady explained that as long as they can show progress they can come back and ask for an extension.

Mayor Brady closed the public hearing.

Motion by Councilman Alexander, seconded by Councilman Koritko to adopt the resolution, directing the property owner to repair or demolish within 180 days.

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

**PUBLIC HEARING- 29 WESTGATE PARK LN- RESOLUTION TO REPAIR OR DEMOLISH**

Mayor Brady opened the public hearing for 29 Westgate Park Ln.

Matt Murray, Code Enforcement, explained this property was damaged in spring of 2020 from a storm. Property has been sold several times. Cost to repair does exceed 50% assessed value. There have been complaints from neighbors.

Keirston Stepp came forward, she is the current owner. She explained that she plans to demo in the next 30-45 days and then rebuild within 4 months. Mayor Brady suggested a 60-day time frame, as long as the demolish part has happened then the resolution goes away.

Mayor Brady closed the public hearing.

Motion by Councilwoman Jenkins, seconded by Councilman Koritko to adopt the resolution, directing the property owner to repair or demolish within 60 days.

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



**REQUEST FROM NEWNAN JUNIOR SERVICE LEAGUE TO HOST THEIR ANNUAL  
CAN-A-THON ON THE SQUARE ON TUESDAY, NOVEMBER 30<sup>TH</sup>**

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

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

**OFF AGENDA ITEM**

Kristi Fenniger from First Baptist Church requested to close Brown St. between Madison St. and Washington St. on August 5<sup>th</sup> from 8am-12pm. Mayor Brady explained that this was off agenda due to the request not being submitted in time for the meeting.

Motion by Councilman Alexander, seconded by Councilman Koritko to approve the request.

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

**ADJOURNMENT**

Motion by Councilman Guillaume, seconded by Councilman Koritko to adjourn the Council meeting at 7:25pm.

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

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Megan Shea, City Clerk

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Keith Brady, Mayor