

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, December 14, 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: Rhodes Shell, George Alexander; Ray DuBose, Cynthia Jenkins, Paul Guillaume and Dustin Koritko. 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 23, 2021

Motion by Councilman DuBose, seconded by Councilman Koritko to dispense with the reading of the minutes of the Regular Council meeting on November 23, 2021 and adopt them as presented.

MOTION CARRIED. (7-0)

APPOINTMENT- KEEP NEWNAN BEAUTIFUL, 3 YEAR TERM

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

CITY ATTORNEY

City Attorney requested a change to the order of agenda items. Item G needs to be swapped with Item H, hearing for alcohol revocation for Race Trac needs to be held before the hearing on the license change.

Motion by Councilman Koritko, seconded by Councilwoman Jenkins to amend the agenda and swap items G and H.

MOTION CARRIED. (7-0)

Mayor Brady opened a public hearing on all alcohol beverage license items, items C, D and E. Item F was withdrawn by the applicant. Representatives for all 3 licenses were present and the City Clerk verified that all documents were in order. Mayor Brady closed the public hearings after no one spoke for or against the applications and then the motions were made.

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – CEVICHERIA 05, LLC

An application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for Cevicheria 05, LLC, 1111 Lower Fayetteville Rd. Ste 300.

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

MOTION CARRIED. (7-0)

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – EXCLUSIVE 004, INC DBA CHEVRON

An application for a Retail On Premise (Package) Sales of Malt Beverages and Wine License for Exclusive 004, Inc dba Chevron, 24 Bullsboro Dr.

Motion by Mayor Pro Tem Shell, seconded by Councilman Koritko to approve the application for a Retail On Premise (Package) Sales Malt Beverages and Wine License.

MOTION CARRIED. (7-0)

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – RED ROBIN

An application for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for Red Robin, 202 Newnan Crossing Bypass.

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

MOTION CARRIED. (7-0)

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – WAYPOINT WATERCREST, SL, LLC

Application withdrawn.

HEARING REGARDING CITY OF NEWNAN CODE OF ORDINANCES, ARTICLE V, SECTION 3-110, ALCOHOLIC BEVERAGES, ACTION FOR SUSPENSION OR REVOCATION OF BEVERAGE LICENSE #B-7150 RACE TRAC PETROLEUM DBA RACE TRAC; SUSAN AVIES, LICENSEE

City Attorney explained that the change to the license representative was already in the works. He introduced Kyle Baker, representation for Race Trac at 2901 Newnan Crossing

Blvd. Deputy Smith was not present to testify but an employee did on July 23, 2021 at 11:48pm sell alcohol to an underage Deputy of the Coweta County Sheriff's Department. Deputy Smith had filmed the transactions at the time, no drivers license was asked for during the sale.

Kyle Baker with Taylor English spoke. He stated that Kortney Lasocha (General Manager) and Nicole Heller (new proposed licensee) were present. The current licensee, Susan Avies was not present due to illness. Mr. Baker explained that there is no contest to what occurred. The employee was in good standing and had no prior history of underage sales. Race Trac investigated and then terminated the employee per their policies.

Race Trac already had policies in place prior to this incident, prohibiting sales to underage people and intoxicated people. Employees are tested on these policies and required to attending training, signed copies are kept on file and all employees are re-trained quarterly. This location then took additional steps after the incident and now has an ID everyone policy. They have also implemented a customer mystery shop program, if customer is not asked for ID and they notify management they will receive a free drink.

Motion by Councilman Guillaume, seconded by Councilman Alexander for one-week license suspension and 3-month probation.

MOTION CARRIED. (7-0)

Motion by Councilman Alexander, seconded by Councilman Guillaume for week suspension to begin Thursday (12/16/21) and end the following Thursday (12/23/21).

MOTION CARRIED. (7-0)

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – RACE TRAC

Mayor Brady open a public hearing on the application for a Retail On Premise (Package) Sales of Malt Beverages and Wine License for Race Trac, Inc dba Race Trac, 2901 Newnan Crossing Blvd.

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

MOTION CARRIED. (7-0)

**NEWNAN POLICE DEPARTMENT AWARDED THE STATE OF GEORGIA
CERTIFICATION BY THE GEORGIA ASSOCIATION OF CHIEFS OF POLICE**

Chuck Grover with the Georgia Association of Chiefs of Police, coordinator of Certification Program, wanted to recognize the Newnan Police Department for their recertification. The department has chosen to meet 141 standards set by the State. These standards help them be the best they can be. Mr. Grover presented a plaque to Police Chief Blankenship.

Mr. Grover then recognized Sgt. Brian Hodges for leading this program, to make sure the department got recertified. Sgt. Hodges was presented with a Certificate of Appreciation for his dedication to the program as the program manager.

RECOGNIZE THE 2021 NEWNAN CITIZEN ACADEMY GRADUATES

Assistant City Manager asked the graduates to stand to be recognized. There were 16 participants this year with 11 course programs, totaling 37 hours.

Mayor Brady thanked the graduates and expressed his appreciation for their participation and willingness to learn more about the City. He hopes they will continue to want to be engaged with the City.

PUBLIC HEARING- ZONING REGULATIONS TEXT AMENDMENTS, ARTICLES 2 & 13

Mayor Brady opened the public hearing.

Dean Smith, Planner, explained that the purpose of these amendments is to bring zoning regulations in sync with the code of ordinances previously adopted regarding the retail sale of distilled spirits. These amendments will allow with restrictions the retail sale of distilled spirits within the 3 approved zoning designations and define what the retail sale of distilled spirits means.

Mayor Brady closed the public hearing.

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

MOTION CARRIED. (7-0)

**PUBLIC HEARING- REQUEST BY OWNER TO DEMOLISH STRUCTURE AT 197
GREENVILLE STREET**

Mayor Brady opened a public hearing.

Bill Stephenson, Chief Building Official explained that this building was built in 1957. It is valued at \$24,273 and is not within a historic district. The owner of the property was present.

Mayor Brady closed the public hearing.

Councilman Koritko asked the owner what his intention is with the property. Owner, Kevin Jolly stated he has had general contractors assess it and was told it would cost more to remodel then to demo and start from scratch.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Shell to approve the demolition of 197 Greenville St.

MOTION CARRIED. (7-0)

CONSIDERATION OF A CONTRACT MODIFICATION FOR PROFESSIONAL CONSULTING SERVICES FOR DISASTER RECOVERY AND FEMA PUBLIC ASSISTANCE CONTRACT WITH GOODWYN, MILLS AND CAWOOD

Ray Norton, Public Works Director explained the purpose of this is to utilize NRCS and funds received from them. This will be to clean the streams in the areas impacted by the tornado.

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

MOTION CARRIED. (7-0)

CONSIDERATION OF AN AMENDMENT TO AN EXISTING AGREEMENT FOR STORM RELATED EMERGENCY CONCRETE REPAIR SERVICES

Ray Norton, Public Works Director explained that when the first contract was put in place for concrete repairs, the magnitude of the work was not known. Now that debris has been removed it has been determined that the cost will exceed what was originally done.

Councilman Guillaume asked about the unit pricing. Mr. Norton explained that the original contract was unit pricing then after going through with FEMA, they helped assign numbers for everything.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Shell to amend the agreement as presented.

MOTION CARRIED. (7-0)

**CONSIDERATION OF FIRST AMENDMENT TO AN INTERGOVERNMENTAL
GOVERNMENT AGREEMENT WITH COWETA COUNTY AND EXPLORE NEWNAN-
COWETA, INC.**

Mayor Brady explained that this to clean up the intergovernmental agreement and recognize that the County will be dissolving their visitor's bureau, removing them from that role.

Motion by Councilman DuBose, seconded by Councilman Alexander to approve the amendment as presented.

MOTION CARRIED. (7-0)

**202 GREENVILLE ST. – REQUEST A PUBLIC HEARING ON JANUARY 25, 2022 FOR
STRUCTURE**

Matt Murray, Code Enforcement, explained that this is to address a substandard and unsafe property.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Shell to schedule the public hearing.

MOTION CARRIED. (7-0)

**AUTHORIZATION TO ENTER INTO EASEMENT AGREEMENT BETWEEN THE CITY
OF NEWNAN AND THE OWNER OF 22 WOODLAND PLACE**

City Manager explained this is to authorize staff to prepare the easement agreement. The lots are tight and when they were graded there was some utilization of cemetery property. The owner has requested the easement. If the cemetery is further developed this would already create a buffer.

Motion by Mayor Pro Tem Shell, seconded by Councilman Alexander to authorize the agreement as presented.

MOTION CARRIED. (7-0)

**CONSIDERATION OF AN INTERGOVERNMENTAL AGREEMENT WITH COWETA
COUNTY ASSOCIATED WITH LOWER FAYETTEVILLE ROAD PROJECT**

Michael Klahr, City Engineer, stated this is another piece to the TIP solicitation, to show cooperation since the work will be in more than one jurisdiction. This agreement explains how we will share the costs for design and construction with Coweta County and who is responsible when the road is open to traffic.

Motion by Mayor Pro Tem Shell, seconded by Councilman DuBose to approve the agreement as presented.

MOTION CARRIED. (7-0)

CONSIDERATION TO AUTHORIZE STAFF TO ISSUE REQUEST FOR QUALIFICATIONS (RFQ) TO IDENTIFY A QUALIFIED DEVELOPMENT PARTNER FOR 57 E. BROAD ST. REDEVELOPMENT

Assistant City Manager explained this is to find a partner to not only help refine the master plan but also to assist us in the process with Nelson. The conceptual design is a guiding document, it's not finalized.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Shell to authorize staff to proceed with the RFQ.

MOTION CARRIED. (7-0)

APPLICANT REQUEST TO CONTINUE TO JANUARY 25, 2022 CITY COUNCIL MEETING; CONTINUATION OF PUBLIC HEARING- ANNEXATION REQUEST FOR ANNEX2021-01 BY POPLAR 20-20, LLC; 42.20 + ACRES ON POPLAR ROAD

Motion by Councilman DuBose, seconded by Mayor Pro Tem Shell to grant the applicant request and continue to the January 25, 2022 meeting.

MOTION CARRIED. (7-0)

ADJOURNMENT

Motion by Councilman Alexander, seconded by Mayor Pro Tem Shell to adjourn the Council meeting at 7:14pm.

MOTION CARRIED. (7-0)

Megan Shea, City Clerk

Keith Brady, Mayor