

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, December 13, 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 22, 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 22, 2022 and adopt them as presented.

**MOTION CARRIED. (7-0)**

**APPOINTMENT – CULTURAL ARTS COMMISSION, 3 YEAR TERM**

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

**APPOINTMENT – PARKS COMMISSION, 3 YEAR TERM**

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

**APPOINTMENTS – TREE COMMISSION, 3 YEAR TERMS**

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

**APPOINTMENT – NEWNAN YOUTH ACTIVITIES, 3 YEAR TERM**

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

**PUBLIC HEARINGS FOR ALCOHOL BEVERAGE LICENSES**

Mayor Brady opened one public hearing for Items F-K, all applications for Alcohol Beverage License. He read out each one and asked if a representative was present.

F. La Hacienda, 941 Bullsboro Dr. Reason- personnel. Representative was present.

G. Race Trac #2573, 2901 Newnan Crossing Blvd E. Reason- personnel. Representative was present.

H. Red Lobster #895, 990 Bullsboro Dr. Reason – personnel. Representative was present.

I. Hooters of Newnan, 1001 Bullsboro Dr. Reason – personnel. Representative was present.

J. La Parrilla, 222 Newnan Bypass. Reason – personnel. Representative was present.

K. Mama Lucia's, 80 Newnan Station Dr. Stes I-K. Reason – location change. Representative was present.

No one spoke on any of the applications. Mayor Brady closed the public hearing and asked for one motion to approve all 6 licenses.

Motion by Councilman Shell, seconded by Councilman Guillaume to approve all 6 applications for alcohol beverage license.

**MOTION CARRIED. (7-0)**

**CONSIDERATION OF RESOLUTION FOR 2023 CITY COUNCIL MEETING SCHEDULE**

Mayor Brady explained that a change was needed for the dates in November. The proposed dates were the 1<sup>st</sup> and 3<sup>rd</sup> Tuesday not the 2<sup>nd</sup> and 4<sup>th</sup>. November dates will be 14<sup>th</sup> and 28<sup>th</sup>.

Motion by Councilman Guillaume, seconded by Councilman Koritko to adopt the resolution with amended November dates.

**MOTION CARRIED. (7-0)**

**CONSIDERATION OF AMENDMENT TO MEAG SOLAR AGREEMENT**

Mayor Brady stated that the solar agreement was signed earlier in the year. Due to changes in the industry an amendment is needed, changing the pricing and duration.

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

**MOTION CARRIED. (7-0)**

**CONSIDERATION TO PURCHASE HEAVY-DUTY RESCUE UNIT AND A SUTPHEN HEAVY-DUTY CUSTOM PUMPER TRUCK USING THE HGAC CO-OP METHOD**

Stephen Brown, Fire Chief, stated that the request is for a heavy-duty aerial platform and rescue unit for Station 2. There is about a two-year build time. Councilman DuBose asked how long do these types of equipment last? Chief Brown stated 12-15 years is typical.

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

**MOTION CARRIED. (7-0)**

**CONSIDERATION OF GUARANTEED MAXIMUM PRICE (GMP) CONTRACT AMENDMENT FOR THE REDEVELOPMENT OF THE FIRE TRAINING FACILITY, AND ASSOCIATED BUDGET**

Hasco Craver, Assistant City Manager, explained that a contract was awarded to New South Construction. Also, the advance purchase of a burn building was already approved. This is to help finalize the process and allow the contractor to proceed.

Motion by Councilman Guillaume, seconded by Councilwoman Jenkins to approve the contract and associated budget as presented.

**MOTION CARRIED. (7-0)**

**CONSIDERATION OF CONTRACT AWARD FOR LINC I-85 PEDESTRIAN BRIDGE SLOPE REPAIR**

Hasco Craver, Assistant City Manager stated that upon construction of the bridge the city assumed responsibility for routine inspection. A few minor issues were found and some erosion. Lewallen Construction came in to place temporary measures to prevent further erosion. The slope repair presented will provide permanent solution to the erosion. Bids were solicited for the repairs and staff proposes to award the contract to Lewallen Construction at a cost of \$67,900, using 2019 SPLOST funds.

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

**MOTION CARRIED. (7-0)**

**FACILITIES LEASE AGREEMENT BETWEEN THE CITY OF NEWNAN AND THE AFRICAN AMERICAN ALLIANCE, INC.**

Hasco Craver, Assistant City Manager, explained that this agreement is for the African American Alliance to re-enter the "Shotgun House" at 92 Farmer St. The City Attorney has reviewed the lease and staff has met with members of the alliance. The terms of the lease length have not been decided on and staff is looking for guidance from Council.

Mayor Brady mentioned that typically other non-profit groups that lease buildings from the City are not responsible for utilities from Newnan Utilities but in this case, they are. Mr. Craver explained that they are responsible but they don't receive a bill, the City receives the bill.

Councilwoman Jenkins stated that the alliance is asking for a 2-year lease and that the 7-day cure in the agreement may not be enough time.

Dr. Shannon Pearson, President of the African American Alliance spoke. She explained that they are asking for the cure period to be changed from 7 days to 30 days. There have been instances in the past where things took much longer than they anticipated. They are also asking for a 2-year lease as their programs will not begin until June due to the uncertainty of securing the lease agreement with the City.

Councilwoman Jenkins asked about repairs that had been needed previously to the house? Mr. Craver stated that city staff is out there on a regular basis taking care of the house.

Dr. Pearson mentioned that there is a safety concern in one of the rooms. There is a glass display case and when you step on the floor the case shakes. Mr. Phillips stated some structural repairs have been done but that will be looked at and corrected if needed. Mayor Brady stated there will be a walk-through done.

Motion by Councilman Alexander, seconded by Councilwoman Jenkins to approve the lease agreement with the two amendments, the 2-year lease period and 30-day cure time.

**MOTION CARRIED. (7-0)**

**CONSIDERATION FOR NEGOTIATIONS OF CONTRACT SCOPE AND PRICING FOR WADSWORTH AUDITORIUM PARKING LOT**

Hasco Craver, Assistant City Manager, stated that city staff began looking at improvements to the parking lot adjacent to the Wadsworth Auditorium back in 2020. In February 2021 a design was received from Ironwood Design and in May Council approved a contract with Ironwood for Phase 1. One bid was received in November for the improvements, from Georgia Development Partners in the amount of \$1.9 million, which is much more than anticipated. City staff is asking to be allowed to negotiate with the bidder and come back to Council with a better number. There was also \$300,000 budgeted this year for this project and staff would like to encumber those funds to keep them dedicated to this project in next years budget.

Motion by Councilman Guillaume, seconded by Councilman Shell to allow city staff to negotiate with GDP on the contract.

**MOTION CARRIED. (7-0)**

Motion by Councilman Koritko, seconded by Councilman Alexander to approve encumbering the \$300,000.

**MOTION CARRIED. (7-0)**

**CONSIDERATION OF ROADWAY IMPROVEMENT PROGRAM 2023-2025**

City Manager stated that this is a follow-up item from the council retreat. City staff has been working diligently to prepare a 3-year plan. Looking at 3-year plan but also at least need list of streets for LMIG application which is due February.

Hasco Craver, Assistant City Manager, gave an overview of the 3-year plan, totaling \$11.5 million. Year 1 would be \$5.5 million (\$3.25 million general fund already approved, \$1.8 million SPLOST 2019 and \$437,000 from LMIG), year 2 would be \$2.5 million (SPLOST and LMIG funds) and year 3 would be \$3.5 million assuming future SPLOST and LMIG.

Michael Klahr, City Engineer, explained that in 2019 IMS was engaged to conduct an analysis of all street segments in the City. Council was interested in looking at streets at a 60 and below, on a scale of 1-100 on the pavement condition index. A 51-60 is considered fair. Streets that are used more such as Jefferson, Boone Dr, Newnan Crossing Blvd E are looked at and then clusters where streets are closer together and rate the same. Recommendations made by IMS are looked at and what is the exact problem with the road. LMIG amount is \$437,000 with a 30% match.

Mr. Klahr said when the pavement assessment was first done there was an overall rating of 66 and we are now at 71. If this program is implemented it will go from 71-75 and 70 is very good.

Councilwoman Jenkins asked if any of the streets on the list were damaged by the tornado and possibly reimbursable? Mr. Craver answered that all tornado damaged streets were submitted to FEMA and denied.

Motion by Mayor Pro Tem DuBose, seconded by Councilwoman Jenkins to approve the list of streets to for the LMIG application.

**MOTION CARRIED. (7-0)**

Councilman Alexander asked about West Washington and Salbide, both listed for 2023 and what does base rehab mean? Mr. Klahr explained that with base rehab there are two options, take the road out and redo it completely or a full depth reclamation.

City Manager stated that the lists of streets will be reviewed and add streets as needed as an annual process.

Motion by Councilman Shell, seconded by Councilman Alexander to approve the roadway improvement program as presented.

**MOTION CARRIED. (7-0)**

**CONSIDERATION OF FEE SCHEDULE AND ORDINANCE AMENDMENT TO**  
**CHAPTER 17, SOLID WASTE**

Ray Norton, Public Works Director, gave some highlights of changes that are in the amendment such as billing property owners for residential sanitation service, cardboard is not considered bulk item and limits set for bulk items and yard waste. There is also a provision to lien the property owner if they are not in compliance and a fee schedule for that.

Councilman Koritko asked about the pricing for senior citizens as he has received a lot of calls regarding that. Mr. Craver stated that there are opportunities for back door service at no fee. City Manager said there is a \$1.50/month discount given to anyone over 65. He further explained that to give a larger discount, Council would need to make that decision and the City would have to absorb that cost.

Ms. Sylvia Hayes spoke and asked about the pricing. She asked how could people petition to get a better discount? Mayor Brady said that the fees with AmWaste are established, if the City wants to offer more of a discount then we need to figure out where that money will come from. Council would need to discuss this at a future meeting as this would be an impact on the 2023 budget.

Councilman Koritko asked how someone can let the billing department know they are over 65 to get the discount? Mr. Norton said there is an application, they can simply stop by the billing office and show their ID.

Ms. Tina Melson spoke and said the website was not working when she tried to go on. She went to the billing office at the Wadsworth and they were able to help her.

Ms. Pamela Hunter Powell spoke and asked about pricing going up? Will it be every cycle? City Manager stated that contractually there is an inflation index number and this is standard with sanitation contracts. Every year there is a potential for a 3% increase and there is a provision regarding diesel fuel cost increases. These were also in the contract with GFL.

Motion by Councilman Shell, seconded by Councilman Alexander to adopt the ordinance amendment and fee schedule as presented.

**MOTION CARRIED. (7-0)**

**CONSIDERATION OF POLICY CHANGE FOR ALLOWING FOOD/BEVERAGE AT THE**  
**WADSWORTH AUDITORIUM**

Katie Mosley, Leisure Services Manager, explained that in October Council asked for some comparisons and information regarding other cities with similar venues and their policies. In general, all the ones Ms. Mosley looked at and spoke to do allow food and beverage including alcohol. Most hold their own liquor license except for The Strand in

Marietta, which is most similar to the Wadsworth. They have a board that holds the liquor license and a caterer.

The fee schedule being proposed keeps the same base fees and adds on fees if the renter wants food and beverage. There is also a cleaning fee added. The policy change would allow food and beverage and an RFQ would be put out to find an approved caterer to be the sole provider of concessions. There would be 3 different offerings, open bar, cash bar or hosted with tickets. No cooked food, it would just be dry snacks offered, soda, bottled water, beer and wine. The RFQ would require the caterer to have a business and alcohol license.

Councilman Guillaume asked what percentage of business has been lost due to not offering food and beverage? Ms. Mosley said probably 20-30% lost potential renters and there's potential to lose more as they continue to grow. Councilman Guillaume also asked if there is a potential for a fee that would be a percentage back to the Wadsworth? Ms. Mosley agreed that is a good idea. The auditorium in Macon has a 10% fee that comes back to them.

Councilwoman Jenkins asked about non-profit and for profit and just adding to the base fee? Ms. Mosley said yes since not all groups are going to want the food and beverage or alcohol. The space being looked at for the concessions was discussed. There is some closet space that used to be police evidence that could be used.

Councilman Alexander asked about the cleaning fee, is it automatic? Ms. Mosley said it is automatic. He also asked about the seats specifically. Ms. Mosley said they did check with the cleaning service to ensure the seats can be cleaned properly without being damaged.

Motion by Mayor Pro Tem DuBose, seconded by Councilman Alexander to adopt the policy change to allow food and beverage at the Wadsworth Auditorium.

**MOTION CARRIED. (7-0)**

**REZONING REQUEST RZ2022-14 BY GEORGE ROSENZWEIG ON BEHALF OF POPE AND LAND ENTERPRISES, INC.; 42.20 + ACRES ON POPLAR ROAD, CHANGE IN CONDITIONS FOR THE MXD (MIXED USE DEVELOPMENT) DEVELOPMENT AND AMENDMENT TO MASTER PLAN TO ACCOMMODATE 350 MULTI-FAMILY UNITS, 155 ACTIVE ADULT SENIOR UNITS, 101 TOWNHOMES, 300,000 SQUARE FEET OF OFFICE SPACE, A 175-KEY HOTEL AND 31,500 SQUARE FEET OF REATIL/RESTAURANT SPACE – FOR INFORMATION ONLY**

No action needed.

**21 BERRY AVE – STAFF UPDATE ON REPAIRS**

Matt Murray, Code Enforcement Officer, explained that this property was before Council in September and given 180 days and Council asked for a 90-day update. There have been significant improvements on the property, including a new roof and the lot has been cleaned up. There is still a bit of interior work to be done and the owner is asking to be able to continue with the remaining 90 days.

Motion by Councilman Guillaume, seconded by Councilman Alexander to continue the repairs at 21 Berry Ave.

**MOTION CARRIED. (7-0)**

**REQUEST FOR STREET CLOSURES FOR ROCK & ROAD FESTIVAL ON APRIL 15, 2023**

City Manager explained that this is the third year for this request but it has changed a bit. Staff does support this and have already been working on the request.

Mr. Chris Doane stated that the past two years have been the Rock & Road Festival and Tour Coweta to benefit the Newnan Rotary Club. This year they would like to have the tour take off from the Train Depot and add some events that day.

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

**MOTION CARRIED. (7-0)**

**EXECUTIVE SESSION**

**MOTION EXECUTIVE SESSION**

Motion by Mayor Pro Tem DuBose, seconded by Councilman Alexander 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 issues 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 7:38PM.

**MOTION CARRIED. (7-0)**



**RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION**

Motion by Mayor Pro Tem DuBose, 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)**

**DOMINICK CLAIM**

Motion by Councilman Alexander, seconded by Councilman Koritko to deny the Domineck claim as presented.

**MOTION CARRIED. (7-0)**

**ADJOURNMENT**

Motion by Councilman Koritko, seconded by Councilman Shell to adjourn the Council meeting at 7:44pm.

**MOTION CARRIED. (7-0)**

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Megan Shea, City Clerk

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Keith Brady, Mayor