

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, April 26, 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: George Alexander; Ray DuBose, Cynthia Jenkins, Dustin Koritko and Paul Guillaume; Absent- Rhodes Shell. Also present: City Manager, Cleatus Phillips; Assistant City Manager, Hasco Craver; City Clerk, Megan Shea and City Attorney, Brad Sears.

MINUTES – SPECIAL CALLED MEETING – APRIL 12, 2022

Motion by Mayor Pro Tem DuBose, seconded by Councilman Koritko to dispense with the reading of the minutes of the Special Called meeting on April 12, 2022 and adopt them as presented.

MOTION CARRIED. (6-0)

MINUTES – REGULAR COUNCIL MEETING – APRIL 12, 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 April 12, 2022 and adopt them as presented.

MOTION CARRIED. (6-0)

APPOINTMENT- URBAN REDEVELOPMENT AGENCY, 3 YEAR TERM

Motion by Councilwoman Jenkins, seconded by Councilman Alexander to reappoint Gerald Walton for another term.

MOTION CARRIED. (6-0)

APPOINTMENTS- NEWNAN YOUTH ACTIVITIES, 3 YEAR TERM

Motion by Councilwoman Jenkins, seconded by Councilman Alexander to reappoint Michael Nix for another term.

MOTION CARRIED. (6-0)

Mayor Brady asked City Manager to place his appointments and Councilwoman Jenkins other appointment on the next agenda.

NEWNAN YOUTH COUNCIL ATTENDEES

Councilwoman Jenkins introduced the members of Youth Council in attendance; Isabella Rodriguez, Lilliana Maxfield, Rico Lane and Susan Grayton Pass.

NEWNAN YOUTH COUNCIL GRADUATING SENIORS

Mayor Brady, Councilwoman Jenkins and Roy Garner, Chairman of Newnan Youth Activities announced the graduating seniors and their future plans. They were presented with certificates and honor cords. The honor cords were new this year thanks to Mr. Garner. Mr. Garner explained that the cords were approved by the Board of Education and will now be given every year going forward.

**REQUESTS FOR FUNDING UNDER THE AMERICAN RESCUE PLAN ACT (ARPA)
FOR EXTERNAL APPLICANTS**

Andrew Moody, ARPA Special Projects Manager presented three external requests for funds. The first was from the Boys and Girls Club for \$135,472 to restore and expand membership opportunities. They did exhibit impacts from the pandemic and funding would be applied under the Educational Disparity category.

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

MOTION CARRIED. (6-0)

The second request was from Let Them Eat Toffee on the square. The request falls under the Small Business program. They do operate inside the qualified census tract and have exhibited a substantial decrease in gross receipts. They requested \$9,697.

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

MOTION CARRIED. (6-0)

The third request was from Polish Me Pretty, another request under the Small Business program and they have exhibited losses. They requested \$28,000.

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

MOTION CARRIED. (6-0)

ANNEXATION REQUEST- ANNEX2022-03- SPRAYBERRY'S BARBECUE, INC. FOR 1.224 + ACRES AT 30 AMLAJACK BLVD; REQUESTED ZONING OF CHV- UPGRADE AND RELOCATE EXISTING HIGHWAY SIGN

Motion by Councilman Alexander, seconded by Councilwoman Jenkins to refer this to the planning commission.

MOTION CARRIED. (6-0)

REQUEST FROM CULTURAL ARTS COMMISSION TO HAVE ALCOHOL IN GREENVILLE ST PARK FOR SUMMER JAZZ IN THE PARK SERIES

Motion by Councilwoman Jenkins, seconded by Councilman Koritko to grant the request as presented.

MOTION CARRIED. (6-0)

PUBLIC HEARING- REQUEST BY OWNER (CITY OF NEWNAN) TO DEMOLISH STRUCTURE AT 100 E. WASHINGTON ST.

Mayor Brady stated that this item had been removed from the agenda.

PUBLIC HEARING- REQUEST BY OWNER TO DEMOLISH STRUCTURE AT 90 SPRAYBERRY RD.

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

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

MOTION CARRIED. (6-0)

PUBLIC HEARING- ANNEXATION REQUEST, ANNEX 2022-02 (VIA 60% METHOD) NORTH 390, LLC FOR 5.19 + ACRES ON STATE ROUTE 29 AND MILLARD FARMER INDUSTRIAL BLVD; REQUESTED ZONING OF CGN

Mayor Brady recused himself as a member of North 390, LLC is also a real estate agent at Josey, Young and Brady. The meeting was handed over to Mayor Pro Tem DuBose.

Tracy Dunnivant, Planning Director stated that this involves 5 tracts of land. The 60% method of annexation means that not less than 60% of resident electors and not less than 60% owners of the real property within the annexation boundary must agree to the request. In this case 77% agree and there are no resident electors. The property owned by Newnan Auto Body and Glass Repairs, Inc. does not want to be annexed.

Ms. Dunnavant gave a summary of the 8 required standards. The properties abutting the tract are primarily zoned for commercial uses and 3 of the 5 tracts are already zoned commercial in the County. The greatest adverse impact on adjacent properties would be traffic. Staff would recommend a special exception be included to ensure the body shop is a conforming use. They would also recommend a variance in regards to distance between commercial and residential.

The current zoning is RC (Rural Conservation) and C (Commercial) in the County. The County has designated the area as a future "Employment Center" and therefore Staff feels the RC zoning is no longer appropriate.

Per State law for a 60% annexation, a service extension plan has been developed. All service providers indicated that they can adequately service the development. A traffic study will need to be conducted once there is a proposed use for the development.

As far as the Comprehensive Plan, the property is outside the City's planning area however, since the planned use is commercial that would be compatible with the adjacent tracts currently in the City. The development would be consistent with the purpose and intent of the proposed zoning.

The County was notified of the proposed annexation and they advised they will not file a Notice of Objection. The County did not ask for any conditions. Staff determined that the development meets 7 ½ of the 8 standards.

The Planning Commission recommended unanimously to annex the properties with the CGN zoning and 4 conditions;

1. Newnan Auto Body and Glass Repair should be granted special exception to be a conforming use and a variance from distance requirements.
2. The tracts will be included in the Quality Development Corridor Overlay District (QDC).
3. The developer will save mature trees within a 35' buffer between proposed development and Avery Park and supplement the buffer with additional plantings approved by the City's Landscape Architect.
4. Proffered condition that North 390, LLC will erect a privacy fence along the property line between the auto body shop and the proposed development.

Ms. Dunnavant clarified for Council that the Newnan Auto Body and Glass Repair owner is aware of the annexation and attended the Planning Commission meeting. The details of the privacy fence have not been decided at this time.

Applicant:

Katie Gargan, on behalf of Melissa Griffis and North 390, LLC further stated that the details for the privacy fence have not been determined as of yet but that was requested by the owner of the auto body shop. They will work with him to decide on the specifications.

Ms. Gargan stated that John Strickland and George Harper were in attendance, the applicant and civil engineer on the project. They requested that the application with proffered conditions, standard constitutional letter and developmental summary report are all part of the record for the public hearing.

John Strickland with North 390, LLC explained that the goal is to make this corner look better than it does.

Councilman Koritko asked about the one entrance, a right in right out on Highway 29. George Harper with Paramount Engineering stated that there have been preliminary discussions with GDOT and they want a traffic study conducted. It is tough to do the traffic study now since it is not zoned what it might be. GDOT does not want to try and connect to Millard Farmer. Mr. Harper also stated there will be no connection to Avery Park.

Councilwoman Jenkins expressed concern about staff input after this is annexed? Usually a developer comes with an idea already laid out for what the property will be. City Manager explained that it has become common for site plans to be presented but it is not required. The zoning designates what can and cannot go there. The CGN category has several hundred uses. City Attorney stated that this came up at the Planning Commission meeting and that some of the heavier uses in the CGN category require special exception.

Councilwoman Jenkins asked if there are any permitted uses that staff would suggest not be allowed at this development? City Manager explained that the list of permitted uses is extensive. Councilwoman Jenkins explained that her concern is not knowing what is going to be put on this property and she asked if the annexation could be approved but not the zoning right now? City Attorney explained that cannot be done, that would allow the applicant to do anything they want. They could put stipulations in for certain uses to not be allowed.

Councilman Guillaume asked Mr. Strickland if his purpose is to improve this area then what does that look like to him? Mr. Strickland explained that right now they are in no man's land, they are not able to market the property until the annexation and zoning are settled. City Manger commented that this property is currently an unincorporated island and Council has discussed cleaning those areas up so this could be an opportunity.

Councilman Koritko asked the applicant if they would provide a copy of the traffic report once it's conducted. Also, would a light commercial zoning be a better option? Ms. Gargan said that this was discussed at the Planning Commission meeting and the island was looked at, as well as surrounding uses. The applicant feels this is consistent with the surrounding areas.

Mayor Pro Tem DuBose closed the public hearing.

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

MOTION CARRIED. (5-0)

Motion by Councilman Guillaume, seconded by Councilman Alexander to approve the annexation with the 4 conditions from Planning Commission. 2nd and Final Reading Next Agenda.

MOTION CARRIED. (5-0)

Motion by Councilman Alexander, seconded by Councilman Guillaume to approve the rezoning as CGN. 2nd and Final Reading Next Agenda.

MOTION CARRIED. (5-0)

REQUEST FROM ROTARY TO ERECT MEMORIAL CROSSES DURING MEMORIAL DAY WEEK

Councilman Koritko asked where the crosses would be placed? City Manager stated they placed them all around town last year, along Oak Hill Cemetery, the parks and the square.

Motion by Mayor Pro Tem DuBose, seconded by Councilwoman Jenkins to approve the request as presented.

MOTION CARRIED. (6-0)

ADJOURNMENT

Motion by Councilman Alexander, seconded by Councilman Koritko to adjourn the Council meeting at 7:21pm.

MOTION CARRIED. (6-0)

Megan Shea, City Clerk

Keith Brady, Mayor