

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, February 14, 2023 at 2:30 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; City Clerk, Megan Shea and City Attorney, Brad Sears.

MINUTES – SPECIAL CALLED MEETING – JANUARY 17, 2023

Motion by Councilman DuBose, seconded by Councilman Alexander to dispense with the reading of the minutes of the Special Called meeting on January 17, 2023 and adopt them as presented.

MOTION CARRIED. (7-0)

MINUTES – REGULAR COUNCIL MEETING – JANUARY 24, 2023

Motion by Councilman Alexander, seconded by Councilman Guillaume to dispense with the reading of the minutes of the Regular Council meeting on January 24, 2023 and adopt them as presented.

MOTION CARRIED. (7-0)

APPOINTMENT – CULTURAL ARTS COMMISSION, 3 YEAR TERM

Continue to next agenda.

APPOINTMENT – ETHICS COMMISSION, 2 YEAR TERM

Motion by Councilman Guillaume, seconded by Mayor Pro Tem Koritko to re-appoint John Pirro for another term.

MOTION CARRIED. (7-0)

APPOINTMENT – KEEP NEWNAN BEAUTIFUL, INTERIM APPOINTMENT

Continue to next agenda.

APPOINTMENTS – PARKS COMMISSION, 3 YEAR TERMS

Continue to next agenda.

APPOINTMENTS – PLANNING COMMISSION, 3 YEAR TERMS

Continue to next agenda.

APPOINTMENTS – TREE COMMISSION, 3 YEAR TERMS

Continue to next agenda.

APPOINTMENT – NEWNAN YOUTH ACTIVITIES, 3 YEAR TERM

Continue to next agenda.

PUBLIC HEARING- APPLICATION FOR ALCOHOL BEVERAGE LICENSE- D&W 2021 LLC DBA DYNASTY RESTAURANT

Mayor Brady opened a public hearing on the application for a Retail On Premise (Pouring) Sales of Malt Beverages and Wine for D&W 2021 LLC dba Dynasty Restaurant at 34 Bullsboro Dr.

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 Guillaume to approve the application for a Retail On Premise (Pouring) Sales Malt Beverages and Wine License.

MOTION CARRIED. (7-0)

PUBLIC HEARING- APPLICATION FOR ALCOHOL BEVERAGE LICENSE- NEWNAN COWETA HISTORICAL SOCIETY HISTORY CENTER

Mayor Brady opened a public hearing on the application for Special Permit Location Only for the Newnan Coweta Historical Society History Center at 60 E. Broad St.

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 Alexander, seconded by Councilman DuBose to approve the application for a Special Permit Location.

MOTION CARRIED. (7-0)

PUBLIC HEARING- APPLICATION FOR ALCOHOL BEVERAGE LICENSE – NEWNAN
COWETA HISTORICAL SOCIETY MCRITCHIE HOLLIS MUSEUM

Mayor Brady opened a public hearing on the application for Special Permit Location Only for the Newnan Coweta Historical Society McRitchie Hollis Museum at 74 Jackson St.

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 Alexander, seconded by Councilman Shell to approve the application for a Special Permit Location.

MOTION CARRIED. (7-0)

UPDATE ON PROGRESS OF DISTILLED SPIRITS PACKAGE STORE LICENSE- 109
BULLSBORO DR.

Brian Riede, Project Manager, Rocky Singh, Licensee and Morris Kelly with Lichty Brothers Construction were present to give an update.

Mr. Singh explained that a few things have been worked on since the last update. First, they needed to find a metal building to extend off the existing structure and Mr. Riede was able to do that. Final plans have been submitted to the City. Some demo work was done inside but the bank asked them to stop while inspections were being done.

Councilman Shell asked if they have closed on the property? Mr. Singh stated yes. Councilman Shell expressed concern that things have not been moving along with the site and that Council may not renew the license if things are not completed in a timely manner. Mayor Brady asked what the delivery date is for the metal building? Mr. Riede stated 90 days from the date it's ordered and the holdup is the SBA loans being finalized.

Mr. Kelly stated that they are ready to go but due to regulations with the SBA they had to stop. The timeline has not changed. The only variation could be weather. Mayor Brady asked about the foundation for the metal building and Mr. Kelly explained he can't start that yet due to weather and waiting on the SBA. They are hoping to have things settled with the SBA next week.

Council discussed continuing to get updates on the project. Mr. Kelly stated that a representative on the project can give monthly updates once things get started.

31 JONES ST. – REQUEST A PUBLIC HEARING

Matt Murray, Code Enforcement Officer stated a public hearing is being requested for 31 Jones St. as it is an unsafe and unsecure structure. Mayor Brady asked how to get it secure before the public hearing? Mr. Murray explained that is not possible. The storm did a lot of damage and it seems vagrants have been in and done more damage.

City Attorney explained that a search had to be done to find the property owners. It turned out that one owner was deceased and the family is trying to work out the estate. They have been asked to attend the public hearing.

There was no insurance on the house and they have not been able to qualify for any assistance for the house. They want to tear it down and then rebuild. The request was would the City tear it down? Mr. Sears explained the City may be able to but there is a process to go through. Councilwoman Jenkins asked if the estate issues are why they cannot get assistance and Mr. Sears stated he is not sure.

Motion by Councilman Guillaume, seconded by Councilman Shell to schedule the public hearing on March 28, 2023.

MOTION CARRIED. (7-0)

CONSIDERATION OF RESOLUTION AND MOWING AND MAINTENANCE AGREEMENT BETWEEN THE CITY OF NEWNAN AND GEORGIA DEPARTMENT OF TRANSPORTATION (GDOT) FOR ROUNDABOUT AT SR14/US29/CORINTH RD.

Michael Klahr, City Engineer explained that this project has been in the works for almost 5 years now. It has been moved and rescheduled several times. City Council had previously signed a resolution agreeing to pay the electrical in the roundabout and this agreement is for the mowing and maintenance.

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

MOTION CARRIED. (7-0)

CONSIDERATION OF ENTERING INTO AN AGREEMENT WITH A QUALIFIED FIRM TO PROVIDE CONSTRUCTION SERVICES FOR THE REDEVELOPMENT OF THE WADSWORTH PARKING LOT; AND ASSOCIATED BUDGET

City Manager explained that after a bid was put out for this project only one bid was received back and that was for about \$1.97 million and Council then authorized staff to renegotiate the price and scope. The contract price has been brought down to about \$1.56 million and without sacrificing the quality of the final deliverable. This contract would be with Georgia Development Partners with a total budget of \$1.76 million.

The funding for this project is a bit complicated. There is funding from SPLOST, parking lot reserve that was created a few years ago and general fund encumbrances that have been made and tourism capital from the hotel/motel tax. The schedule for the project shows completion May 26, 2023.

Motion by Councilman Alexander, seconded by Councilman Shell to approve the agreement and associated budget as presented.

MOTION CARRIED. (7-0)

CONSIDERATION OF UPDATE TO CITY OF NEWNAN FEE SCHEDULE

City Manager stated that this compiles all previous approvals by Council for the new sanitation fees. With these additions it was realized that the late penalty fee of \$5 was only associated with the Downtown program. This clarifies that that late penalty fee applies quarterly for anyone.

This fee schedule also addresses disconnecting service which involves picking up the can and then taking the can back when service is turned back on. So, there is now a \$35 reconnect fee.

Mr. Philips stated that there are other fees in the schedule that need to be looked at and updated.

Councilman Alexander asked how this will be communicated to citizens? Mr. Phillips said the hope is that this won't be applicable a lot of the time. There is a block on the bill that allows for messages, so that could be put on there. It will be on the website as well.

Councilman Alexander also asked about citizens being able to pay online monthly? Mr. Phillips explained that now with the online portal they will be able to do that starting next quarter. Payments can still be made and people can always stop by the billing office in person.

Councilman Koritko asked about the fees for Downtown and feels they should be raised so they are the same as residential. Mr. Phillips said that is being discussed currently with the Downtown Development Authority and Mayor Brady said they will bring a recommendation to Council.

Councilman Shell asked about looking at the cemetery fees. Mr. Norton said they are looking at the whole cemetery ordinance and fees and are intending to bring updates to that before Council.

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

MOTION CARRIED. (7-0)

CONSIDERATION OF VENDOR RECOMMENDATION FOR AUDIT SERVICES

Nicole Hall, Finance Director, stated that this request is to engage Nichols Cauley for audit services. She reached out to 5 vendors and only 2 responded and only Nichols Cauley has the staffing capable of handling an audit of this size. This is a budgeted expense and the fees are inline with what has previously been paid. Ms. Hall and Mr. Phillips reached out to references for Nichols Cauley and they were all glowing. They also do the County audits and GMA.

Ms. Hall also asked for approval for a possible extension to help build a relationship with the firm. There was a previous 10-year relationship with Clifton, Lipford, Hardison. Mr. Phillips stated there may have been a 5-year contract with 1-year renewables in the past but starting with a 3-year might be a good idea.

Motion by Councilman Shell, seconded by Councilman Guillaume to accept the recommendation as presented including a 3-year contract with 1-year renewable.

MOTION CARRIED. (7-0)

HOUSING AUTHORITY OF NEWNAN ARPA UPDATE AND AMENDMENT REQUEST

Sandra Strozier, President and CEO of the Newnan Housing Authority explained that they are requesting to revise their ARPA agreements. One agreement is for the Willie Pritchett Park. They found out that the project would cost more and they requested ARPA funds from the State. They would like to add those in when they receive them and therefore amend their agreement to reflect that.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Koritko to approve the amendment request for the Willie Pritchett Park project as presented.

MOTION CARRIED. (7-0)

The second request is to amend their agreement for homes in the Chalk Level neighborhood. They had requested to build 4 homes in that neighborhood. The first address was 21 Johnson St. and the homeowner has received a grant from the Methodist Church so they would like to remove that home from their agreement. The second address was 66 Robinson St. which has been demolished however, there are title issues that they are working with the family to resolve. The family would like to just sell the property to the Housing Authority so they would like permission to purchase and build on that property.

Councilman Koritko asked if there is a risk of hitting the deadline and losing the ARPA funds? Andrew Moody, ARPA Special Projects Manager, explained that the funds are obligated and the projects don't have to be completed until the end of 2026. The agreement with the Housing Authority expires in 2024 but can be extended.

Ms. Strozier said that 4 Johnson St. has a clear title and the owners wish to sell the property to the Housing Authority. This can move forward once the amendment is approved. She then explained that with 31 Jones St. they are trying to clear the title but it is very confusing, as was just discussed with Council. They would like to purchase this property and demolish it, which was already in the ARPA budget then rebuild. Mayor Brady suggested the following regarding these properties, remove 21 Johnson Ave, 66 Robinson St. title to be cleared first before permission given, 4 Johnson permission given to buy the lot and 31 Jones St. no action since a public hearing was just set.

Mr. Moody stated that the amendments are fine but there has to be a finished product of affordable housing. Councilwoman Jenkins asked about the title, as other communities have land banks that help clear titles then pass them off to non-profits. Is this something that the Urban Redevelopment Authority has the ability to do? Mr. Moody said there is an ARPA category that would allow for assisting in clearing the titles and there are some unused funds so that could be pursued with Council's blessing.

City Attorney commented on things that would have to be looked at in order for URA to be able to do that. City Manager explained that a land bank authority can be complicated and Council cannot create that on their own.

Mayor Pro Tem Koritko asked about costs going up and will building these homes still be feasible in two years? Ms. Strozier said that part of their request is keep the funds from 21 Johnson Ave, which is being removed, so then they have additional funds for rising costs. Mr. Phillips clarified it is the same request for funds but 3 houses now instead of 4.

Motion by Councilman Alexander, seconded by Mayor Pro Tem Koritko to approve the amendments to the Housing Authority ARPA agreement as discussed.

MOTION CARRIED. (7-0)

STATUS UPDATES

Matt Murray, Code Enforcement Officer, explained that this was to give an update on properties that were previously before Council. All of them are moving with some progress except for 5 Smith St. A dumpster was seen there so hopefully work will be done soon.

There are 4 resolutions to repair or demolish that have been satisfied. 21 Johnson Ave and 4 Westgate Park Dr. have been demolished. 29 Pinson St. and 176 LaGrange St. have been repaired.

25 PINSON ST. – OWNER UPDATE AND REQUEST FOR EXTENSION

Matt Murray explained that this resolution is set to expire this month. Exterior work is pretty much completed and interior work has begun. The owner requested 90-days to complete the project.

Motion by Councilman Alexander, seconded by Councilman Shell to grant a 90-day extension to complete the project.

MOTION CARRIED. (7-0)

REQUEST FROM FOUNDATION CHURCH TO CLOSE SOUTH COURT SQ ON APRIL 7TH

Clint Nolder, Pastor from Foundation Church explained that they are circling back from a few weeks ago. They have received great responses from everyone they spoke to. Everyone on South Court Sq is happy for them to hold the event and some wrote letters of support that were submitted to Council. They also spoke to First Baptist Church to discuss concerns. Councilman Alexander thanked Mr. Nolder for his efforts on this.

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

MOTION CARRIED. (7-0)

EXECUTIVE SESSION

MOTION EXECUTIVE SESSION

Motion by Mayor Pro Tem Koritko, 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, real estate and personnel 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 3:18PM.

MOTION CARRIED. (7-0)

RESOLUTION/MAYOR'S AFFIDAVIT FOR EXECUTIVE SESSION

Motion by Mayor Pro Tem Koritko, seconded by Councilwoman Jenkins 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)

ADJOURNMENT

Motion by Councilman Alexander, seconded by Mayor Pro Tem Koritko to adjourn the Council meeting at 3:55pm.

MOTION CARRIED. (7-0)

Megan Shea, City Clerk

Keith Brady, Mayor