

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, March 22, 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: Rhodes Shell, George Alexander; Ray DuBose, 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 – MARCH 8, 2022

Motion by Councilman Koritko, seconded by Councilman Shell to dispense with the reading of the minutes of the Regular Council meeting on March 8, 2022 and adopt them as presented.

MOTION CARRIED. (7-0)

APPOINTMENT- PLANNING COMMISSION, 3 YEAR TERM

Motion by Councilman Alexander, seconded by Councilwoman Jenkins to reappoint Bob Coggin for a 3-year term.

MOTION CARRIED. (7-0)

NEWNAN YOUTH COUNCIL ATTENDEES

Councilwoman Jenkins introduced the members of Newnan Youth Council in attendance; Lauren Vanden Heuval, Leah Rhodes, Belle Moody and Rachel Henson

CITY MANAGER

City Manager gave an update on the closure of Newnan Crossing Blvd East and the culvert collapse. A third-party engineer, Integrated Science & Engineering was engaged to do an inspection and evaluation. First it was analyzed if the road could remain open but it could not for safety. Second, they were asked if a temporary fix would be feasible. The final report is not in yet but it does seem apparent that a temporary fix will not be doable as there are too many issues in the culvert.

The pipe is 13ft in diameter and is undersized. The pipe is metal and has rusted which is why metal pipes are no longer used. The replacement will be concrete but it is a

complicated project with 32ft of fill that has to be removed and utilities to deal with. There is no schedule yet but it will be a lengthy closure due to the size and extremity of replacing the culvert. The number one priority is the safety of the traveling public and second is to repair it and repair it right so there are no further issues.

INFORMATION ONLY- REZONING REQUEST RZ2022-02, THE NRP GROUP FOR 38.70 + ACRES ON CELEBRATE LIFE PARKWAY- REFERRAL TO PLANNING COMMISSION

No action needed.

CONSIDERATION OF A CONTRACT AWARD FOR WATERSHED STORM DEBRIS REMOVAL

Assistant City Manager, Hasco Craver stated that the City previously applied to remove certain debris from qualified waterways. The application was awarded and the City then received 5 bids for proposals. City recommendation is to engage Cahaba Disaster Recovery.

Motion by Councilwoman Jenkins, seconded by Councilman Koritko to award the contract as recommended by staff.

MOTION CARRIED. (7-0)

REQUEST BY OWNER TO DEMOLISH 194 GREENVILLE ST.

Chief Building Official, Bill Stephenson explained that the property has 3 structures; concrete building in the rear, main building being used by Big Foot and a house. The owner has requested to tear down the house and they have completed the necessary procedures per the ordinance.

Mayor Brady opened the public hearing on this property. No one came forward to speak. Mayor Brady closed the public hearing.

Motion by Mayor Pro Tem DuBose, seconded by Councilman Shell to approve the request to demolish the structure at 194 Greenville St.

MOTION CARRIED. (7-0)

VALIDATION OF APPLICATION FOR ANNEX2022-02 BY NORTH 390, LLC; 5.19+ ACRES ON STATE ROUTE 29

Planning Director, Tracy Dunnavant explained that this was referred to Planning Commission last month but due to the 60% method of annexation the process is different. The application has to be validated that it meets the requirements and Council has to vote.

After that the 60-day review process begins. The requirements for advertisements are also a little different.

Ms. Dunnavant explained that the 60% method is because there are 4 tracts of land for annexation and one land owner who does not want to be annexed into the City. The 60% method can be used when 60% or more of the owners of the land area and 60% of the registered voters petition for the annexation. This is being done to not create an island which is state law.

Mayor Brady clarified that this is to validate the application and then the process begins then the public notification process. After that it comes to Council again. Ms. Dunnavant explained that everything has to happen within the 60 days so it will go to Planning Commission in early April then come to Council after that at the second April meeting.

Ms. Dunnavant also clarified that it is a minimum of 60% and there is more in this case but that is state law.

Motion by Councilman Guillaume, seconded by Councilman Shell to approve the validation of the application for annexation.

MOTION CARRIED. (7-0)

PUBLIC HEARING- 170 LAGRANGE ST. – RESOLUTION TO REPAIR OR DEMOLISH

Mayor Brady opened the public hearing.

Code Enforcement Officer, Matt Murray stated that originally there were 7 properties for public hearing but 2 dropped off. One at 6 Calhoun St. and one at 8 Alpine Dr. have been demolished.

The first property, 170 Lagrange St. is owned by Mr. Robert Ambery. The building is in bad shape and the cost to repair would be greater than 50% of the assessed value. Mr. Ambery secured the building and cleaned the lot but not the contents of the building. Mr. Ambery stated to Mr. Murray that he knows the building has to be demolished. In the last few days it was discovered there is a contract to purchase the property with a closing date scheduled for May 13th.

Mayor Brady asked Mr. Murray to shed light on why it's been a year and nothing has been done? Mr. Murray explained there have been a lot of excuses such as COVID, contractor issues and insurance issues. Mr. Ambery said he had received demolition bids but Mr. Murray believes he is just dragging his feet. Mayor Brady asked if Mr. Ambery has collected from insurance yet and Mr. Murray stated that he has.

Mr. Chip Barron, representing the buyer of the property, stated that the buyer, Daniel Lichty was present and he is a great builder. The contract for purchase states that Mr.

Lichty will have the building demolished at his expense. Contract signing is May 13th and then demo would be June 10th.

Mayor Brady expressed his frustration with the owner of this property, the excuses he has made to the City and also to other citizens affected by the tornado. Many of the others owners affected by the storm have done the right thing and repaired or demolished their property to help make their community look the way it should look. Mayor Brady stated that citizens should not have to continue to look at this building until June 10th.

Council discussed the probability that the current owner would demolish the building within 30 days and what would happen if he didn't. City Manager explained that resource availability would be an issue for the City to demolish the building, also utility disconnect has to be considered. An asbestos abatement will need to be done as well before demo could happen.

Mr. Daniel Lichty stated he is concerned with supply and resources to get the demo done any sooner than June 10th. Councilwoman Jenkins commented that everyone is dealing with supply chain issues and insurance has been a real issue for many people. She is in favor of working with people who are trying to get things done and give Mr. Lichty the time he needs.

Councilman Koritko asked if the property is secure? Mr. Murray stated that the ground level is secure but the top level is still wide open and contents are there.

Ms. Elitta Compton lives at 174 Lagrange St. with the apartment complex on one side and 176 Lagrange on the other. She constantly deals with debris blowing from both properties. She stated the apartment is not secure, she has seen people and kids on the stairwell at the back and the door is open. There is also continuous traffic, people site seeing and dumping trash. Ms. Compton said as long as the building is secured she is ok if it's not demolished until June.

Council discussed the securing of the building. It would not be Mr. Lichty's responsibility until after the closing. Councilman Koritko asked if the City can secure it and ensure no hazards? City Manager said yes, the City can secure, time and materials would be minor. There was then a discussion on what happens if the closing doesn't happen on May 13th? Mayor Brady suggested the resolution state demolish on or before June 10th. City Attorney stated that the resolution has to give number of days not a specific date.

Mayor Brady closed the public hearing.

Motion by Councilwoman Jenkins, seconded by Councilman Alexander to adopt the resolution for 80 days to repair or demolish the property at 170 Lagrange St.

MOTION CARRIED. (7-0)

PUBLIC HEARING- 176 LAGRANGE ST. – RESOLUTION TO REPAIR OR DEMOLISH

Mayor Brady opened the public hearing.

Code Enforcement Officer, Matt Murray stated that this property is owned by Ms. Myrtle Lord and she has moved to Minnesota. Her intention was to repair the property and sell it. There have been some repairs to the roof and side of the house. The contractor said there was an asbestos issue and no time frame was given so it has stalled again. No one was present representing the property.

Ms. Elitta Compton said there had been a renter there and they also had insurance issues. They worked on the property one or two days and then stopped. The tarp fell at one point and it rained so there's probably issues inside now.

Mayor Brady closed the public hearing.

A 45-day repair or demolish was suggested. Councilwoman Jenkins asked about staff recommendation to give 90 days? Mayor Brady stated the residents that live around there should not be subjected to another 45 days after it's been a year.

Motion by Councilman Shell, seconded by Mayor Pro Tem DuBose to adopt the resolution for 45 days to repair or demolish. Opposed: Jenkins

MOTION CARRIED. (6-1)

PUBLIC HEARING- 178 LAGRANGE ST. – RESOLUTION TO REPAIR OR DEMOLISH

Mayor Brady opened the public hearing.

Code Enforcement Officer, Matt Murray explained that the owner of this property, Ms. Beachboard is deceased and a family member had been living there but left and the house was vacant at the time of the storm. The family has been in contact and wants to sell the property and there is a contract in progress but there is an issue with a loan through Bank of America. There is a lawyer working through some of these issues. The new owner has intent to repair the property.

Ms. Deborah Durrough, daughter of Ms. Beachboard, explained that this was her mother's house and the history of the house. She explained she has had issues getting information from Bank of America. She said she is not dragging her feet, she wants to settle this and is trying, it is a weight on her.

City Attorney explained that a lawyer for Bank of America in Atlanta has told him that there is still a \$5,000 balance on the loan from an equity line years ago. The lawyer indicated that the bank is willing to work with them on the loan. The contract to purchase is only \$10,000 and it depends on probate costs.

Suggestion was made to continue the public hearing until the next Council meeting in order to get some answers from the lawyers.

Motion by Councilman Shell, seconded by Councilwoman Jenkins to continue the public hearing on 178 Lagrange St. until the April 12, 2022 meeting.

MOTION CARRIED. (7-0)

PUBLIC HEARING- 29 PINSON ST. – RESOLUTION TO REPAIR OR DEMOLISH

Mayor Brady opened the public hearing.

Code Enforcement Officer, Matt Murray explained this is another storm damaged property. The cost to repair exceeds the assessed value of the property. It is owned by Roy & Matan Investments. The property sat and the City had not heard from anyone. Letters have been sent out and the contractor finally reached out and pulled permits in early March. A little interior demo has been done but that is all. Their plan is to repair and they have submitted plans to the City.

No one spoke about this property. Mayor Brady closed the public hearing.

The suggestion was made to give 45 days to repair or demolish and ask the contractor to provide a schedule. Councilwoman Jenkins stated that in the past Council has waited until there was a schedule to adopt the resolution.

Motion by Councilman Shell, seconded by Councilman Guillaume to adopt the resolution for 45 days to repair or demolish. Opposed: Jenkins

MOTION CARRIED. (6-1)

PUBLIC HEARING- 70 ROBINSON ST. – RESOLUTION TO REPAIR OR DEMOLISH

Mayor Brady opened the public hearing.

Code Enforcement Officer, Matt Murray stated this is another storm damaged property. The City has not heard from the owner, Pablo Velazquez Aguilera who lives in Alpharetta. He did pull a demo permit two weeks ago. Walls have been knocked down but the foundation and large debris piles are still on the lot.

Mr. Maurice Buchanan, lives at 620 White Oak Dr. asked if this address was a historic black theatre? Councilwoman Jenkins said there was a miscommunication and that is a building next door.

Mayor Brady closed the public hearing.

Motion by Councilman Shell, seconded by Councilman Guillaume to adopt the resolution for 45 days to repair or demolish.

MOTION CARRIED. (7-0)

REQUEST FROM PARKS OF OLMSTEAD TO PUT UP BANNERS FOR COMMUNITY YARD SALE ON APRIL 23, 2022

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

MOTION CARRIED. (7-0)

ADJOURNMENT

Motion by Councilman Koritko, seconded by Councilman Guillaume to adjourn the Council meeting at 7:20pm.

MOTION CARRIED. (7-0)

Megan Shea, City Clerk

Keith Brady, Mayor