

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, March 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.

**A. MINUTES**

Motion by Councilman DuBose, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council meeting on February 28, 2023 and adopt them as presented.

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

**REPORTS OF BOARDS AND COMMISSIONS**

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

Continue to next agenda.

**C. APPOINTMENT – KEEP NEWNAN BEAUTIFUL, INTERIM APPOINTMENT**

Continue to next agenda.

**D. APPOINTMENTS – PARKS COMMISSION, 3 YEAR TERMS**

Motion by Mayor Pro Tem Koritko, seconded by Councilman Alexander to appoint Jason Lucas for a 3-year term.

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

Continue Mayor Brady's appointment to the next agenda.

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

Motion by Councilman Alexander, seconded by Mayor Pro Tem Koritko to appoint Jennifer Petrino for a 3-year term.

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

Continue Mayor Pro Tem Koritko's appointment to the next agenda.

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

Continue to next agenda.

**NEW BUSINESS**

**G. PUBLIC HEARING- APPLICATION FOR ALCOHOL BEVERAGE LICENSE – LINE CREEK BREWING CO. DBA THE RESERVE**

Mayor Brady opened a public hearing on the application for Microbrewery (Beer) for Line Creek Brewing Co. dba The Reserve at 18 Savannah 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 DuBose, seconded by Councilman Guillaume to approve the application for Microbrewery (Beer) as presented.

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

**H. REZONING REQUEST RZ2023-01 BY FREEDOM LAND HOLDINGS, LLC FOR 5.82 + ACRES AT OLD ATLANTA HIGHWAY (TAX PARCEL #073C 044 AND 073C 045); REQUESTED ZONING FROM PDC AND PDO TO PDR FOR THE PURPOSE OF CONSTRUCTING 36 TOWNHOUSE-STYLE CONDOMINIUMS – FOR INFORMATION ONLY**

Mayor Brady recused himself due to a business relationship and Mayor Pro Tem Koritko read the item. No action at this time.

**I. FIRST READING OF AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF NEWNAN FOR THE PURPOSE OF REDISTRICTING**

City Manager explained that this is straightforward. When changes are made for redistricting an amendment to the charter is required. It is also required to have two readings regardless of votes. The second reading will be next meeting and will also include a code of ordinance amendment for the districts. That will finalize the redistricting process. Mayor Brady stated this is not a public hearing but if anyone wanted to comment they could and no one came forward.

Mayor Pro Tem Koritko asked to make sure this does not have to go to state legislature? City Attorney stated that is correct but it will be filed with the Superior Court Clerk and Secretary of State.

Motion by Councilman Shell, seconded by Councilman Guillaume to adopt the ordinance as presented. 2<sup>nd</sup> and Final Reading next agenda.

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

**J. CONSIDERATION FOR NEGOTIATIONS OF CONTRACT SCOPE, PRICING AND FINAL CONTRACT COSTS FOR LYNCH PARK POOL REPAIRS AND MECHANICAL ROOM UPGRADES**

Facilities Maintenance Director, Mark Johnston, explained that this is to recommend a contract with S.H. Creel Contracting for the improvements at Lynch Park, in the amount of \$158,089.56.

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

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

**K. CONSIDERATION OF CONTRACT AWARD FOR AUDIO/VISUAL AND CAT SERVICES FOR THE FIRE TRAINING FACILITY PROJECT**

Assistant City Manager, Hasco Craver, explained that this is part of the already approved budget, which allocated \$100,000 for furniture, fixtures and equipment (FFE). Bids were received for AV systems in the classrooms at the fire training facility. It is recommended to go with Soluntionz.

Mayor Pro Tem Koritko asked about a \$500 permit fee showing on the master summary. Mr. Craver stated there will not be a permit fee but they will be required to secure a permit for the work.

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

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

**L. CONSIDERATION OF RESOLUTION FOR PERSONNEL POLICY REVISION CHANGING PAY PERIODS**

City Manager asked HR Director Nanette Freeman and Finance Director Nicole Hall to join him to go over this. He explained that the next two items go together. They are a result of changing the pay period. Currently the pay period runs Thursday – Wednesday and that only leaves a day to get ACH file to the bank. The first item is to amend the HR Personnel Policy as the pay period is stated in it.

Mayor Pro Tem Koritko asked why the new pay period will start Monday instead of Sunday? Ms. Hall stated that this coincides with the fire department schedules and gives 3 days for any corrections.

Motion by Councilman Shell, seconded by Councilman Alexander to amend the personnel policy as presented.

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

**M. CONSIDERATION OF RESOLUTION TO ADVANCE CITY EMPLOYEES UP TO THIRTY (30) HOURS AS A RESULT OF THE CHANGING PAY PERIODS**

Mr. Phillips said this is a bit complicated to explain. The first pay period will be short 3 days and we don't want employees accustomed to a full paycheck to be short. The checks would not catch up the 3 days until the end of employment. The request is to advance the employees the 3 days. There are no budget implications as the full year of payroll is already budgeted. Staff has looked at ways for this to be paid back and are asking to credit the employees if they work at least 1 year after the advancement. Mr. Phillips said the City is also switching to a payroll processor called PayCom.

Motion by Councilman Shell, seconded by Councilwoman Jenkins to adopt the resolution as presented.

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

**N. REQUEST TO DECLARE TWO (2) CITY OWNED PROPERTIES AS SURPLUS AND SELL AT PUBLIC AUCTION**

Visitor wanted to speak to this item. Ms. Debbie Vines explained that these properties border her property. She only found out about this and wants to understand the process. She asked for a delay on this so she has time to speak to her attorney and look into the process.

City Attorney explained that these properties were purchased by Newnan Water & Light in the early 1900's. The process can either be to auction off on the courthouse steps or to be sold by sealed bid. The City has used both processes but most recently it was sealed bid. Staff will determine which process is best.

Mr. Phillips said that today is just to authorize the process to start. There is still work that staff needs to do. In the past some properties have been offered to adjoining property owners depending on factors. Newnan Utilities has determined there is no use for the property.

Ms. Vines asked about the sealed bid process. Mayor Brady stated that a date and time is determined for the bids to be delivered to the City Manager's office and then two council members open the bids publicly and typically the highest or best bid is awarded. This will be brought back to Council at the next meeting and there will be more information at that time. Ms. Vines expressed concern about a neighbor.

Councilman Shell as what the timeframe would be? Ms. Sears said staff would have 2 weeks to come back with a recommendation then with required advertisements it could end up being 6 – 8 weeks total.

Motion by Councilman Alexander, seconded by Councilman Shell to declare the properties as surplus and begin the process of public auction.

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

**O. CONSIDERATION OF PARKING RESTRICTION ORDINANCE FOR TWO STREETS IN THE STONEBRIDGE SUBDIVISION**

Ray Norton, Public Works Director explained that two streets have alleys that service townhomes in the subdivision. People park cars in the street and this is causing issues for garbage pickup. The request is to restrict parking on Wednesdays so garbage pickup is not interrupted.

Motion by Councilman Alexander, seconded by Councilman Shell to grant the request as presented.

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

**P. CONSIDERATION OF RATIFICATION FOR THE EMERGENCY CULVERT REPAIR ON NEWNAN CROSSING BLVD EAST**

Motion by Councilman Shell, seconded by Councilman Alexander to approve the ratification.

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

**Q. 21 BERRY AVE – OWNER UPDATE AND REQUEST EXTENSION**

Matt Murray, Code Enforcement Officer, stated that this property was before Council in September 2022 and 180 days was given then. There has been a lot of work done on the property, new roof, siding and windows. The property is secured and being kept clean.

Douglas Calderon, Owner, said they are in the stages of waiting for an electrician and then plumbing which will complete the inside of the house.

Councilwoman Jenkins commented that spring is coming and, in the past, the overgrown grass has been a major issue. Mr. Calderon said it will be addressed.

Motion by Councilman Alexander, seconded by Councilwoman Guillaume to approve the 180-day extension

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

**R. DISCUSSION OF ZONING REGULATION TEXT AMENDMENTS TO ARTICLES 2 & 4**

Dean Smith, Senior Planner, stated that at the last meeting there was discussion about various processes and what should go before Council. A few things have been tweaked since last meeting. First, Mr. Smith recommended that townhouses in RU-I be left as it is, as an allowed use. The City Manager mentioned last meeting that there are already lot requirements for those. The second recommendation is to change duplexes to an allowed use, continuing to allow for diverse housing products.

For Article 4, group development, last meeting it was recommended to delete that entirely and staff does agree. Staff would like to come back to Council with an amendment to remove that. There are other ordinances that can help address these types of developments.

Councilwoman Jenkins asked for examples of group development? Mr. Smith stated Ashley Park and the Walmart Shopping Center. City Manager explained that it's been a way that commercial developments have been able to subdivide those boxes without road frontage to secure individual financing. Lately, the build to rent subdivisions have been using it to circumvent the subdivision regulations. Councilwoman Jenkins asked if there could be consequences now for commercial developments? Mr. Smith stated there could be and so the residential component could be removed.

Councilman DuBose asked if this would affect the townhouse development going in on Sprayberry Road? Mr. Smith said no, as it is already under construction and was rezoned under RU-7. City Manager commented that with all the build to rent regulations being discussed in the General Assembly, it should be clear that we are not trying to regulate them but we want to ensure they are being designed per our fee-simple standards.

No action needed. This will come back to Council in April.

**UNFINISHED BUSINESS**

**S. 2<sup>ND</sup> AND FINAL READING – ORDINANCE TO ANNEX 31.79 + ACRES AT 521 LOWER FAYETTEVILLE RD AND ORDINANCE TO AMEND THE ZONING MAP FOR PDR ZONING**

Mayor Brady recused himself due to a business relationship. Mayor Pro Tem Koritko read the item.

Motion by Councilman Shell, seconded by Councilman Guillaume to adopt the ordinance for annexation as presented. Opposed: Jenkins, Koritko

**MOTION CARRIED. (4-2)**

Motion by Councilman Shell, seconded by Councilman Guillaume to adopt the ordinance for rezoning as presented. Opposed: Jenkins, Koritko

**MOTION CARRIED. (4-2)**

**T. 2<sup>ND</sup> AND FINAL READING – ORDINANCE TO AMEND CONDITIONS OF ZONING AND AMENDMENT TO MASTER PLAN FOR 42.20 + ACRES ON POPLAR RD.**

Councilman Guillaume asked the developer about a comment made at the last meeting regarding private security. He asked if this is something that will be provided for the development?

Mr. Tom Barranco with Pope & Land said he believes the security is a market demand and this will be built in phases. They will entertain private security but there are multiple components and this can be addressed in the development agreement. Mayor Pro Tem Koritko asked for more of a definitive commitment. Mr. Barranco said they could commit to private security upon completion of the development.

Motion by Councilman Shell, seconded by Councilman DuBose to adopt the ordinance and amendment as presented. Opposed: Alexander, Koritko

**MOTION CARRIED. (5-2)**

**VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS**

**U. REQUEST FROM BIKE COWETA FOR A SPECIAL EVENT PERMIT FOR THE ROCK & ROAD FESTIVAL ON APRIL 15<sup>TH</sup>**

Chris Doane was there for the request. Councilman Alexander asked about the reserved parking spaces? Mr. Doane said that was previously approved, securing all of the spaces for the crit and then each restaurant would reserve their own space in front of them. People can stand in the space or the restaurant can utilize it for serving. It's basically extending a temporary patio into that space. Mayor Brady stated there is precedent for this as restaurants were allowed to do this during COVID.

Councilman Alexander then asked about access to Murphy's Florist as this event is the same day as prom. City Manager said there has been a lot of conversation with Murphy's about this. The City has offered to reserve some spaces in the parking lot across from them on Spring St. and people will be able to cross the street. Murphy's closes at noon that day and street closures will start at 11am.

Council asked questions about the logistics for the event. Mr. Doane said the event wraps up around 9pm and then there will be clean up time needed, which may take an hour or two. Mr. Norton said they will start the cleanup process at 9 but they won't open the streets until all the garbage has been picked up. There has already been an article in the newspaper and most downtown merchants are aware already and there will be other

follow up with an official notice. Crowds may be similar to the Taste of Newnan, around 5,000.

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

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

**ADJOURNMENT**

Motion by Councilman Alexander, seconded by Mayor Pro Tem Koritko to adjourn the Council meeting at 3:20pm.

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

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Megan Shea, City Clerk

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Keith Brady, Mayor