



# Newnan City Council Meeting (New Business)

JANUARY 14, 2020

Newnan City Hall  
Richard A. Bolin Council Chambers  
25 LaGrange Street  
2:30 PM

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## CALL TO ORDER

## INVOCATION

## READING OF MINUTES

## SWEARING IN CEREMONY

- A. Paul Guillaume - District 1 - Post A
- Dustin Koritko - District 1 - Post B
- George M. Alexander - District 3 - Post A
- Cynthia E. Jenkins - District 3 - Post B

## ELECTION OF MAYOR PRO TEM

## APPOINTMENT OF CITY OFFICIALS

- B. Department Heads
- City Attorney
- Municipal Court Judge
- Municipal Court Judge Pro Tem

## REPORTS OF BOARDS AND COMMISSIONS

- C. 3 Appointments - Parks Commission - 3 Year Term
- D. 3 Appointments - Planning Commission - 3 Year Term
- E. 1 Appointment- Housing Authority - 5 Year Term
- F. 2 Appointments- Tree Commission- 3 Year Term
- G. Appointment - Cultural Arts Commission (Joanna Harvey resignation accepted 11/26/19, term to expire 6/2021)

## REPORTS ON OPERATIONS BY CITY MANAGER

- H. Schedule City Floating Holiday for 2020

## REPORTS AND COMMUNICATIONS FROM MAYOR

## NEW BUSINESS

- I. 2020 Pay Plan Resolution
- J. Minimum Speed Restriction Update & RADAR Usage Approval
- K. An Ordinance to Provide for the Adoption of a Budget, its Execution and Effect for the Fiscal Year Beginning January 1, 2020 - December 31, 2020

- L. ICMA-RC Loan Agreement Amendment
- M. Public Hearing - Application for Alcohol Beverage License - ARA Foods LLC, dba Newell Grocery - Retail Off Premise (Package) Sales, Malt Beverages and Wine - 45 Robinson Street, Suite A - Reason: New Business
- N. Public Hearing for Minor Amendment to the Capital Improvements Element (CIE) and Short-Term Work Program (STWP)
- O. 69 MLK Jr Dr - Schedule a public hearing for February 25, 2020 regarding structure.
- P. 21 Berry Ave - Schedule a public hearing for February 25, 2020 regarding structure.

**VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS**

**MOTION TO ENTER INTO EXECUTIVE SESSION**

- Q. Motion to Enter into Executive Session

**WORK SESSION- INSURANCE**

**ADJOURNMENT**

**CITY OF NEWNAN, GEORGIA  
GENERAL EMPLOYEES  
2020 SALARY RANGES BASED ON GRADE  
Effective January 16, 2020**

Grade	Classification Title	Exempt (E)		Minimum	Maximum
		Non-exempt (N)			
1				\$ 19,510.40	\$ 30,264.00
				\$ 9.38	\$ 14.55
2				\$ 20,675.20	\$ 32,073.60
				\$ 9.94	\$ 15.42
3				\$ 21,944.00	\$ 33,987.20
				\$ 10.55	\$ 16.34
4				\$ 23,254.40	\$ 36,046.40
				\$ 11.18	\$ 17.33
5	Municipal Court Clerk (FT & PT)	N		\$ 24,648.00	\$ 38,209.60
	Police Clerk (PT)	N		\$ 11.85	\$ 18.37
	Reference Assistant (PT)	N			
6	Asst Permit Technician (PT)	N		\$ 26,124.80	\$ 40,497.60
	Crossing Guard (PT)	N		\$ 12.56	\$ 19.47
	Park Attendant (PT)	N			
7	Beautification Worker	N		\$ 27,684.80	\$ 42,931.20
	Cemetery Maintenance Worker	N		\$ 13.31	\$ 20.64
	Mechanic Assistant	N			
	Street Maintenance Worker	N			
	Sanitation Collection Worker	N			
8	Sr. Carnegie Assistant	N		\$ 29,348.80	\$ 45,510.40
				\$ 14.11	\$ 21.88
9	Administrative Assistant - Fire	N		\$ 31,116.80	\$ 48,256.00
	Administrative Assistant - Plan & Zoning	N		\$ 14.96	\$ 23.20
	Administrative Assistant - Police	N			
	Administrative Assistant - Public Wks	N			
10	Accounting Technician	N		\$ 32,968.00	\$ 51,126.40
	Beautification Crew Leader	N		\$ 15.85	\$ 24.58
	Cemetery Equipment Operator	N			
	Inmate Crew Supervisor	N			
	Permit Technician	N			
	Sanitation Equipment Operator	N			
	Senior Street Maintenance Worker	N			
	Street Maintenance/Concrete Finisher	N			
11	Animal Control Officer	N		\$ 34,944.00	\$ 54,184.00
	Communications Operator	N		\$ 16.80	\$ 26.05
	Fleet Coordinator	N			
	Parking Enforcement Officer	N			
	Special Events Coordinator	N			

**CITY OF NEWNAN, GEORGIA  
GENERAL EMPLOYEES  
2020 SALARY RANGES BASED ON GRADE  
Effective January 16, 2020**

Grade	Classification Title	Exempt (E)		Minimum	Maximum
		Non-exempt (N)			
12	Automotive Mechanic	N		\$ 37,065.60	\$ 57,449.60
	Erosion Control Inspector	N		\$ 17.82	\$ 27.62
	Facilities Maintenance Technician	N			
	KNB Coordinator	N			
	Sanitation Driver/Collector	N			
	Sr. Accounting Technician	N			
13	Leisure Services Coordinator	N		\$ 39,291.20	\$ 60,902.40
				\$ 18.89	\$ 29.28
14	Accounting Specialist	N		\$ 41,641.60	\$ 64,542.40
	Building Inspector	N		\$ 20.02	\$ 31.03
	Code Enforcement Officer	N			
	Human Resources Coordinator	N			
	Police Investigator	N			
	Trolley Driver	N			
15	Beautification Supervisor	N		\$ 44,137.60	\$ 68,411.20
	Cemetery Maint Supervisor	N		\$ 21.22	\$ 32.89
	Detective	N			
	Executive Admin Assist to the City Manager	N			
	Information Tech Systems Analyst	N			
	Lead Mechanic	N			
	Municipal Court Clerk	N			
	Sanitation Supervisor	N			
	Street Maint Supervisor	N			
16	Accountant	N		\$ 46,800.00	\$ 72,550.40
	Engineering Field Inspector	N		\$ 22.50	\$ 34.88
	Senior Building Inspector	N			
	Senior Facilities Maint Technician	N			
17	IT Senior Systems Analyst	N		\$ 49,608.00	\$ 76,876.80
	Main Street Manager	N		\$ 23.85	\$ 36.96
	Plans Examiner	N			
	Safety & Risk Manager	N			
	Street Maintenance Manager	N			
18	Cemetery Superintendent	E		\$ 52,582.40	\$ 81,494.40
	City Clerk	E		\$ 25.28	\$ 39.18
	Communications Manager	E			
	Planner	N			

**CITY OF NEWNAN, GEORGIA  
GENERAL EMPLOYEES  
2020 SALARY RANGES BASED ON GRADE  
Effective January 16, 2020**

Grade	Classification Title	Exempt (E) Non-exempt (N)		Minimum	Maximum
19	GIS Analyst II	N		\$ 55,723.20	\$ 86,382.40
				\$ 26.79	\$ 41.53
20	Carnegie Director	E		\$ 59,072.00	\$ 91,561.60
	Deputy Building Official	N		\$ 28.40	\$ 44.02
	Deputy Public Works Director	E			
	Facilities Maintenance Director	E			
	Leisure Services Manager	E			
21	Assistant Finance Director	E		\$ 62,608.00	\$ 97,052.80
	Civil Engineer	E		\$ 30.10	\$ 46.66
	Program Manager	E			
22	Business Development Director	E		\$ 66,393.60	\$ 102,897.60
	Landscape Architect	E		\$ 31.92	\$ 49.47
23	Chief Building Official	E		\$ 70,345.60	\$ 109,054.40
	Human Resources Director	E		\$ 33.82	\$ 52.43
	Information Technology Director	E			
	Planning and Zoning Director	E			
24				\$ 74,588.80	\$ 115,606.40
				\$ 35.86	\$ 55.58
25	Finance Director	E		\$ 79,060.80	\$ 122,553.60
	Public Works Director	E		\$ 38.01	\$ 58.92
26				\$ 83,803.20	\$ 129,875.20
				\$ 40.29	\$ 62.44
27	Assistant City Manager	E		\$ 88,836.80	\$ 137,696.00
				\$ 42.71	\$ 66.20
28				\$ 94,182.40	\$ 145,953.60
				\$ 45.28	\$ 70.17
29				\$ 99,798.40	\$ 154,689.60
				\$ 47.98	\$ 74.37
30				\$ 105,809.60	\$ 163,987.20
				\$ 50.87	\$ 78.84

\*Annual Salary Based on 2,080 Hours Per Year

**Salary Range**

	<b>Minimum</b>		<b>Mid</b>		<b>Maximum</b>
<b>1</b>	\$ 9.38		\$ 11.97		\$ 14.55
<b>2</b>	\$ 9.94		\$ 12.68		\$ 15.42
<b>3</b>	\$ 10.55		\$ 13.45		\$ 16.34
<b>4</b>	\$ 11.18		\$ 14.26		\$ 17.33
<b>5</b>	\$ 11.85		\$ 15.11		\$ 18.37
<b>6</b>	\$ 12.56		\$ 16.02		\$ 19.47
<b>7</b>	\$ 13.31		\$ 16.98		\$ 20.64
<b>8</b>	\$ 14.11		\$ 18.00		\$ 21.88
<b>9</b>	\$ 14.96		\$ 19.08		\$ 23.20
<b>10</b>	\$ 15.85		\$ 20.22		\$ 24.58
<b>11</b>	\$ 16.80		\$ 21.43		\$ 26.05
<b>12</b>	\$ 17.82		\$ 22.72		\$ 27.62
<b>13</b>	\$ 18.89		\$ 24.08		\$ 29.28
<b>14</b>	\$ 20.02		\$ 25.53		\$ 31.03
<b>15</b>	\$ 21.22		\$ 27.06		\$ 32.89
<b>16</b>	\$ 22.50		\$ 28.69		\$ 34.88
<b>17</b>	\$ 23.85		\$ 30.41		\$ 36.96
<b>18</b>	\$ 25.28		\$ 32.23		\$ 39.18
<b>19</b>	\$ 26.79		\$ 34.16		\$ 41.53
<b>20</b>	\$ 28.40		\$ 36.21		\$ 44.02
<b>21</b>	\$ 30.10		\$ 38.38		\$ 46.66
<b>22</b>	\$ 31.92		\$ 40.69		\$ 49.47
<b>23</b>	\$ 33.82		\$ 43.13		\$ 52.43
<b>24</b>	\$ 35.86		\$ 45.72		\$ 55.58
<b>25</b>	\$ 38.01		\$ 48.46		\$ 58.92
<b>26</b>	\$ 40.29		\$ 51.37		\$ 62.44
<b>27</b>	\$ 42.71		\$ 54.45		\$ 66.20
<b>28</b>	\$ 45.28		\$ 57.72		\$ 70.17
<b>29</b>	\$ 47.98		\$ 61.18		\$ 74.37
<b>30</b>	\$ 50.87		\$ 64.85		\$ 78.84

**CITY OF NEWNAN, GEORGIA  
POLICE SWORN OFFICERS  
2020 SALARY RANGES BASED ON GRADE  
Effective January 16, 2020**

	Minimum		Mid		Maximum
<b>1</b>	\$ 11.56		\$ 14.74		\$ 17.92
<b>2</b>	\$ 12.25		\$ 15.62		\$ 18.99
<b>3</b>	\$ 12.99		\$ 16.56		\$ 20.13
<b>4</b>	\$ 13.77		\$ 17.56		\$ 21.34
<b>5</b>	\$ 14.60		\$ 18.62		\$ 22.63
<b>6</b>	\$ 15.48		\$ 19.74		\$ 23.99
<b>7</b>	\$ 16.41		\$ 20.93		\$ 25.44
<b>8</b>	\$ 17.39		\$ 22.17		\$ 26.95
<b>9</b>	\$ 18.43		\$ 23.50		\$ 28.57
<b>10</b>	\$ 19.54		\$ 24.92		\$ 30.29
<b>11</b>	\$ 20.71		\$ 26.41		\$ 32.10
<b>12</b>	\$ 21.05		\$ 26.84		\$ 32.63
<b>13</b>	\$ 23.27		\$ 29.67		\$ 36.07
<b>14</b>	\$ 24.67		\$ 31.46		\$ 38.24
<b>15</b>	\$ 26.15		\$ 33.34		\$ 40.53
<b>16</b>	\$ 27.72		\$ 35.35		\$ 42.97
<b>17</b>	\$ 29.38		\$ 37.46		\$ 45.54
<b>18</b>	\$ 31.14		\$ 39.71		\$ 48.27
<b>19</b>	\$ 33.01		\$ 42.09		\$ 51.17
<b>20</b>	\$ 34.99		\$ 44.61		\$ 54.23
<b>21</b>	\$ 37.09		\$ 47.29		\$ 57.49
<b>22</b>	\$ 39.32		\$ 50.14		\$ 60.95
<b>23</b>	\$ 41.68		\$ 53.14		\$ 64.60
<b>24</b>	\$ 44.18		\$ 56.33		\$ 68.48
<b>25</b>	\$ 46.83		\$ 59.71		\$ 72.59
<b>26</b>	\$ 49.64		\$ 63.29		\$ 76.94
<b>27</b>	\$ 52.62		\$ 67.09		\$ 81.56
<b>28</b>	\$ 55.78		\$ 71.12		\$ 86.46
<b>29</b>	\$ 59.13		\$ 75.39		\$ 91.65
<b>30</b>	\$ 62.68		\$ 79.92		\$ 97.15

**CITY OF NEWNAN, GEORGIA  
POLICE SWORN OFFICERS  
2020 SALARY RANGES BASED ON GRADE  
Effective January 16, 2020**

Grade	Classification Title	Exempt (E)		Minimum	Maximum
		Non-exempt (N)			
1				\$ 24,044.80	\$ 37,273.60
				\$ 11.56	\$ 17.92
2	Police Recruit	N		\$ 25,480.00	\$ 39,499.20
				\$ 12.25	\$ 18.99
3				\$ 27,019.20	\$ 41,870.40
				\$ 12.99	\$ 20.13
4				\$ 28,641.60	\$ 44,387.20
				\$ 13.77	\$ 21.34
5				\$ 30,368.00	\$ 47,070.40
				\$ 14.60	\$ 22.63
6				\$ 32,198.40	\$ 49,899.20
				\$ 15.48	\$ 23.99
7				\$ 34,132.80	\$ 52,915.20
				\$ 16.41	\$ 25.44
8				\$ 36,171.20	\$ 56,056.00
				\$ 17.39	\$ 26.95
9				\$ 38,334.40	\$ 59,425.60
				\$ 18.43	\$ 28.57
10	Police Officer - Community Resources			\$ 40,643.20	\$ 63,003.20
	Police Officer - Crime Scene Tech			\$ 19.54	\$ 30.29
	Police Officer - Master Officer				
	Police Officer - Patrol				
	Police Officer - School Resources				
	Police Officer - Traffic				



<b>11</b>			\$ 43,076.80 \$ 20.71	\$ 66,768.00 \$ 32.10
<b>12</b>	Police Accred Coordinator Police Corporal - Patrol Police Corporal - Community Resource Police Corporal - School Resources Police Investigator		\$ 45,656.00 \$ 21.95	\$ 70,761.60 \$ 34.02
<b>13</b>		N	\$ 48,401.60 \$ 23.27	\$ 75,025.60 \$ 36.07
<b>14</b>	Detective Sergeant Sergeant Community Resources Sergeant - Patrol Sergeant - School Resources Sergeant - Traffic	N N N N N	\$ 51,313.60 \$ 24.67	\$ 79,539.20 \$ 38.24
<b>15</b>		N N N	\$ 54,392.00 \$ 26.15	\$ 84,302.40 \$ 40.53
<b>16</b>	Police Lieutenant - Detectives Police Lieutenant - Patrol Police Lieutenant - Prof Standards Police Lieutenant - Training Police Lieutenant - Traffic	N N N N N	\$ 57,657.60 \$ 27.72	\$ 89,377.60 \$ 42.97

17			\$ 61,110.40 \$ 29.38	\$ 94,723.20 \$ 45.54
18			\$ 64,771.20 \$ 31.14	\$ 100,401.60 \$ 48.27
19			\$ 68,660.80 \$ 33.01	\$ 106,433.60 \$ 51.17
20			\$ 72,779.20 \$ 34.99	\$ 112,798.40 \$ 54.23
21	Deputy Chief of Police	E	\$ 77,147.20 \$ 37.09	\$ 119,579.20 \$ 57.49
22			\$ 81,785.60 \$ 39.32	\$ 126,776.00 \$ 60.95
23			\$ 86,694.40 \$ 41.68	\$ 134,368.00 \$ 64.60
24	Chief of Police	E	\$ 91,894.40 \$ 44.18	\$ 142,438.40 \$ 68.48
25			\$ 97,406.40 \$ 46.83	\$ 150,987.20 \$ 72.59
26			\$ 103,251.20 \$ 49.64	\$ 160,035.20 \$ 76.94
27			\$ 109,449.60 \$ 52.62	\$ 169,644.80 \$ 81.56
28			\$ 116,022.40 \$ 55.78	\$ 179,836.80 \$ 86.46
29			\$ 122,990.40 \$ 59.13	\$ 190,632.00 \$ 91.65
30			\$ 130,374.40 \$ 62.68	\$ 202,072.00 \$ 97.15

\*Annual Salary Based on 2,080 Hours Per Year

**CITY OF NEWNAN, GEORGIA**  
**FIRE PERSONNEL**  
**2020 SALARY RANGES BASED ON GRADE**  
**Effective January 16, 2020**

	Minimum		Mid		Maximum
<b>1</b>	\$ 8.27		\$ 10.55		\$ 12.82
<b>2</b>	\$ 8.77		\$ 11.18		\$ 13.59
<b>3</b>	\$ 9.30		\$ 11.86		\$ 14.42
<b>4</b>	\$ 9.86		\$ 12.57		\$ 15.28
<b>5</b>	\$ 10.45		\$ 13.33		\$ 16.20
<b>6</b>	\$ 11.08		\$ 14.13		\$ 17.17
<b>7</b>	\$ 11.75		\$ 14.98		\$ 18.21
<b>8</b>	\$ 12.46		\$ 15.89		\$ 19.31
<b>9</b>	\$ 13.21		\$ 16.85		\$ 20.48
<b>10</b>	\$ 14.00		\$ 17.85		\$ 21.70
<b>11</b>	\$ 14.84		\$ 18.92		\$ 23.00
<b>12</b>	\$ 15.73		\$ 20.06		\$ 24.38
<b>13</b>	\$ 16.67		\$ 21.26		\$ 25.84
<b>14</b>	\$ 17.67		\$ 22.53		\$ 27.39
<b>15</b>	\$ 18.73		\$ 23.88		\$ 29.03
<b>16</b>	\$ 19.85		\$ 25.31		\$ 30.77
<b>17</b>	\$ 21.04		\$ 26.83		\$ 32.61
<b>18</b>	\$ 22.30		\$ 28.44		\$ 34.57
<b>19</b>	\$ 23.64		\$ 30.14		\$ 36.64
<b>20</b>	\$ 25.06		\$ 31.95		\$ 38.84
<b>21</b>	\$ 26.56		\$ 33.87		\$ 41.17
<b>22</b>	\$ 28.15		\$ 35.89		\$ 43.63
<b>23</b>	\$ 29.84		\$ 38.05		\$ 46.25
<b>24</b>	\$ 31.63		\$ 40.33		\$ 49.03
<b>25</b>	\$ 33.53		\$ 42.75		\$ 51.97
<b>26</b>	\$ 35.54		\$ 45.32		\$ 55.09
<b>27</b>	\$ 37.67		\$ 48.03		\$ 58.39
<b>28</b>	\$ 39.93		\$ 50.91		\$ 61.89
<b>29</b>	\$ 42.33		\$ 53.97		\$ 65.61
<b>30</b>	\$ 44.87		\$ 57.21		\$ 69.55

**CITY OF NEWNAN, GEORGIA  
FIRE PERSONNEL  
2020 SALARY RANGES BASED ON GRADE  
Effective January 16, 2020**

Grade	Classification Title	Exempt (E) Non-exempt (N)	Minimum	Maximum
1			\$ 24,016.08 \$ 8.27	\$ 37,229.28 \$ 12.82
2	Fire Recruit (based on 2080 hours)		\$ 18,241.60 \$ 8.77	\$ 28,267.20 \$ 13.59
3			\$ 27,007.20 \$ 9.30	\$ 41,875.68 \$ 14.42
4			\$ 28,633.44 \$ 9.86	\$ 44,373.12 \$ 15.28
5			\$ 30,346.80 \$ 10.45	\$ 47,044.80 \$ 16.20
6			\$ 32,176.32 \$ 11.08	\$ 49,861.68 \$ 17.17
7			\$ 34,122.00 \$ 11.75	\$ 52,881.84 \$ 18.21
8			\$ 36,183.84 \$ 12.46	\$ 56,076.24 \$ 19.31
9			\$ 38,361.84 \$ 13.21	\$ 59,473.92 \$ 20.48

<b>10</b>	Firefighter/EMT		\$ 40,656.00 \$ 14.00	\$ 63,016.80 \$ 21.70
<b>11</b>			\$ 43,095.36 \$ 14.84	\$ 66,792.00 \$ 23.00
<b>12</b>			\$ 45,679.92 \$ 15.73	\$ 70,799.52 \$ 24.38
<b>13</b>			\$ 48,409.68 \$ 16.67	\$ 75,039.36 \$ 25.84
<b>14</b>	Fire Lieutenant	N	\$ 51,313.68 \$ 17.67	\$ 79,540.56 \$ 27.39
<b>15</b>		N N	\$ 54,391.92 \$ 18.73	\$ 84,303.12 \$ 29.03
<b>16</b>	Fire Captain Training Captain (Based on 2080 hours)	N	\$ 57,644.40 \$ 19.85	\$ 89,356.08 \$ 30.77
<b>17</b>			\$ 61,100.16 \$ 21.04	\$ 94,699.44 \$ 32.61
<b>18</b>			\$ 64,759.20 \$ 22.30	\$ 100,391.28 \$ 34.57
<b>19</b>			\$ 68,650.56 \$ 23.64	\$ 106,402.56 \$ 36.64
<b>20</b>			\$ 72,774.24 \$ 25.06	\$ 112,791.36 \$ 38.84

<b>21</b>	Battalion Chief	N	\$ 77,130.24 \$ 26.56	\$ 119,557.68 \$ 41.17
<b>22</b>			\$ 81,747.60 \$ 28.15	\$ 126,701.52 \$ 43.63
<b>23</b>			\$ 86,655.36 \$ 29.84	\$ 134,310.00 \$ 46.25
<b>24</b>			\$ 91,853.52 \$ 31.63	\$ 142,383.12 \$ 49.03
<b>25</b>	Fire Chief (based on 2080 hours)		\$ 97,371.12 \$ 33.53	\$ 150,920.88 \$ 51.97
<b>26</b>			\$ 103,208.16 \$ 35.54	\$ 159,981.36 \$ 55.09
<b>27</b>			\$ 109,393.68 \$ 37.67	\$ 169,564.56 \$ 58.39
<b>28</b>			\$ 115,956.72 \$ 39.93	\$ 179,728.56 \$ 61.89
<b>29</b>			\$ 122,926.32 \$ 42.33	\$ 190,531.44 \$ 65.61
<b>30</b>			\$ 130,302.48 \$ 44.87	\$ 201,973.20 \$ 69.55

\*Annual Salary Based on 2,904 Hours Per Year

**RESOLUTION TO ADOPT 2020 PAY PLAN**

**WHEREAS,** the City of Newnan has a formal classification and compensation plan to provide an equitable basis for assigning pay rates for all employees; and

**WHEREAS,** the *Classification and Compensation Plan* is annually reviewed and updated to reflect changes in classifications and pay grade assignments; and

**WHEREAS,** the *Classification and Compensation Plan* has been drafted to adjust all pay grades by 2.5%, to provide for a 12% adjustment to starting pay for police officers and fire fighters, and also to provide for a pay increase of 5% to current employees; and

**WHEREAS,** funds have been provided in the 2020 budget for the *Classification and Compensation Plan* as presented;

**NOW, THEREFORE, BE IT RESOLVED,** that the 2020 *Pay Plan* which is attached hereto is adopted by the City Council this 14<sup>th</sup> day of January 2020 and is effective beginning January 16, 2020.

**DONE, RATIFIED AND PASSED** by the City Council of the City of Newnan, Georgia, this 14<sup>th</sup> day of January 2020 in regular session assembled.

ATTEST:

\_\_\_\_\_  
Keith Brady, Mayor

\_\_\_\_\_  
Della Hill, City Clerk

\_\_\_\_\_  
Cynthia E. Jenkins, Mayor Pro Tem

REVIEWED AS TO FORM:

\_\_\_\_\_  
George M. Alexander, Councilmember

\_\_\_\_\_  
C. Bradford Sears, Jr., City Attorney

\_\_\_\_\_  
Ray F. DuBose, Councilmember

\_\_\_\_\_  
Cleatus Phillips, City Manager

\_\_\_\_\_  
Rhodes H. Shell, Councilmember

\_\_\_\_\_  
Dustin K. Koritko, Councilmember

\_\_\_\_\_  
Paul L. Guillaume, Councilmember



## City of Newnan, Georgia - Mayor and Council

Date: January 14, 2020

Agenda Item: Minimum Speed Restriction Update & RADAR Usage Approval

Prepared By: Deputy Chief Mark Cooper, Newnan Police Department

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**Purpose:** To update the minimum speed restrictions on select roadways within the city limits.

**Background:** The State of Georgia requires minimum speed restrictions to be certified by the Georgia Department of Transportation in order to use RADAR or LIDAR for speed detection. Upon certification, the City Council must approve such limits to be changed or added. See attached List.

**Funding:** N/A

**Recommendation:** Approve per recommended list of Minimum Speed Restrictions for approved roadways to use RADAR and LIDAR speed measurement tools.

**Previous Discussion with Council:** Yearly to Bi-Yearly updates in past.





**Russell R. McMurry, P.E.,  
Commissioner**  
One Georgia Center  
600 West Peachtree Street, NW  
Atlanta, GA 30308  
(404) 631-1000 Main Office

December 9, 2019

Lt. Lane Yearta  
Newnan Police Department  
Traffic/Bike Unit  
1 Joseph Hannah Blvd.  
Newnan, Ga. 30263

Re: Radar List for the City of Newnan

Dear Lt. Yearta,

Attached is the updated radar list for the City of Newnan.

Please have the proper officials sign the signature page and return all **original** pages to the *Georgia Department of Transportation, 115 Transportation Blvd., Thomaston, GA 30286, Attention: Max Dromgoole.*

Please note, the City of Newnan will be responsible for proper speed zone sign placement on non-state route roadways corresponding to this list as well as any advisory speed warning signs roadway conditions warrant.

If you have questions, please contact me at 706-646-7596 or [wdromgoole@dot.ga.gov](mailto:wdromgoole@dot.ga.gov).

Sincerely,

A handwritten signature in blue ink, appearing to read 'Max Dromgoole', with a long horizontal flourish extending to the right.

Max Dromgoole  
Traffic Operations Engineer 3

The City of Newnan is hereby requesting that the following roadways be approved for the use of speed detection devices:

**LIST OF ROADWAYS**  
For  
**THE CITY OF NEWNAN**  
**IN COWETA COUNTY**  
**ON-SYSTEM**

STATE ROUTE	WITHIN THE CITY / TOWN LIMITS OF and/or School Name	FROM	MILE POINT	TO	MILE POINT	LENGTH IN MILES	SPEED LIMIT
SR 14	NEWNAN	50 feet north of Corinth Road (South City Limits of Newnan)	12.70	700 feet north of Beavers Street	12.95	0.25	45
SR 14	NEWNAN	700 feet north of Beavers Street	12.95	150 feet north of Sprayberry Road	15.55	2.60	35
SR 14	NEWNAN	150 feet north of Sprayberry Road	15.55	250 feet north of Old Atlanta Hwy	16.22	0.67	45
SR 14 South	NEWNAN	SR 14 (Clark Street)	0.00	SR 14 (Greenville Street)	0.63	0.63	35
SR 16	NEWNAN	600 feet east of Evans Drive (West City Limits of Newnan)	7.73	300 feet east of SR 34/Hospital Drive	7.99	0.26	45
SR 16	NEWNAN	300 feet east of SR 34/Hospital Drive	7.99	SR 14/Jackson Street	9.11	1.12	35
SR 16	NEWNAN	<i>State Route 16 runs common with State Route 14 from MP 9.11 to MP 12.87</i>					
SR 34	NEWNAN	475 feet east of Helen Street (West City Limits of Newnan)	9.99	SR 16	10.26	0.27	45
SR 34	NEWNAN	<i>State Route 34 runs common with State Route 16 from MP 10.26 to MP 11.44</i>					
SR 34	NEWNAN	<i>State Route 34 runs common with State Route 14 SO from MP 11.44 to MP 11.61</i>					
SR 34	NEWNAN	<i>State Route 34 runs common with State Route 14 from MP 11.61 to MP 11.84</i>					
SR 34	NEWNAN	SR 14 (Clark Street)	11.84	200 feet west of Farmer Street	12.28	0.44	35
SR 34	NEWNAN	200 feet west of Farmer Street	12.28	300 feet east of Greison Trail	12.70	0.42	45
SR 34	NEWNAN	300 feet east of Greison Trail	12.70	950 feet west of Jefferson Street	13.94	1.24	55
SR 34 BY	NEWNAN	50 feet west of SR 14 (West City Limits of Newnan)	3.82	SR 34 (Bullsboro Drive)	6.01	2.19	45
SR 34 BY SCHOOL ZONE	NEWNAN <i>Jefferson Parkway Elementary</i> 7:30 to 8:30 am 2:00 to 3:00 pm <b>SCHOOL DAYS ONLY</b>	300 feet west of Elaine Drive	5.14	500 feet east of Jefferson Parkway	5.52	0.38	35

**OFF-SYSTEM**

<b>ROAD NAME</b>	<b>WITHIN THE CITY / TOWN LIMITS OF and/or School Name</b>	<b>FROM</b>	<b>TO</b>	<b>LENGTH IN MILES</b>	<b>SPEED LIMIT</b>
Augusta Drive	NEWNAN	Jefferson Street	North Avenue	0.47	25
Balswin Court	NEWNAN	The Boulevard	Dead End	0.75	25
Ball Street	NEWNAN	Martin Luther King Jr. Blvd.	East Broad Street	0.62	30
Belt Road	NEWNAN	SR 34	South City Limits	1.09	40
Berry Anevue Ext.	NEWNAN	Farmer Street	Frank Street	0.54	35
Boone Drive	NEWNAN	Fourth Street	Lovelace Street	0.44	35
Calumet Parkway	NEWNAN	SR 34 Bypass	Churchill Parkway	0.92	25
Celebrate Life Parkway	NEWNAN	SR 34	McIntosh Parkway	1.00	35
Cherokee Street	NEWNAN	Poplar Street	Oak Street	0.43	25
College Street	NEWNAN	Spring Street	Clark	0.44	25
Diplomat Parkway	NEWNAN	Newnan Crossing Blvd. E. at Stonebridge Crossing	2870 feet north of Brennon Chase	0.66	35
Dixon Street	NEWNAN	Temple Avenue	Willow Drive	0.83	30
Dixon Street <b>SCHOOL ZONE</b>	NEWNAN <i>Elm Street School</i> 7:00 to 9:00 am 2:00 to 4:00 pm <b>SCHOOL DAYS ONLY</b>	0.10 mile north of SR 16	Elm Circle	0.24	25
East Broad Street	NEWNAN	Perry Street	Greison Trail	1.65	35
East Newnan Road	NEWNAN	East Broad Street	Martin Luther King Jr. Blvd.	0.34	35
East Washington Street	NEWNAN	SR 14	Roberts Road	0.70	30
Elm Street	NEWNAN	SR 14	Dixon Street	0.49	25
Elm Street <b>SCHOOL ZONE</b>	NEWNAN <i>Elm Street School</i> 7:00 to 9:00 am 2:00 to 4:00 pm <b>SCHOOL DAYS ONLY</b>	Dixon Street	Powell Place	0.21	25
Fairgreen Trace	NEWNAN	Oak Parkway	Lakeshore Drive	1.00	25
Fairway Drive	NEWNAN	Highwoods Drive	Horizon Hill	1.10	25
Farmer Street	NEWNAN	Bullsboro Drive	East Washington Street	0.75	35
First Avenue	NEWNAN	LaGrange Street	Spring Street	0.51	25
Forest Drive	NEWNAN	Summergrove Parkway	SummerGrove Parkway	1.20	25
Fourth Street	NEWNAN	Second Avenue	3800 feet west of Sunset Lane (West City Limits of Newnan)	1.12	25
Greison Trail	NEWNAN	Bullsboro Drive	East Broad Street	1.58	45
Highwoods Parkway	NEWNAN	Summergrove Parkway	Greenview Drive	1.00	25
Horizon Hill	NEWNAN	Fairway Drive	Highwoods Parkway	1.10	25
Hospital Road	NEWNAN	Temple Avenue	North City Limits	0.99	45

**LIST NUMBER 1219-077N**

<b>ROAD NAME</b>	<b>WITHIN THE CITY / TOWN LIMITS OF and/or School Name</b>	<b>FROM</b>	<b>TO</b>	<b>LENGTH IN MILES</b>	<b>SPEED LIMIT</b>
Hunterian Place	<b>NEWNAN</b>	Belltree Circle	Dead End	0.70	25
Inverness Ave.	<b>NEWNAN</b>	Lakeshore Parkway	Inverness Avenue	0.85	25
Jefferson Pkwy	<b>NEWNAN</b>	Jefferson Street Extension	SR 34 Bypass	0.48	30
Jefferson Parkway <b>SCHOOL ZONE</b>	<b>NEWNAN</b> <i>Jefferson Parkway Elementary</i> 7:00 to 9:00 am 2:00 to 4:00 pm <b>SCHOOL DAYS ONLY</b>	0.30 mile north of Jefferson Street Extension	100 feet south of SR 34 Bypass	0.30	25
Jefferson Street Extension	<b>NEWNAN</b>	SR 34/Bullsboro Drive	SR 34/Jefferson Street	2.00	35
LaGrange Street	<b>NEWNAN</b>	SR 14 South	400 feet south of Boone Drive	1.13	25
LaGrange Street <b>SCHOOL ZONE</b>	<b>NEWNAN</b> <i>Newnan High</i> 7:00 to 9:00 am 3:00 to 4:30 pm <b>SCHOOL DAYS ONLY</b>	200 feet north of Carter Way	200 feet south of Boone Drive	0.37	25
LaGrange Street	<b>NEWNAN</b>	400 feet south of Boone Drive	Pinelea Drive (South City Limit of Newnan)	0.27	35
Lake Forest Drive	<b>NEWNAN</b>	Summergrove Parkway	Summergrove Parkway	1.00	25
Lundy Street	<b>NEWNAN</b>	Evergreen Drive	Parks Avenue	0.40	30
Lower Fayetteville Road	<b>NEWNAN</b>	Greison Trail	500 feet west of The Ridge Ct.	2.39	45
Lower Fayetteville Road <b>SCHOOL ZONE</b>	<b>NEWNAN</b> <i>Newnan Crossing</i> 7:00 to 9:00 am 2:00 to 4:00 pm <b>SCHOOL DAYS ONLY</b>	0.30 mile east of I-85	0.40 mile west of Market Square	0.76	25
Madison Street	<b>NEWNAN</b>	College Street	Jackson Street	0.25	25
Martin Luther King Jr. Blvd.	<b>NEWNAN</b>	East Newnan Road	Pinson Street	0.70	35
Martin Luther King Jr. Blvd. <b>SCHOOL ZONE</b>	<b>NEWNAN</b> <i>Newnan High</i> 7:00 to 9:00 am 3:00 to 4:30 pm <b>SCHOOL DAYS ONLY</b>	0.10 mile east of Dodson Street	0.10 mile west of East Newnan Road	0.25	25
McIntosh Parkway	<b>NEWNAN</b>	Roberts Road	Greison Trail	0.47	35
McIntosh Parkway	<b>NEWNAN</b>	Greison Trail	Newnan Crossing ByPass	1.12	45
Newnan Crossing Blvd.	<b>NEWNAN</b>	SR 34	Lower Fayetteville Road	1.85	45
Newnan Crossing Blvd. E	<b>NEWNAN</b>	Lower Fayetteville Road	South Newnan City Limit	0.90	45
Newnan Crossing Bypass	<b>NEWNAN</b>	SR 34	South Newnan City Limit	2.30	45

**LIST NUMBER 1219-077N**

<b>ROAD NAME</b>	<b>WITHIN THE CITY / TOWN LIMITS OF and/or School Name</b>	<b>FROM</b>	<b>TO</b>	<b>LENGTH IN MILES</b>	<b>SPEED LIMIT</b>
Newnan Lakes Blvd.	<b>NEWNAN</b>	Newnan Crossing ByPass	Lower Fayetteville Road	0.85	25
O.P. Evans Drive	<b>NEWNAN</b>	Hospital Road	State Route 16	0.25	25
O.P. Evans Drive <b>SCHOOL ZONE</b>	<b>NEWNAN</b> <i>O.P. Evans</i> 7:00 to 9:00 am 2:00 to 4:00 pm <b>SCHOOL DAYS ONLY</b>	Hospital Road	State Route 16	0.25	25
Olmstead Trace	<b>NEWNAN</b>	The Crescent	Dead End	0.51	25
Pinson Street	<b>NEWNAN</b>	Martin Luther King Jr. Blvd.	East Broad Street	0.71	25
Ray Street	<b>NEWNAN</b>	West Washington Street	Fair Street	0.85	25
Roberts Road	<b>NEWNAN</b>	East Broad Street	Berry Avenue	0.46	30
Roscoe Road	<b>NEWNAN</b>	SR 14	0.36 mile north of SR 14 (North Newnan City Limit)	0.36	35
Sewell Road	<b>NEWNAN</b>	Greenville Street	Spence Avenue	0.46	45
Sewell Road	<b>NEWNAN</b>	Spence Avenue	Water Works Road	0.78	35
Spence Avenue	<b>NEWNAN</b>	Greenville Street	Sewell Road	0.40	30
Sprayberry Road	<b>NEWNAN</b>	SR 14/US 29	Oak Street	0.60	35
Spring Street	<b>NEWNAN</b>	Hollis Heights	Boone Drive	0.32	25
Stillwood Drive	<b>NEWNAN</b>	Newnan Crossing Blvd. E	Newnan Crossing Blvd. E	1.10	25
Stonebridge Crossing	<b>NEWNAN</b>	Newnan Crossing Blvd. E	Stonebridge Blvd.	0.68	25
Summergrove Parkway	<b>NEWNAN</b>	Lower Fayetteville Road	Lower Fayetteville Road	1.58	30
Sunset Lane	<b>NEWNAN</b>	Fourth Street	West Washington Street	0.35	25
The Boulevard	<b>NEWNAN</b>	SR 14	Repton Way	0.71	25
The Crescent	<b>NEWNAN</b>	SR 14	Robinson Lane	0.32	25
Vanderbilt Parkway	<b>NEWNAN</b>	Mary Freeman Road	Poplar Road	0.98	30
Westhill Drive	<b>NEWNAN</b>	Newnan Crossing Blvd. E	Fairway Drive	0.83	25
Wesley Street	<b>NEWNAN</b>	Jackson Street	Richard Allen Drive	0.48	25
West Washington Street	<b>NEWNAN</b>	College Street	Belt Road	1.21	25
Water Works Road	<b>NEWNAN</b>	LaGrange Street	Sewell Road	0.66	35

*The City of Newnan will be responsible for proper speed zone sign placement on non-state route roadways corresponding to this list as well as any advisory speed warning signs roadway conditions warrant.*

ALL LISTS AND PARTS OF LISTS IN CONFLICT WITH THIS LIST ARE HEREBY REPEALED.

Signature of Governing Authority:

**DONE, RATIFIED, AND PASSED** in regular session, this the \_\_\_\_ day of \_\_\_\_\_, 2020.

ATTEST:

\_\_\_\_\_  
Della Hill, City Clerk

\_\_\_\_\_  
Keith Brady, Mayor

REVIEWED AS TO FORM:

\_\_\_\_\_  
Cynthia E. Jenkins, Mayor Pro Tem

\_\_\_\_\_  
C. Bradford Sears, Jr., City Attorney

\_\_\_\_\_  
George M. Alexander, Councilmember

\_\_\_\_\_  
Cleatus Phillips, City Manager

\_\_\_\_\_  
Ray F. DuBose, Councilmember

\_\_\_\_\_  
Rhodes H. Shell, Councilmember

\_\_\_\_\_  
Dustin K. Koritko, Councilmember

\_\_\_\_\_  
Paul L. Guillaume, Councilmember

## BUDGET ORDINANCE

AN ORDINANCE TO PROVIDE FOR THE ADOPTION OF A BUDGET, ITS EXECUTION AND EFFECT FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020 AND ENDING DECEMBER 31, 2020.

### Section I.

There is hereby adopted for the fiscal year January 1, 2020 through December 31, 2020, a budget for the City of Newnan, Georgia, based on the budget prepared by the City Manager, as amended by City Council.

### Section II. General Fund (100)

There is hereby established a General Fund for the City of Newnan with an appropriation of \$27,145,600 for the general operation and legal obligation in 2020.

<b>General Fund Revenues</b>	
Property Taxes	\$6,983,700
Sales Taxes	\$7,500,000
Excise (Franchise) Taxes	\$4,655,000
Occp. Tax & Alcohol	
Licenses	\$3,065,000
Inspections & Permits	\$740,000
Fines & Forfeitures	\$642,000
Other Local Revenue	\$383,400
Intergovernmental	\$688,500
Water & Light Transfers	\$1,700,000
Other Financing Sources	\$788,000
	<u>\$27,145,600</u>
<b>General Fund Expenditures</b>	
General Government	\$3,957,595
Public Safety	\$15,598,604
Public Works	\$3,814,011
Community Development	\$2,940,565
Other Services	\$834,825
	<u>\$27,145,600</u>

### Section III. Street Improvement Fund (200).

There is hereby established a Street Improvement Fund for the City of Newnan with an appropriation of \$437,676 for street improvements.

<b>Street Improvements Revenue</b>	
Street Improvements	\$35,000
LMIG Contract Revenue	\$437,676
Interest Earnings - Street Improvements	\$500
Interest Earnings - LMIG	\$1,000
Fund Balance Reserves	<u>(\$36,500)</u>
	<b><u>\$437,676</u></b>
<b>Street Improvements Expenditures</b>	
Major Streets Maintenance	<u>\$437,676</u>
	<b><u>\$437,676</u></b>

### Section IV. Confiscated Assets Fund (210)

There is hereby established a Confiscated Assets Fund for the City of Newnan with an appropriation of \$91,400 for Public Safety operations. This fund consists of confiscated and condemned funds released by the Superior Court for Police Department purchases.

<b>Confiscated Assets Revenue</b>	
Court Condemnations	\$79,800
Interest Earnings	\$2,605
Fund Balance Reserves	<u>\$8,995</u>
	<b><u>\$91,400</u></b>
<b>Confiscated Assets Expenditures</b>	
Other Seizures Expenditures	\$10,800
Dept. of Justice Expenditures	\$8,000
Dept. of Treasury Expenditures	<u>\$72,600</u>
	<b><u>\$91,400</u></b>



**Section V. NSP1 Grant Fund (221)**

There is hereby established a NSP1 Grant Fund for the City of Newnan with an appropriation of \$300,000. This fund is utilized to account for a Neighborhood Stabilization Program grant received by the City from the Georgia Department of Community Affairs to purchase and rehabilitate housing for low income recipients who meet the eligibility guidelines for assistance. Newnan Housing Authority (HAN) and Newnan-Coweta Habitat for Humanity (NCHFH) are the sub-recipients of the grant.

<b>NSP1 Revenues</b>	
Program Income	\$70,000
Interest Earnings	\$750
Fund Balance Reserves	<u>(\$229,250)</u>
	<b><u>\$300,000</u></b>
<b>NSP1 Expenditures</b>	
Program Expenses	<u>\$300,000</u>
	<b><u>\$300,000</u></b>

**Section VI. NSP3 Grant Fund (222)**

There is hereby established a NSP3 Grant Fund for the City of Newnan with an appropriation of \$300,000. This fund is utilized to account for a Neighborhood Stabilization Program grant received by the City from the Georgia Department of Community Affairs to purchase and rehabilitate housing for low income recipients who meet the eligibility guidelines for assistance. Newnan Housing Authority (HAN) is the sub-recipient of the grant.

<b>NSP3 Revenue</b>	
Program Income	\$90,000
Interest Income	\$800
Fund Balance Reserves	<u>(\$209,200)</u>
	<b><u>\$300,000</u></b>
<b>NSP3 Expenditures</b>	
Program Expenses	<u>\$300,000</u>
	<b><u>\$300,000</u></b>

**Section VII. Miscellaneous Grants Fund (240)**

There is hereby established a Miscellaneous Grants Fund for the City of Newnan with an appropriation of \$64,635. This fund is utilized for grants received by the city from local vendors, DCA and other agencies to fund specific expenditures as required.

<b>Misc. Grants Revenue</b>	
Grant Funds	\$86,500
Fund Balance Reserves	<u>(\$21,865)</u>
	<b><u>\$64,635</u></b>
<b>Misc. Grants Expenditures</b>	
Employee Benefits	\$2,000
Employee Recognition	\$1,200
Public Relations	\$37,900
Other Contractual Services	\$20,000
Materials & Supplies	\$1,435
Training	\$1,100
Protective Equipment	<u>\$1,000</u>
	<b><u>\$64,635</u></b>

**Section VII. Hotel/Motel Tourism Fund (275)**

There is hereby established a Hotel/Motel Tourism Fund for the City of Newnan with an appropriation of \$1,160,200 for Tourism Enhancement activities.

<b>Hotel/Motel Tourism Revenues</b>	
Hotel/Motel Tax	\$1,168,000
Interest Earnings	\$5,000
Fund Balance Reserves	<u>(\$12,800)</u>
	<b><u>\$1,160,200</u></b>
<b>Hotel/Motel Tourism Expenditures</b>	
Natural Gas	\$3,000
Transfer to Explore Newnan - Coweta	\$213,600
Tourism Capital Expenditures	\$213,600
Transfer to General Fund	\$438,000
Transfer to Newnan Centre	<u>\$292,000</u>
	<b><u>\$1,160,200</u></b>

**Section IX. Motor Vehicle Rental Excise Tax Fund (280)**

There is hereby established a Motor Vehicle Rental Excise Tax Fund for the City of Newnan with an appropriation of \$96,000 for Newnan Centre activities.

<b>Motor Vehicle Rental Excise Tax Revenues</b>	
Excise Tax	\$96,000
Interest Earnings	\$1,000
Fund Balance Reserves	<u>(\$1,000)</u>
	<b><u>\$96,000</u></b>
<b>Motor Vehicle Rental Excise Tax Expenditures</b>	
Transfer to Newnan Centre	<u>\$96,000</u>
	<b><u>\$96,000</u></b>

**Section X. Special Purpose Local Option Sales Tax Funds (323 and 310)**

Fund 323, **SPLOST 2013**, was established in 2013 and expired in 2018. This year's budget includes an appropriation of \$1,585,000 for capital projects.

<b>SPLOST 2013 Revenues</b>	
Interest Earnings	\$15,500
Grant Funds	\$500,000
Fund Balance Reserves	<u>(\$1,069,500)</u>
	<b><u>\$1,585,000</u></b>
<b>SPLOST 2013 Expenditures</b>	
Lower Fayetteville Road	\$685,000
Streets, Drainage & Sidewalks	\$750,000
Sign Upgrades	<u>\$150,000</u>
	<b><u>\$1,585,000</u></b>

Fund 310, **SPLOST 2019**, was established in 2019 and will expire in 2023. This year’s budget includes an appropriation of \$9,117,000 for capital projects and a transfers to Newnan Utilities in the amount of \$626,200 for a total of \$9,743,200.

**SPLOST 2019 Revenue:**

SPLOST 2019 Receipts	\$6,262,000
Interest Earnings	\$5,000
Fund Balance Reserves	<u>(\$3,476,200)</u>
	<b><u>\$9,743,200</u></b>

**SPLOST 2019 Expenditures:**

Network Improvements	\$5,000
Leisure Services	\$7,465,000
Streets, Drainage & Sidewalks	\$1,500,000
Public Works Equipment	\$147,000
Transfer to Newnan Utilities	<u>\$626,200</u>
	<b><u>\$9,743,200</u></b>

**Section XI. Impact Fees (375)**

There is hereby established an Impact Fees Fund for the City of Newnan with an appropriation of \$750,000. In 2004, the City established an impact fee program with funds to be paid into the fund for four major areas of development: Roads and Bridges, Fire, Police and Parks.

**Impact Fees Revenues**

Roads/Streets/Bridges	\$150,000
Fire Services	\$240,000
Parks/Recreation	\$475,000
Interest Earnings	\$1,900
Fund Balance Reserves	<u>(\$116,900)</u>
	<b><u>\$750,000</u></b>

**Impact Fees Expenditures**

Parks/Recreation	<u>\$750,000</u>
	<b><u>\$750,000</u></b>

**Section XII. Sanitation Fund (540)**

There is hereby established a Sanitation Fund for the City of Newnan with an appropriation of \$878,715. These funds will be used for Brush & Bulk and Refuse (downtown commercial district).

<b>Sanitation Revenues</b>	
Yard Debris & Bulk	
Collections	\$690,000
Garbage Fees - Commercial	\$65,000
Interest Earnings	\$10,000
Transfer From General Fund	\$140,000
Fund Balance Reserves	<u>(\$26,285)</u>
	<b><u>\$878,715</u></b>

<b>Sanitation Expenditures</b>	
<b>Brush &amp; Bulk</b>	
Wages & Benefits	\$356,808
Operations	\$292,366
Depreciation Expenses	<u>\$20,000</u>
	<b><u>\$669,174</u></b>

<b>Sanitation Expenditures</b>	
<b>Refuse</b>	
Wages & Benefits	\$136,391
Operations	\$53,150
Depreciation Expenses	<u>\$20,000</u>
	<b><u>\$209,541</u></b>

**Section XIII.** All revenue received by the City of Newnan from Sources not restricted by law to expenditure for specific purposes may be used in meeting disbursements in Section II. Should the revenue received from such sources exceed the amount estimated, such excess shall be allocated to the General Fund subject to further action by City Council. The total disbursements in any fund shall not exceed the amount appropriated for that fund, including any available fund balances.

Done ratified, and passed by the City Council of the City of Newnan, Georgia, in regular session assembled this seventh day of January 2020.

ATTEST:

\_\_\_\_\_  
Della Hill, City Clerk

\_\_\_\_\_  
L. Keith Brady, Mayor

REVIEWED AS TO FORM:

\_\_\_\_\_  
Cynthia E. Jenkins, Mayor Pro-Tem

\_\_\_\_\_  
C. Bradford Sears, Jr., City Attorney

\_\_\_\_\_  
George M. Alexander, Councilmember

\_\_\_\_\_  
Cleatus Phillips, City Manager

\_\_\_\_\_  
Ray F. Dubose, Councilmember

\_\_\_\_\_  
Rhodes H. Shell, Councilmember

\_\_\_\_\_  
Dustin K. Koritko, Councilmember

\_\_\_\_\_  
Paul L. Guillaume, Councilmember



## City of Newnan, Georgia - Mayor and Council

Date: January 14, 2020

Agenda Item: ICMA-RC Loan Agreement Amendment

Prepared By: Meg Blubaugh, Human Resources

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**Purpose:** Modify the current plan agreement with ICMA-RC Optional Retirement Plan to allow for non-emergency employee loans

**Background:** Employees contribute 100% of the funds to their Optional Retirement Account. The current plan only allows for Emergency or Hardship withdrawals which must meet stringent IRS guidelines and do not have to be repaid. There have been numerous employee requests to use the money for various non-emergency. This modification will allow employees to borrow from their retirement account and repay at monthly intervals.

**Funding:** No City funding is required.

**Recommendation:** Amend the Current ICMA-RC Agreement

**Previous Discussion with Council:** None



# Loan Implementation Package for 457(b)/401(a)/403(b) Plan Sponsors

## TABLE OF CONTENTS

<b>Introduction and Summary Instructions</b> .....	<b>2</b>
<i>Basic information and instructions for implementing your plan's loan program.</i>	
<b>Loan Guidelines Agreement Instructions</b> .....	<b>3</b>
<i>Important information and instructions for completing the Loan Guidelines Agreement</i>	
<b>Loan Guidelines Agreement</b> .....	<b>7</b>
<i>Complete this agreement to establish the guidelines for your plan's loan program.</i>	
<b>Maximum Loan Amount Worksheet</b> .....	<b>13</b>
<i>Use this worksheet to calculate the maximum loan amount that a participant is eligible to receive.</i>	
<b>Suggested Resolution</b> .....	<b>14</b>
<i>For use by plans whose governing body requires that a resolution be passed.</i>	
<b>457(b) Plan Loan Administration Agreement</b> .....	<b>15</b>
<i>457(b) Plans Only. If you have multiple 457(b)(b) plan providers, you must complete and return this document to ICMA-RC.</i>	
<b>Loan Amendment (401(a) Plans Only)</b> .....	<b>16</b>
<i>401(a) Plans Only. If you are amending your existing plan to add a loan program, you must complete and return this document to ICMA-RC.</i>	
<b>Loan Amendment (403(b) Plans Only)</b> .....	<b>17</b>
<i>403(b) Plans Only. If you are amending your existing plan to add a loan program, you must complete and return this document to ICMA-RC.</i>	



# Introduction and Summary Instructions for 457(b), 401(a), and 403(b) Plan Sponsors

Making a loan program available in your retirement plan will provide eligible plan participants with the ability to borrow money from their accounts. As the administrator of your loan program, ICMA-RC will attempt to minimize the amount of resources you need to devote to the program. However, there are administrative and fiduciary responsibilities associated with offering loans which, as a practical matter, cannot be delegated to ICMA-RC.

Please review all of the information in this packet carefully prior to submitting the applicable forms to implement the loan program in your plan.

The below instructions provide you with easy-to-follow steps to implement a loan program in your ICMA-RC 457(b) or 401(a) plan.

- STEP 1:** Review the Loan Guidelines Agreement Instructions carefully prior to returning the required forms to implement your plan's loan program.
- STEP 2:** Complete the *Loan Guidelines Agreement*.
- STEP 3:** Determine whether any formal action is required by your legislative body and/or plan administrative committee to implement a loan program. If formal action is required, you may want to use the suggested resolution in this packet.
- STEP 4:** Complete the following documents *(if applicable)*
- **457(b) Plan Loan Administration Agreement** — If you have multiple 457(b) plan providers, you must complete and return this document to ICMA-RC.
  - **Loan Amendment (401(a)/403(b) Plans Only)** — If you are amending your existing 401(a)/403(b) plan to add loan provisions, you must complete and return this document to ICMA-RC.
- STEP 5:** Return copies of the following documents to ICMA-RC (please be sure to submit all pages and retain the originals for your records):
- *Loan Guidelines Agreement*
  - *Loan Amendment to the 401(a) Plan Adoption Agreement (if applicable)*
  - *457(b) Plan Loan Administration Agreement (if applicable)*
  - *Suggested Resolution (if applicable)*

**FAX TO:**  
Workflow Management Team  
202-682-6439

**OR**

**MAIL TO:**  
ICMA-RC  
ATTN: Workflow Management Team  
P.O. Box 96220  
Washington, DC 20090-6220

- STEP 6:** Please allow 5–7 business days for ICMA-RC to establish your plan's loan program.

*Please retain original copies of any documents you return to ICMA-RC for your records.*

*If you have any questions relating to the adoption process, please contact your Plan Sponsor Services team at 800-326-7272.*

# Loan Guidelines Agreement Instructions

The information in this packet is intended to assist you with implementing a loan program within your ICMA-RC 457(b), 401(a), or 403(b) plan(s). The packet provides an overview of the issues and complexities of establishing and maintaining a loan program under the most common types of retirement plan arrangements. It is not intended to be all inclusive. Special situations and/or solutions not discussed in this document will need to be reviewed on a case-by-case basis.

The instructions contain information that will help you understand the decisions you will need to make when you establish your loan program and help you complete the *Loan Guidelines Agreement*. Please carefully review the information in this section and complete all applicable sections of the *Loan Guidelines Agreement*.

Here are a few of the elections that you will need to make:

- Will loans be available for all purposes or only in hardship situations?
- How many loans will participants be allowed to have outstanding at one time? (up to five)
- How long will participants have to repay a loan used to purchase a new primary residence? (up to 30 years)
- How will participants repay their loans? (payroll deduction, ACH payments from their bank accounts, or both)

In order to offer loans within your retirement plan, the Internal Revenue Code requires that you establish written guidelines that govern the Plan's loan program. You may elect to use the *Loan Guidelines Agreement* to serve this purpose for your Plan.

If you have any questions relating to the process of implementing a loan program, please contact your Plan Sponsor Services team at 800-326-7272.

## Section I: Employer Plan Information

Enter the name of your employer plan. Also specify the plan type and your ICMA-RC plan number.

## Section II: Eligibility & Loan Source

Loans are available to all active employees, except those with an existing loan in default.

**Loan Source** — Use this section to specify the sources that will be available for participant loans.

## Section III: Loan Purpose

Specify whether loans may be taken for (A) all purposes or (B) only in the case of hardship. If you choose the "all purposes" option, more of your employees are likely to request loans than if you select the "hardship only" option.

(A) All Purposes

(B) Hardship Only

**401(a)(k)/403(b) Plans:** Under the Code, only employers can authorize a loan for hardship purposes. Generally, for loan purposes, the IRS defines "hardship" situations for these purposes to include, but not to be limited to: unreimbursed medical expenses, buying or rehabilitating the participant's principal residence, and paying for college education for the participant or his/her qualified dependents. Car loan, car repairs, and the purchase or repair of a vacation or rental property would not be included in the hardship definition.

Employers have the ability to make their plan's loan program more restrictive under both of the above options.

## Section IV: Application Process

No action is required in this section. The application process available to participants will vary depending on the option you select in Section III (Loan Purpose).

## Section V: Maximum Number of Loans

Specify whether participants may have only one (1) or up to five (5) loans outstanding at one time. The option you choose in this section will have a significant impact on the number of loans made from your plan. Regardless of your election, a participant may receive a maximum of one (1) loan per calendar year.

**Note:** If you select Payroll Deduction as a repayment option for your participants in Section VIII, *each loan repayment for each pay period must be accounted for separately*. As such, repayments of multiple loans are a much larger burden on your payroll system (and personnel) than a repayment of a single loan.

## Section VI: Loan Amount

No action is required in this section. The Maximum Loan Amount Worksheet includes instructions you can use to calculate the maximum loan amount for a participant. The loan modeling option on ICMA-RC's Account Access website can also be used to calculate a participant's maximum loan amount.

## Section VII: Length of Loan

Loans must be repaid in substantially equal installments of principal and interest over a period that does not exceed five (5) years. However, if the participant will be using the loan to purchase a principal residence, the five (5) year time limit may not apply. In this section of the form, you specify the maximum repayment period for principal residence loans, with 30 years being the maximum term.

In determining the maximum repayment period for residential loans, you should be mindful that the loan term may extend beyond the period the participant is employed by you. If you allow employees to continue to pay their loans after they separate from service (see the Acceleration section), repayments would continue by the participant, through you, for the entire term of the loan (e.g., 30 years). Every payroll period, the participant (former employee) will be required to give you a check for the periodic loan repayment amount. You then include this amount with your next contribution submittal to ICMA-RC. *Loan repayments may not be made directly to ICMA-RC by the participant, unless you choose ACH debit as a repayment option in Section VIII.*

## Section VIII: Loan Repayment Process

Specify the repayment method(s) and repayment frequency your plan will use.

**Repayment Method** — You can allow repayments to be made via payroll deduction and/or ACH payments from a participant's bank account.

- (1) **Payroll Deduction** — With this option, you will include the loan repayment detail when you remit contribution detail to ICMA-RC via the EZLink website.

### *Initiating Payroll Deduction*

Payroll deduction should begin within two payroll cycles following the date the loan is processed by ICMA-RC. Employees using this method must notify the Employer immediately so that repayments will begin as soon as practicable, on a date determined by the Employer's payroll cycle. Failure to begin payroll deduction in a timely manner could lead to the employee's loan entering delinquency status.

- (2) **ACH** — With this option, participants authorize ICMA-RC to debit loan repayments directly from the participant's bank account via Automated Clearing House (ACH). This feature frees you of the burden of establishing and monitoring loan repayments via payroll deduction.

## ADDITIONAL LOAN REPAYMENTS AND EARLY PAY-OFF

A participant may pay off all of the principal and interest early without penalty or additional fee. If a loan is paid in full prior to the end of the term of the loan, no further interest will accrue. Please note that no payment date may be "skipped" even if the employee has made a large payment or submitted multiple payments.

## Section IX: Loan Interest Rate

No action is required in this section. It simply describes the interest rate that will be used for participant loans.

## Section X: Security/Collateral

No action is required in this section. It simply describes the amount that will be used as collateral for participant loans.

## Section XI: Acceleration

Specify whether participants who have separated from service will be able to continue loan repayments until they have withdrawn their entire account balance from the plan, or if outstanding loans will be due and payable at the time participants separate from service.

You should consider the options in this section carefully, since your election will impact when outstanding loans become taxable to participants. If a participant does not repay the outstanding loan amount at the time it is due, the loan is "foreclosed," and the outstanding loan amount must be reported by ICMA-RC as a taxable distribution in the year of the foreclosure.

Given the burdens associated with collecting loan repayments from former employees, you may not wish to maintain a potentially long term "relationship" with former employees (especially in the case of residential loans).

## Section XII: Reamortization

No action is required in this section. It simply provides information related to the reamortization of participant loans.

## Section XIII: Refinance

No action is required in this section. It simply provides information related to the refinancing of participant loans.

## Section XIV: Reduction of Loan

No action is required in this section. It simply describes how outstanding loans will be handled in the event of a participant's death.

## Section XV: Deemed Distributions

No action is required in this section. However you should familiarize yourself with this information and note that loan repayments must be made in accordance with the plan document, plan loan guidelines, and as reflected in the promissory note signed by the participant. Failure to make loan repayments according to the loan terms will result in the outstanding loan balance being deemed distributed and taxable to the participant.

### TIMING

A loan will be deemed distributed when a scheduled payment is still unpaid at the end of the calendar quarter following the calendar quarter in which the payment was due. For example, if a participant does not make a loan payment that was scheduled to be made on February 1, the maximum cure period for the repayment is June 30. If the total amount of all delinquent payments is not received by the end of the cure period, the loan is deemed distributed.

### CONSEQUENCES OF DEEMED DISTRIBUTED LOANS (EMPLOYERS)

Employers who do not ensure proper loan repayment practices in their retirement loan programs risk not only having individual participant loans being deemed distributed, but also potentially jeopardize the tax-favored status of the entire plan. In the extreme, plans with mismanaged loan programs — a high occurrence of deemed distributed loans, and/or program participants in default, for example — may be disqualified (in the case of 401(a)/403(b) plans) or classified as ineligible (for 457(b) plans) by the IRS. Disqualification results in the loss of tax-deferred status for all contributions and a possible increase in the taxable income for participating employees.

It is a plan sponsor's fiduciary obligation to properly manage the retirement plan and its benefits. Mismanagement of a loan program may be considered failure to meet this fiduciary obligation and may expose a plan sponsor to litigation, in addition to being in violation of applicable laws and regulations.

Employers, as plan sponsors and fiduciaries, have an obligation to comply with plan document and loan guideline requirements applicable to participant loans. In this regard, loan payments must be made in accordance with the plan document, plan loan guidelines, and as reflected in the promissory note signed by the participant. Employers retain this obligation if there is a loan program

associated with their retirement plan, regardless of the provisions governing the loan program.

### CONSEQUENCES OF DEEMED DISTRIBUTED LOANS (PARTICIPANTS)

The principal balance, in addition to any accrued interest, is reported as a distribution to the IRS. However, the taxable distribution is not the only event in conjunction with a deemed distribution. The following negative consequences occur as a result of deemed distribution.

- The deemed distribution is a taxable event. However, it is not an actual distribution and therefore remains an asset of the participant's account. The outstanding loan balance and accrued interest continue to be reported on the participant's account statements.
- Repayment of a deemed distribution will not change or reverse the taxable event.
- The loan continues to be considered outstanding until it is repaid or "offset" using the participant's account balance. An offset can occur only if the participant is eligible to receive a distribution from the plan as outlined in your plan document.
- Participants are required to repay any outstanding deemed distributed loan before they can become eligible for a new loan. The deemed distributed loan and any interest accrued since the date it became a taxable event is taken into account when determining the maximum amount available for a new loan.
- A participant who has had a prior deemed distribution must make repayments to a new loan through payroll deduction, or provide proof of adequate security.

## Section XVI: Fees

No action is required in this section. It simply provides that fees may be charged for various services associated with the application for and issuance of loans. Participants should review the Annual Service and Fee Disclosure notice(s) for your plan for more information on the applicable fees.

## Section XVII: Signatures

Please have an authorized plan representative sign and date this section of the agreement.

## SPECIAL CIRCUMSTANCES

### Emergency Withdrawals (457(b) Plans Only)

457(b) Plans: Loans must be coordinated with unforeseeable emergency withdrawals. The emergency withdrawal

regulations under Section 457(b) of the Code require that an emergency withdrawal be a resource of the “last resort.” If the participant is able to take a loan or refinance a current loan from your ICMA-RC 457(b) plan or any other plan you sponsor, the participant has resources available to meet, or partially meet, the financial need. Therefore, a participant will be required to take or refinance a loan before taking an emergency withdrawal.

Many emergency withdrawals are not approved because the financial need, while serious, may not meet the conditions itemized in the 457(b) regulations. The ability to take a loan allows participants to have access to money that is not otherwise available. And the repayment process for loans ensures that participants replenish their accounts, thereby preserving their retirement savings.

## **Qualified Joint and Survivor Annuity (Applies to Some 401(a)/403(b) Plans Only)**

If your plan uses the Qualified Joint and Survivor Annuity as the default form of payment, married participants must obtain spousal consent prior to obtaining a loan. The employee’s spouse must consent, in writing, to the loan and the consent must be witnessed by a plan representative or notary public. Such consent must be received in writing by ICMA-RC no more than ninety (90) days before the loan request is submitted through Account Access. In the case of the Direct Loan Application, spousal consent should be sent along with the application.

*Please be advised, that some states recognize a status, such as a civil union or registered domestic partnership, to carry the same rights and obligations as marriage under state law.*

## **Multiple Plans/Providers**

If you have more than one retirement plan which offers loans, including “co-administered” or “co-provider” plans, ICMA-RC will administer your loan program in your plan(s) with ICMA-RC, but you will have to perform some loan verification activities. You will need to perform these activities if loans are available to your employees from several like retirement plans, such as two separate qualified plans, or if you have different types of retirement plans (e.g. Section 457(b) deferred compensation, 403(b) and section 401(a) qualified plan). The degree of your involvement will depend on your situation.

### **1. MULTIPLE PLANS**

The Code sets a maximum on the aggregate of all loans from all retirement plans in which the employee participates. If you offer retirement plans through multiple plan providers, no provider will be able to calculate, by

itself, the maximum amount that a participant may borrow at any point in time. Since only you, the employer, can determine the current outstanding loan balance and the highest outstanding loan balance in the past 12 months from all loans from any retirement plans, you will have to calculate the maximum amount that may be borrowed. This will involve obtaining all loan amounts currently outstanding and repaid in the last 12 months. Please refer to the Maximum Loan Amount Worksheet for instructions you can use to calculate the maximum loan amount for a participant.

Participants are asked to input all outstanding loan balances in their online worksheet so that the program can properly calculate the maximum amount. Participants are on the “honor system” when they enter other loan amounts; ICMA-RC is unable to verify any loan amounts associated with plans administered by other providers. However, if there are any outstanding loans in other plans administered by ICMA-RC, our online program will take them into account.

### **2. SINGLE RETIREMENT PLAN/MULTIPLE PROVIDERS**

If you have adopted a single retirement plan with one master plan document under which ICMA-RC and your other administrator(s) must operate, then you may ultimately have to self-administer your loan program, unless you require:

- that the maximum that may be borrowed from any provider is 50 percent of the balance with that provider and
- that the loan must be repaid only to the provider from which the loan was made.

### **3. MULTIPLE TYPES OF RETIREMENT PLANS/MULTIPLE PROVIDERS**

If you make loans available to your employees from all of your retirement plans (e.g. Section 457(b) deferred compensation plan, 403(b) and Section 401(a) qualified plan), no administrator will be able to calculate, by itself, the maximum amount that a participant may borrow at any point in time. This is because the Code sets a maximum on the aggregate of all loans from all 401(a), 403(b), and 457(b) plans in which the participant participates. Since only you, the employer, can determine the current outstanding loan balance and the highest outstanding loan balance in the past 12 months from all loans from any 401(a), 403(b), or 457(b) plans, you will have to calculate the maximum amount that may be borrowed. This will involve obtaining all loan amounts currently outstanding and repaid in the last 12 months. Please refer to the Maximum Loan Amount Worksheet for instructions you can use to calculate the maximum loan amount for a participant.



# LOAN GUIDELINES AGREEMENT

The purpose of this agreement is to establish the terms and conditions under which the Employer will grant loans to participants. You should consider each option carefully before making your selections because your selections will apply to all loans made while the selection is in effect. If you later change any provision, the changes will apply only to loans made after the change is adopted. Loans in existence at the time of any future changes will continue to operate under the guidelines that were in effect at the time the loan was originally made.

*Please read the instructions and carefully complete all sections of this agreement.*

- New Loan Program       Amendment to Loan Program

## I. EMPLOYER PLAN INFORMATION

Name of Plan (Enter the complete Employer name, including state): \_\_\_\_\_

- Plan Type:  457(b) Deferred Compensation Plan     401(a)(a) Money Purchase Plan     401(a) Profit-Sharing Plan  
 403(b) Retirement Plan

ICMA-RC Plan Number: 301262

## II. ELIGIBILITY & LOAN SOURCE

Loans are available to all active employees, except those with an existing loan in default.

**401(a)/403(b) Plans** — If your 401(a)/403(b) plan is funded by a combination of Employer and Employee contributions, you must specify whether one or both of the following can be used as a source for participant loans. (Select one or both options below)

- Employer Contribution Account (vested balances only)  
 Participant Contribution Accounts (pre- and post-tax, if applicable, including Employee Mandatory, Employee Voluntary, Employer Rollover, and Portable Benefits Accounts, but excluding the Deductible Employee Contribution/Qualified Voluntary Employee Contribution Account)

**Roth Assets (if applicable)** — If your 457(b), 403(b), or 401(a)(k) plan allows Roth contributions, a participant's Designated Roth Account balance will be included when calculating the amount a participant is eligible to borrow. However, you must specify whether or not a participant's Designated Roth Account can be used as a source for participant loans. (Select one option below)

- A participant's Designated Roth Account will not be available as a source for loans under the plan (default option)  
 A participant's Designated Roth Account will be available as a source for loans under the Plan.

*Note: If Roth assets are available as a source for loans, a loan that is deemed distributed will not satisfy the requirements for a qualified (tax-free) distribution of Roth assets. This may result in participants paying taxes on assets that would otherwise be available tax-free.*

## III. LOAN PURPOSE

Loans are available for the following purposes and must be requested in the corresponding method (select one):

- All Purposes** — With this option, participants can request a loan for any reason. Participants will be able to request new loans or refinance existing loans using the Online Loans option.
- Hardship Only** — With this option, loans shall only be granted in the event of a participant's hardship or for the purpose of enabling a participant to meet certain specified financial situations. Two options are available for hardship only loans:
- 1) participants will need to complete the loan application form for your plan and obtain your approval (Online Loans is not available)
    - a) The employer shall approve the participant's loan application after determining, based on all relevant facts and circumstances that the amount of the loan is not in excess of the amount required to relieve the financial need, as defined by the employer. For this purpose, financial need shall include, but not be limited to: unreimbursed medical expenses of the participant or members of the participant's immediate family, establishing or substantially rehabilitating the principal residence of the participant, or paying for a college education (including graduate studies) for the participant or his/her dependents.
  - 2) participants may complete an application using the ICMA-RC website at [www.icmarc.org](http://www.icmarc.org) and you allow the participant to attest that the loan will be used for hardship purposes.

## IV. APPLICATION PROCESS

The loan application process will vary depending on the option you selected in Section III above (Loan Purpose).

### (A) ALL PURPOSES

- **Loans** — Participants can request a new loan or to refinance an existing loan using the ICMA-RC website at [www.icmarc.org](http://www.icmarc.org).
- **Direct Check Issuance** — ICMA-RC sends loan documents with the loan proceeds (via check or ACH) to the participant. The participant agrees to the terms of the loan prior to the loan documents and proceeds (check or ACH) being generated.

### (B) HARDSHIP ONLY

#### Application Process

- **Employer Review** – A loan application must be completed, signed by the participant and approved by you, the employer.
- **Online** – A loan application may be completed using the ICMA-RC website at [www.icmarc.org](http://www.icmarc.org) and you, the employer, allows the participant to attest that the loan will be used for hardship purposes.

The loan amount will generally be redeemed from the employee's account on the same day as either ICMA-RC receipt of a loan request/application (complete and in good order), if it is submitted prior to market close on a business day. If not, the loan amount will be redeemed on the next business day following submission. The loan proceeds for an all purpose loan is generally issued on the next business day following redemption, and will be sent to the participant based on their option during the loan application process.

## V. MAXIMUM NUMBER OF LOANS (SELECT ONE)

Participants may receive one loan per time period defined in the plan document (e.g., calendar or plan year). Please specify whether participants may have only one (1) or up to five (5) loans outstanding at one time. Maximum number of loans is one (1) by default. If you want to allow a different amount, enter a value of 1 through 5 in the Other Section.

- One (1).** Participants may have only one (1) outstanding loan at a time (default).
- Other.** Participants may have up to \_\_\_\_\_ (enter 2, 3, or 4) loans outstanding at one time.

## VI. LOAN AMOUNT

**Maximum:** The maximum amount of all loans to a participant from the Plan *and all other plans of the Employer* that are either eligible deferred compensation plans described in section 457(b)(b) of the Code or qualified employer plans under Section 72(p)(4) of the Code (e.g., 401(a)/403(b) plans) shall not exceed *the lesser of:*

- (1) \$50,000, or
- (2) One-half of the value of the Participant's interest in all of his or her Accounts under this Plan.

When calculating the maximum amount a participant is eligible to borrow from his/her account, the lesser value of (1) or (2) above must be reduced by the participant's highest outstanding loan balance over the past 12 months.

**Minimum:** The minimum loan amount is \$1,000.

A loan cannot be issued for more than the maximum amount. The participant's requested loan amount is subject to downward adjustment without notice due to market fluctuation between the time of application and the time the loan is issued.

Loan amounts will be taken pro-rata from all of a participant's investments.

## VII. LENGTH OF LOAN

Loans must be repaid in substantially equal installments of principal and interest over a period that does not exceed five (5) years.

### Principal Residence Loans

If the participant will be using the loan to purchase a principal residence, the five (5) year time limit may not apply. Participants can repay a principal residence loan over a period of up to 30 years. Please specify the maximum repayment period for principal residence loans from your plan below.

Maximum repayment period for principal residence loans = 5 (Enter a number of years, up to 30)

## VIII. LOAN REPAYMENT PROCESS

Specify the repayment method(s) and repayment frequency your plan will use. Note that loan amounts plus interest, minus applicable fees paid to ICMA-RC, are repaid to participant accounts and not to ICMA-RC. You can allow repayments to be made via payroll deduction and/or ACH payments from a participant's bank account. Loan repayments must be made at least monthly (457(b)) or quarterly (401(a)/403(b)).

### Repayment Method (Select One):

Payroll deduction only.

ACH debit only.\*

*\*ACH Payment Rejected Fee — If a loan repayment scheduled to be paid via ACH debit is rejected due to insufficient funds, invalid bank account information, or account closure, a fee will be charged to the participant's account. The fee is \$20 for the first occurrence and \$50 for each subsequent occurrence.*

### Repayment Frequency (Select One):

Repayments through payroll deduction will be sent via check, wire or ACH debit by the Employer to ICMA-RC on the following cycle (choose one):

Weekly (52 per year)

Bi-weekly (26 per year)

Semi-monthly (24 per year)

Monthly (12 per year)

Quarterly (4 per year) — Available to 401(a)/403(b) plans only.

### Initiating Repayments:

- ACH debits from the employee's designated bank account will begin approximately one month following the date the loan is processed by ICMA-RC. Debits will normally be made on a monthly basis.
- Payroll deduction should begin within two payroll cycles following the date the loan is processed by ICMA-RC. Employees using this method must notify the Employer immediately so that repayments will begin as soon as practicable, on a date determined by the Employer's payroll cycle. Failure to begin payroll deduction in a timely manner could lead to the employee's loan entering delinquency status.

### Investment of Loan Repayments

All loan repayments are invested according to the instructions the participant has on file for the investment of contributions to his/her account.

### Additional Loan Repayments and Early Pay-Off

A participant may pay off all of the principal and interest early without penalty or additional fee. If a loan is paid in full prior to the end of the term of the loan, no further interest will accrue. Please note that no payment date may be "skipped" even if the employee has made a large payment or submitted multiple payments.



## VIII. LOAN REPAYMENT PROCESS *(CONTINUED)*

### Loans in Default

Participants using the ACH repayment option may default on their loans for lack of repayment more frequently than those using the payroll deduction method. For this reason, you may choose to require that certain participants use the payroll deduction repayment method.

### Multiple Loans

If a participant has multiple loans outstanding from the plan, each loan repayment must be separately reported to ICMA-RC.

### Former Employees and Leave of Absence

Former employees and employees on a leave of absence must repay their loans on the same schedule that would have applied had they continued employment.

Your plan may allow terminated employees to continue to repay their loans either through ACH, or by giving/sending you a check each repayment period (see the Acceleration section). If you allow terminated employees to repay loans by giving/sending you a check, you will include the repayment amounts in your next regular employee contribution remittance to ICMA-RC.

In certain situations, employers may suspend loan repayments for a period of time for employees on a leave of absence or military leave. Please refer to Treasury Regulation section 1.72(p)-1, Q&A-9 for more information.

### Repayments Must Continue

In implementing a loan program you should be aware that some employers have had to contend with the inability of some participants to repay their loan(s). You should be aware that you may not stop taking loan repayments from the employee's paycheck — even if the employee asks that repayments be stopped. Failure to payroll-deduct loan repayments on schedule could both jeopardize the eligibility or qualification of the entire plan as well as create a taxable event for the participant. Likewise, if an employee is repaying the loan through ACH debit of his/her bank account, and the employee fails to make payments, this could jeopardize the eligibility of your retirement plan. Employers are ultimately responsible for ensuring that loans are repaid according to the loan terms.

ICMA-RC will notify both you and the employee if a payment has not been received.

## IX. LOAN INTEREST RATE

The loan interest rates are set for non-residential loans at the prime rate plus 0.5%, and for principal residence loans at the FHA/VA rate. The interest rate for new loans fluctuates from month-to-month. The rates for the following month are determined on the last business day of the month using Money Cafe (prime rate) and Citi Mortgage (principal residence rate).

When a new loan is approved, the interest rate is locked in and remains constant throughout the life of the loan.

## X. SECURITY/COLLATERAL

At the time a loan is taken, 50 percent of the participant's account balance or the amount of the loan, whichever is less, will be used as collateral for the loan.

## XI. ACCELERATION *(SELECT ONE)*

Please specify whether participants who have separated from service will be able to continue loan repayments until they have withdrawn their entire account balance from the plan, or if outstanding loans will be due and payable at the time the participant separates from service.

All outstanding loans shall be due and payable by a participant upon:

- Separation from service. All loan repayments must stop following an employee separating from service.
- Distribution of his/her entire account balance. Employees can continue making loan repayments until they have withdrawn their entire account balance.

Outstanding loan balances that are not repaid will be reported as distributions to the participant. See the Deemed Distributions section for additional information.

## XII. REAMORTIZATION

Reamortization changes the terms of an outstanding loan (e.g., repayment period, interest rate, frequency of repayments). Any outstanding loan may be reamortized.

Reamortization cannot extend the repayment period beyond five (5) years from the date the loan was originally issued. Or, in the case of Principal Residence Loans, beyond [the number of years specified in Section VII] years from the date the loan was originally issued.

Participants can use a loan reamortization form to request that an outstanding loan be reamortized. Upon processing the request, a new disclosure statement will be sent to the employer for endorsement by the participant and approval by the employer. The executed disclosure statement must be returned to the plan administrator within 10 calendar days from the date it is signed. The new disclosure statement is considered an amendment to the original promissory note; therefore a new promissory note will not be required.

*Note: A loan reamortization will not be considered a new loan for purposes of calculating the number of loans outstanding or the one loan per calendar year limit.*

## XIII. REFINANCE

Refinancing involves a new loan replacing an employee's outstanding loan. The refinanced loan must be repaid over a period that does not exceed five (5) years from the date when the original loan was issued.

Actively employed participants with one (1) outstanding loan may elect to refinance the outstanding loan for an additional amount, subject to the loan amount limitations outlined in Section VI, provided that the participant has not yet taken out a loan during the calendar year. Participants with multiple outstanding loans, and those who are no longer employed, are not eligible to refinance an existing loan.

*Note: Principal residence loans are not eligible for refinance.*

## XIV. REDUCTION OF LOAN

If a participant dies prior to full repayment of the outstanding loan(s), the outstanding loan balance(s) will be deducted from the account prior to distribution to the beneficiary(ies). The unpaid loan amount is a taxable distribution and may be subject to early withdrawal penalties. The participant's estate is responsible for taxes and penalties on the unpaid loan amount, if any. A beneficiary is responsible for taxes due on the amount he or she receives. A Form 1099 will be issued to both the beneficiary and the estate for tax reporting purposes.

## XV. DEEMED DISTRIBUTIONS

A loan will be deemed distributed when a scheduled payment is still unpaid at the end of the calendar quarter following the calendar quarter in which the payment was due. When a loan is deemed distributed, the principal balance and any accrued interest is reported to the IRS as a taxable distribution. However, since the participant received the loan amount previously, no money is actually paid to the participant as part of a deemed distribution.

The loan is deemed distributed for tax purposes, but it is not an actual distribution and therefore remains an asset of the participant's account. Interest continues to accrue. The outstanding loan balance and accrued interest are reported on the participant's account statements.

Repayment of a deemed distribution will not change or reverse the taxable event.

The loan continues to be outstanding, and to accrue interest, until it is repaid or offset using the participant's account balance. An offset can occur only if the participant is eligible to receive a distribution from the plan as outlined in the plan document. Participants are required to repay any outstanding loan which has been deemed distributed before they can be eligible for a new loan. The deemed distribution and any interest accrued since the date it became a taxable event is taken into account when determining the maximum amount available for a new loan. New loans must be repaid through payroll deduction.

*Important Note: The employer is obligated by federal regulation to comply with the loan guideline requirements applicable to participant loans, and to ensure against deemed distribution by monitoring loan repayments, regardless of the method of repayment, and by advising employees if loans are in danger of being deemed distributed. The tax-qualified status or eligibility of the entire plan may be revoked in cases of frequent repayment delinquency or deemed distribution.*

To assist plan sponsors whose plan options include loans, ICMA-RC will provide reports of participants with payments delinquent by 30 to 89 days, 90 or more days but not yet deemed, and those whose loans have been deemed distributed. ICMA-RC is committed to supporting employers who request assistance with their loan programs in order to reduce the number of delinquent loans and decrease the occurrence of deemed distributions.

## XVI. FEES

Fees may be charged for various services associated with the application for and issuance of loans. All applicable fees will be debited from the participant's account balance and/or from the participant's loan repayments prior to crediting the repayment of principal and interest to the participant's account.

## XVII. SIGNATURES

The Employer has the right to set other terms and conditions as it deems necessary for loans from the plan in order to comply with any legal requirements. Employer certifies that all terms and conditions will be administered in a uniform and non-discriminatory manner.

In Witness Whereof, the employer hereby caused these Guidelines to be executed

this \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_.

*Day of the Month*

*Month*

*Year*

### EMPLOYER

By: \_\_\_\_\_

Title: **Mayor**

Attest: \_\_\_\_\_

# Maximum Loan Amount Worksheet

The maximum amount a participant can borrow from his or her account is \$50,000 or 50% of the account balance, whichever is less. However, the amount must be reduced by a participant's highest outstanding loan balance over the past 12 months (which, obviously, only impacts participants who have previously taken a loan from a 457(b), 401(a) qualified, or 403(b) plan). The minimum amount a participant can borrow is \$1,000.

## EXAMPLE 1

Michael has never taken a loan from his account before and his 457(b) plan account balance at the close of business yesterday was \$84,000. To calculate the maximum loan amount he is eligible to receive, we need to determine if 50% of his account balance ( $\$84,000 \times 50\% = \$42,000$ ) is greater than or less than \$50,000. In this case, 50% of his account balance is less than \$50,000, so the maximum loan amount Michael is eligible to receive is \$42,000 (the lesser of the two amounts).

## EXAMPLE 2

Kathy has never taken a loan from her account before and her 401(a)/403(b) plan account balance at the close of business yesterday was \$240,000. In this case, 50% of Kathy's balance ( $\$240,000 \times 50\% = \$120,000$ ) is greater than \$50,000, so the maximum loan amount Kathy is eligible to receive is \$50,000 (the lesser of the two amounts).

## EXAMPLE 3

Pam took a \$15,000 loan from her account eight months ago (in the previous calendar year) and her 457(b) plan account balance at the close of business yesterday was \$130,000. In this case, 50% of Pam's balance ( $\$130,000 \times 50\% = \$65,000$ ) is greater than \$50,000, but that amount must also be reduced by her highest outstanding loan balance over the past 12 months, so the maximum loan amount Pam is eligible to receive is \$35,000. ( $\$50,000 - \$15,000 = \$35,000$ )

### MAXIMUM LOAN AMOUNT WORKSHEET

Worksheet Template		Example (using numbers from Example 3 above)
1) Enter 50% of the participant's total plan account balance.	1) \$ _____	1) \$65,000
2) Enter the answer to #1 or \$50,000, whichever is less.	2) \$ _____	2) \$50,000
3) Enter the participant's highest outstanding loan balance over the past 12 months (from all of your plans combined), if applicable.	3) - \$ _____	3) - \$15,000
4) Subtract #3 from #2 and you have the maximum amount the participant is eligible to receive as a new loan.	4) \$ _____ (maximum loan amount)	4) \$35,000



# SUGGESTED RESOLUTION FOR A LEGISLATIVE BODY RELATING TO AMENDING A RETIREMENT PLAN TO PERMIT LOANS

401(a) Money Purchase Plan # 10 \_\_\_\_\_

401(a) Profit-Sharing Plan # 10 \_\_\_\_\_

457(b) Deferred Compensation Plan # 30 1 2 6 2

403(b) Retirement Plan # 40 \_\_\_\_\_

Name of Employer: City of Newnan

State: GA

Resolution of the above named Employer ("Employer")

WHEREAS, the Employer has employees rendering valuable services; and

WHEREAS, the Employer has established a retirement plan (the "Plan") for such employees which serves the interest of the Employer by enabling it to provide reasonable retirement security for its employees, by providing increased flexibility in its personnel management system, and by assisting in the attraction and retention of competent personnel; and

WHEREAS, the Employer has determined that permitting participants in the retirement plan to take loans from the Plan will serve these objectives;

NOW THEREFORE BE IT RESOLVED that the Plan will permit loans.

I, Della Hill Clerk of the (City, County, etc.) of Newnan do hereby certify that the foregoing resolution, proposed by (Council Member, Trustee, etc.) \_\_\_\_\_, was duly passed and adopted in the (Council, Board, etc.) of the (City, County, etc.) of \_\_\_\_\_ at a regular meeting thereof assembled this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_, by the following vote:

AYES: \_\_\_\_\_

NAYS: \_\_\_\_\_

ABSENT: \_\_\_\_\_

\_\_\_\_\_  
CLERK OF THE (CITY, COUNTY, ETC.)

Mail or fax copies of all completed documents to ICMA-RC.

Fax to:  
Workflow Management Team  
202-682-6439

OR

Mail to:  
ICMA-RC  
ATTN: Workflow Management Team  
P.O. Box 96220  
Washington, DC 20090-6220



# 457(b) PLAN LOAN ADMINISTRATION AGREEMENT

This Agreement is not required if you have 1) only one 457(b) plan provider or 2) more than one plan provider each with its own plan document and provisions unique to each provider. The Agreement only applies if you have adopted a single 457(b) plan document under which ICMA-RC and one or more other provider(s) must operate. Please refer to the Multiple Plans/Providers section of the Loan Guidelines Agreement Instructions for more details.

This Agreement shall serve as an Addendum to the Loan Guidelines established by the Employer identified below and as an Addendum to the Administrative Services Agreement (ASA) made by and between the ICMA Retirement Corporation (ICMA-RC) and the Employer.

The Employer currently sponsors a section 457(b) deferred compensation plan administered by two or more providers (co-provider plan). In order to ensure the efficient administration of the loan program established by the Employer, the Employer hereby agrees and declares that

- (1) For purposes of issuing loans from the plan, that portion of the plan's assets administered by ICMA-RC will be treated as though it were a separate and distinct plan.
- (2) The Employer shall calculate the amount a participant may borrow from the ICMA-RC administered portion of the plan. No loan amount may exceed the lesser of (a) the maximum loan amount specified in Internal Revenue Code section 72(p)(2)(A) or (b) 50% of the participant's ICMA-RC-administered account balance.
- (3) All loan repayments must be made to the participant's ICMA-RC-administered account for the life of the loan.

AGREED as of the 14th day of January, 2020:

Name of Employer: City of Newnan

State: GA

Employer Plan Number: 30 1262

Authorized Official (*Print Name*): Keith Brady, Mayor

Signature of Authorized Official: \_\_\_\_\_

Mail or fax copies of all completed documents to ICMA-RC.

Fax to:  
Workflow Management Team  
202-682-6439

OR

Mail to:  
ICMA-RC  
ATTN: Workflow Management Team  
P.O. Box 96220  
Washington, DC 20090-6220

# APPLICATION FOR ALCOHOL BEVERAGE LICENSEE

Name: **ARA FOODS LLC D/B/A NEWELL GROCERY**

Licensee: **ATIQUL ISLAM**

License Representative: **N/A**

Type License: **Retail OFF Premise (Package) Sales of Malt Beverages & Wine**

Location: **45 ROBINSON STREET SUITE A**

## TO THE CITY COUNCIL: REASON – NEW BUSINESS

(1) The above application with supporting documents and application fee has been filed in the City Clerk's office; reviewed by the appropriate departments of the City and appears to be (complete). (Sec 3-33)

If incomplete, reasons \_\_\_\_\_

(2) The citizenship requirements (have) been met. (Sec. 3-34)

If not, reasons \_\_\_\_\_

(3) Residency requirements (have) been met. (Sec. 3-35)

If not, reasons \_\_\_\_\_

(4) The location appears (to comply) with zoning requirements. (Sec 3-37)

If not, reasons \_\_\_\_\_

(5) The location of the proposed premises appears (to comply) with the distance requirements set forth in Sec. 3-39.

If not, reasons \_\_\_\_\_

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(6) All taxes or other debts to the City (are) current. (Sec 3-38)

If not, reasons \_\_\_\_\_

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(7) A publisher's affidavit (has not) been filed showing the notice requirement (has not) been complied with. (Sec 3-40 (a))

If not, reasons Advertised. Will file affidavit prior to hearing.

(8) An affidavit from the applicant certifying posting of the proposed premises (has) (has not) been filed. (Sec. 3-40(b))

If not, reasons N/A. Transfer

Respectfully submitted,

Della Hill  
City Clerk





## City of Newnan, Georgia - Mayor and Council

Date: January 14, 2020

Agenda Item: Public Hearing for Minor Amendment to the Capital Improvements Element (CIE) and Short-Term Work Program (STWP)

Prepared By: Chris Cole, Planning and Zoning Department

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**Purpose:** To inform the public that the City is undertaking a minor amendment to the Capital Improvements Element (CIE) and Short-Term Work Program (STWP) portions of its 2016 Comprehensive Plan, to discuss the purpose of these documents, and to welcome community input on any issues related to these documents.

**Background:** The Georgia Development Impact Fee Act (GDIFA) was enacted into law in 1990. It sets rules for local governments that wish to charge new development for a portion of the additional capital facilities needed to serve it. Under GDIFA, local governments may impose exactions on developers to help finance the expansion of their infrastructure systems only through an impact fee system and only for the specific types of facilities and infrastructure listed in the law.

All local governments that utilize an impact fee system under the GDIFA must include CIEs in their comprehensive plans and update the CIE portion of their plan annually. The STWP is included as a part of the CIE.

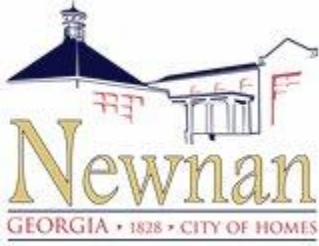
At this time, the City is requesting to amend the 2019 CIE/STWP in advance of the upcoming 2020 Community Development Block Grant (CDBG) application. Per the minimum standards of the planning process, all local governments must hold two public hearings prior to amending the CIE/STWP. The purpose of the first public hearing is to advise the public that the City is undertaking a minor amendment to the CIE and STWP portions of its 2016 Comprehensive Plan, to discuss the purpose of these documents, and to welcome community input on any issues related to these documents. The second public hearing will take place at the February 11, 2020 Council meeting. At the second public hearing, the updated document will be presented.

**Funding:** N/A

**Recommendation:** N/A

**Previous Discussion with Council:** N/A

# City of Newnan, Georgia - Mayor and Council



Date: January 14, 2020

Agenda Item: 69 MLK Jr Dr

Prepared and Presented by:  
Matt Murray, Code Enforcement Officer

Submitted by: Bill Stephenson, Chief Building Official

**Purpose:** To schedule the public hearing concerning the dilapidated structure located at 69 MLK Jr Dr.

**Background:** Owner: Evelyn Ruth Glenn  
Permits: None  
Date Sub-Standard housing file was opened: November 2, 2015.

Does the cost to bring this structure into compliance by means of repair exceed 50% of the structure's assessed tax value? **YES**

Previous inspections by Newnan Building Department have deemed the property to be unsafe. Information was presented to Council electronically concerning the condition of the above mentioned property on December 6, 2019.

**Options:**

1. Set Public Hearing Date for February 25, 2020.
2. Other direction from Council.

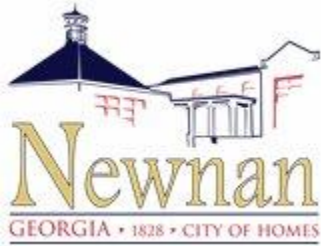
**Funding:** Not Applicable

**Recommendation:** Staff is requesting Council's approval to proceed with Option 1.

## **Previous Discussions with Council:**

December 6, 2019 - Council informed of conditions.

# Sub-standard City of Newnan, Georgia - Mayor and Council



Date: January 14, 2020

Agenda Item: 21 Berry Ave

Prepared and Presented by:  
Matt Murray, Code Enforcement Officer

Submitted by: Bill Stephenson, Chief Building Official

**Purpose:** To schedule the public hearing concerning the dilapidated structure located at 21 Berry Ave.

**Background:** Owner: Teresa Calderon  
Permits: None  
Date Sub-Standard housing file was opened: July 18, 2018.

Does the cost to bring this structure into compliance by means of repair exceed 50% of the structure's assessed tax value? **YES**

Previous inspections by Newnan Building Department have deemed the property to be unsafe. Information was presented to Council electronically concerning the condition of the above mentioned property on December 6, 2019.

**Options:**

1. Set Public Hearing Date for February 25, 2020.
2. Other direction from Council.

**Funding:** Not Applicable

**Recommendation:** Staff is requesting Council's approval to proceed with Option 1.

## **Previous Discussions with Council:**

December 12, 2019 - Council informed of conditions.

**Motion to Enter into Executive Session**

I move that we now enter into closed session as allowed by O.C.G.A. §50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing

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And that we, in open session, adopt a resolution authorizing and directing the Mayor or presiding officer to execute an affidavit in compliance with O.C.G.A. §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.

**Motion to Adopt Resolution after Adjourning Back into Regular Session**

I move that we adopt the resolution authorizing the Mayor to execute the affidavit stating that the subject matter of the closed portion of the council meeting was within the exceptions provided by O.C.G.A. §50-14-4(b).