



Newnan City Council Meeting April 9, 2019 – 2:30 P.M.

AGENDA

CALL TO ORDER – Mayor Keith Brady

INVOCATION

READING OF MINUTES

- I Minutes from Council Retreat Meeting on March 26, 2019..... Tab A
- II Minutes from Regular Council Meeting on March 26, 2019 Tab B

REPORTS OF BOARDS AND COMMISSION

- I 1 Appointment – Keep Newnan Beautiful – 3 Year Terms
- II 5 Appointments – Newnan Youth Activities Commission – 3 Year Terms
- III 3 Appointments – Urban Redevelopment Agency – 3 Year Terms

REPORTS ON OPERATIONS BY CITY MANAGER

REPORTS AND COMMUNICATIONS FROM MAYOR

NEW BUSINESS

- I Surplus Property Declaration and Disposition Tab C
- II Request by Fox Ridge Capital, LLC to accept Collette Cove, Doolittle Court, Boyd Point and Tyson Court in Ashton Place, formerly Fox Ridge, into the City Street System Tab D
- III Consideration of repealing the current and adopting anew City of Newnan Code or Ordinances, Chapter 6, Businesses, Article IX Miscellaneous Provisions, Section 6-176, Movie/TV/Advertising/Production Company Use of City Streets/Sidewalk and the consideration of related City of Newnan Filming Policy and Fee Schedule (*Ordinance*) Tab E

UNFINISHED BUSINESS

- I **2nd and Final Reading** – An Ordinance to Amend Chapter 2 Administration, Article VI Purchasing, of the Code of Ordinances of the City of Newnan by Deleting Article VI, Purchasing in its Entirety and Adopting a New Article VI Purchasing; and for Other Purposes Tab F

- II **2nd and Final Reading** – An Ordinance to Amend Article VIII – Pawn Brokers of Chapter 6, Businesses, by Adding a New Section 6-160, Records and Information to be Recorded in the Required Format of the Code of Ordinances of the City of Newnan; and for Other Purposes..... Tab G

- III Status Reports – 10 Burch Avenue, 286 West Washington Street, 121 Pinson Street, 180 West Washington Street and 17 Ray Street..... Tab H

VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS

- I Request from Southern Arc Dance to block off parking spaces in front of Greenville Street Park to add food trucks to event May 4, 2019 from 3:00 pm to 8:00 pm..... Tab I

- II Request from Nathan Thompson to hold Veteran’s Day Parade on Saturday November 9, 2019 at 10:00 am after a “meet and greet” in City Hall Parking Lot Tab J

EXECUTIVE SESSION – LEGAL, PERSONNEL AND REAL ESTATE

ADJOURNMENT

The retreat of the Mayor and Council of the City of Newnan, Georgia was held on Tuesday March 26, 2019 at 11:00 a.m. at the Carnegie Building Conference Room with Mayor Keith Brady presiding.

CALL TO ORDER

Mayor Brady called the meeting to order indicating the purpose of the retreat was to discuss items in accordance with the published agenda.

PRESENT

Mayor Keith Brady. Council members present: Rhodes Shell; Cynthia E. Jenkins; Ray DuBose; Paul Guillaume and Dustin Koritko. Council member absent: George Alexander. Also present were: City Manager, Cleatus Phillips; Assistant City Manager, Hasco Craver. Present for a limited time during the meeting were: Planning Director, Tracy Dunnavant; City Planner, Dean Smith; and City Attorney, Brad Sears.

No action was taken on the agenda items that were discussed.

ADJOURMENT

Motion by Councilman Shell, seconded by Councilman DuBose to adjourn the meeting.

MOTION CARRIED. (6 - 0)

Della Hill, City Clerk

Keith Brady, Mayor

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, March 26, 2019 at 6:30 p.m. in the Richard A. Bolin Council Chambers of City Hall with Mayor Keith Brady presiding.

CALL TO ORDER

Mayor Brady called the meeting to order and delivered the invocation.

PRESENT

Mayor Keith Brady: Council members present: Ray DuBose, Rhodes Shell; Dustin Koritko; Cynthia E. Jenkins and Paul Guillaume. Councilman absent: George Alexander. Also present: City Manager, Cleatus Phillips; City Clerk, Della Hill; Planner, Dean Smith; Assistant City Manager, Hasco Craver; City Attorney, Brad Sears and Deputy Police Chief Mark Cooper.

MINUTES – REGULAR MEETING – MARCH 11, 2019

Motion by Councilman DuBose, seconded by Councilman Koritko to dispense with the reading of the minutes of the Regular Council meeting for March 11, 2019 and adopt them as presented.

MOTION CARRIED. (6 – 0)

NEWNAN YOUTH COUNCIL

David Browning
Ashlee Guy
Meredith Lodge

Sophomore
Sophomore
Sophomore

Heritage
East Coweta
Northgate

APPOINTMENT – KEEP NEWNAN BEAUTIFUL

Mayor Brady asked the City Manager to place this appointment on the agenda for the next Council meeting.

ANNUAL REPORT – NEWNAN WATER & LIGHT COMMISSION

Chairman Bobby Lee, Newnan Water & Light Commission, presented a report on the commission. In 1904 the Commission was established by City Council. We are governed by the City Council and owned by the City of Newnan. They provide Water services to 18,000 customers and have 9 reservoirs. Sewage service is only provided to customers inside City limits of Newnan. The Electrical service is provided to 8,000 residential and 2,000 commercial customers. There are 205 miles of lines, which 90 miles are overhead and 115 miles are underground line. The power is 75% clean fuel. All the street lights are LED. They have a new program Advance Metering Infrastructure that should be complete

in 8 to 9 months which will replace all electrical water meters. This will help both the customers and also the Commission. They have 100 employees with a 2 percent turnover.

AGREEMENT – AMENDMENT TO LAND LEASE – GREISON TRAIL SITE

Motion by Councilman DuBose, seconded by Councilman Shell to approve the amendment to the Land Lease Agreement for Greison Trail Site to clarify the intent of the cell tower lease to state that revenue sharing provision, pertains to sub lessees other than Verizon Wireless.

MOTION CARRIED. (6 – 0)

RENEWAL – LEASE AGREEMENT MUSEUM – 92 FARMER STREET TO AFRICAN AMERICAN ALLIANCE LLC

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Koritko to approve the renewal of two year lease agreement with the African American Alliance LLC for the museum located on 92 Farmer Street.

MOTION CARRIED. (6 – 0)

AMENDMENTS TO THE CITY OF NEWNAN CODE OF ORDINANCES, ARTICLE IV – PURCHASING – FIRST READING

Motion by Councilman Shell, seconded by Councilman Koritko to approve the amendments to the City of Newnan Code of Ordinances, Article IV-Purchasing to provide clarification, consistency and efficiencies in sections that govern acquisition of supplies, services, construction and related contracts and agreements on first reading.

MOTION CARRIED. (6 – 0)

ORDINANCE REVISION – PAWN BROKER BUSINESSES – REQUIRE USE OF ELECTRONIC ONLINE REPORTING SYSTEM – FIRST READING

Motion by Councilman Shell, seconded by Councilman Koritko to adopt an Ordinance revision regarding Pawn Broker Business to require the use of electronic online reporting system designated by the Chief of Police on first reading.

MOTION CARRIED. (6 – 0)

AGREEMENT – CONTRACT – LEADS ONLINE, PAWN BROKER REPORTING SYSTEM

Motion by Councilman DuBose, seconded by Councilman Koritko to approve the contract/agreement with Leads Online for Pawn Broker Business reporting requirements and services.

MOTION CARRIED. (6 – 0)

Mayor Brady turned the meeting over to Mayor Pro Tem Jenkins. He noted his company is handling the transaction with Reynolds Parc for property located at Highway 29 North Old Atlanta Highway.

INFORMATION ONLY – REQUEST BY REYNOLDS PARC, LLC – REZONE 17.97± ACRES LOCATED ON HWY 29 NORTH/OLD ATLANTA HIGHWAY – PLANNING COMMISSION

PUBLIC HEARING – SPECIAL EXCEPTION – PATTY GIRONDA – PERMISSION TO OPERATE BED & BREAKFAST INN 51 TEMPLE AVENUE

Mayor Brady open a public hearing on the Special Exception request by Patty Gironda to operate a Bed & Breakfast Inn located at 51 Temple Avenue.

City Planner informed Council Staff has reviewed the application and have determined that the application is in compliance with the standards and requirements of Section 3-25 of the City's Zoning Ordinance. The past operations of Casa Bella (2010 to 2017) were conducted without complaint or incident reported to the City of Newnan.

Mayor Brady closed the public hearing.

Motion by Councilman Guillaume, seconded by Councilman Shell to approve the request by Patty Gironda for Special Exception to operate a Bed & Breakfast Inn located at 51 Temple Avenue.

MOTION CARRIED. (6 – 0)

REQUEST – AMEND PREVIOUSLY APPROVED STREET – HERITAGE RIDGE FROM PINE KNOLL DRIVE TO MAPLE WOOD DRIVE

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Koritko to approve the request to amend a previously approved street acceptance located in Heritage Ridge from Pine Knoll Drive to the correct name Maple Wood Drive.

MOTION CARRIED. (6 – 0)

REQUEST – THE PARKS OF OLMSTEAD HOA – PUT UP COMMUNITY YARD SALE BANNERS – APRIL 22 THROUGH APRIL 27 – MAIN ENTRANCES

Motion by Councilman Koritko, seconded by Councilman Guillaume to approve the request by The Parks of Olmstead HOA to place Community Yard Sale Banners from Monday April 22 through Saturday April 27, 2019 at main entrances with smaller signs within the neighborhood.

MOTION CARRIED. (6 - 0)

REQUEST –FOUNDATION CHRISTIAN CHURCH – RESERVE THREE PARKING SPOTS- 11 GREENVILLE STREET ON APRIL 6 FROM 10 AM – NOON FOR NEWNAN MERCANTILE EVENT

Motion by Councilman Koritko, seconded by Mayor Pro Tem Jenkins to approve the request by Foundation Christian Church to reserve three parking spots adjacent to 11 Greenville Street on April 6 from 10 am – Noon for Newnan Mercantile Event.

MOTION CARRIED. (6 – 0)

REMARKS

Councilman Koritko thanked Staff for good job on the Retreat.

ADJOURNMENT

Motion by Councilman Koritko, seconded by Councilman Shell to adjourn the Council meeting at 6:53 pm.

MOTION CARRIED. (6 – 0)

Della Hill, City Clerk

Keith Brady, Mayor



City of Newnan, Georgia - Mayor and Council

Date: April 9, 2019

Agenda Item: Controlled Assets & Capital Assets Surplus Property Declaration and Disposition

Prepared by: Ronda Helton, Program Manager

Present by: Hasco Craver, Assistant City Manager

Purpose: Newnan City Council may consider the approval of the disposal of the City's surplus and/or obsolete property per attached inventory schedule.

Background:

Surplus inventory items submitted by various departments.

Funding: N/A

Recommendation: Staff recommends that Council declare as surplus the equipment/vehicles listed on the attached Surplus Property Schedule and grant authorization for the disposal of such.

Attachments:

1. Surplus Property Schedule

Previous Discussions with Council: N/A

**City of Newnan, Georgia
Fixed Asset Addition, Transfer or Disposal Request**

Asset Tag # (required for Disposals)	Addition (A), Transfer (T) or Disposal (D)?	Asset Description w/Vehicle # if applicable	Gross Vehicle Weight (GVW)	Serial/VIN Number	Model Number	Actual Cost (Estimated if from Surplus)	From Dept #	To Dept #	Reason for Disposal/Comments
200477	D	PD-302-09 Chevrolet	3,603	2G1WB57K291309620	Impala		40	Dispose	Maintenance/Repair Cost
200434	D	PD-371-07 Chevrolet	4,373	2G1WJ16K079333491	Monte Carlo		40	Dispose	Maintenance/Repair Cost
200018	D	PD-391- 08 Chevrolet	4,618	2G1WS553281275303	Impala		40	Dispose	Not used
200437	D	PD-392- 07 Chevrolet	4,643	2G1WS55RX79365660	Impala		40	Dispose	Not used

Request Date: 03/26/2019

Department Head Signature: _____

eSigned via ReemboDesk.com
Douglas L. Meadows
Key: d4820808a3d0319e18daeb26205d41

Additional Comments/Information: If Addition is related to Surplus Property Acquisition, value information is required and must be attached. Estimate value in column above.

Fixed Asset System Updated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Asset Spreadsheet Updated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Date: _____	Updated by: _____	

* Attach documentation to support disposal request. For instance, police report for lost/stolen property disposition.

**City of Newnan, Georgia
Fixed Asset Addition, Transfer or Disposal Request**

Asset Tag # (required for Disposals)	Addition (A), Transfer (T) or Disposal (D)?	Asset Description w/Vehicle # if applicable	Gross Vehicle Weight (GVW)	Serial/VIN Number	Model Number	Actual Cost (Estimated if from Surplus)	From Dept #	To Dept #	Reason for Disposal/Comments
	D	Watch Guard Remote		TX 090300586			40		Cannot use with our system
	D	Watch Guard Remote		TX 090402126			40		Cannot use with our system
	D	Watch Guard Remote		TX 090402125			40		Cannot use with our system
	D	Watch Guard Remote		LRT1-0026614			40		Cannot use with our system
	D	Watch Guard Remote		LRT1-0026764			40		Cannot use with our system
	D	Watch Guard Remote		LRT1-0026566			40		Cannot use with our system
	D	Watch Guard Remote		LRT1-0026554			40		Cannot use with our system
	D	Watch Guard Remote		TX090300391			40		Cannot use with our system

Request Date: 03/25/2019

Department Head Signature: _____

Signed via @surplusDesk.com
Douglas L. Meadows
Key: d19058266b82031801884e0f42700f

Additional Comments/Information: If Addition is related to Surplus Property Acquisition, value information is required and must be attached: Estimate value in column above.

Fixed Asset System Updated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Asset Spreadsheet Updated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Date: _____	Updated by: _____	

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**City of Newnan, Georgia
Fixed Asset Addition, Transfer or Disposal Request**

Asset Tag # (required for Disposal)	Addition (A), Transfer (T) or Disposal (D)?	Asset Description w/Vehicle # if applicable	Gross Vehicle Weight (GVW)	Serial/VIN Number	Model Number	Actual Cost (Estimated if from Surplus)	From Dept #	To Dept #	Reason for Disposal/Comments
	D	Watch Guard Digital Car Video		CAMF-460658			40		Cannot use with our system
	D	Watch Guard Digital Car Video		CAMF-468043			40		Cannot use with our system
	D	Watch Guard Digital Car Video		CAMF-467997			40		Cannot use with our system
	D	Watch Guard Digital Car Video		CAMF-468030			40		Cannot use with our system
	D	Watch Guard Digital Car Video		CAMF-460633			40		Cannot use with our system
	D	Watch Guard Digital Car Video		CAMF-460637			40		Cannot use with our system
	D	Watch Guard Digital Car Video		CAMF-422462			40		Cannot use with our system
	D	Watch Guard Digital Car Video		CAMF-460647			40		Cannot use with our system
102440	D	Watch Guard 4RE DVR		DVR2-012201			40		Cannot use with our system
102437	D	Watch Guard 4RE DVR		DVR2-012191			40		Cannot use with our system
	D	Kenwood Car Radio		A9201101	TK-7180H		40		Cannot use with our system
	D	Callie Street Phone		18821404	Model 67340		40		Cannot use with our system
	D	Watch Guard CCTV Camera		2014060007978			40		Cannot use with our system
	D	Watch Guard CCTV Camera		2014060007891			40		Cannot use with our system
	D	Watch Guard CCTV Camera		2014060007916			40		Cannot use with our system

Request Date: 03/25/2019

Department Head Signature: _____

Douglas L. Meadows
Key: 4480642648203186182640837268

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Fixed Asset System Updated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Asset Spreadsheet Updated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Date: _____	Updated by: _____	

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**City of Newnan, Georgia
Fixed Asset Addition, Transfer or Disposal Request**

Asset Tag # (required for Disposal)	Addition (A), Transfer (T) or Disposal (D)?	Asset Description w/Vehicle # if applicable	Gross Vehicle Weight (GVW)	Serial/VIN Number	Model Number	Actual Cost (Estimated if from Surplus)	From Dept #	To Dept #	Reason for Disposal/Comments
101663	D	Dell PC		J742NS1	Optiplex 390				Recycle
101788	D	Dell PC		3WJLXV1	Optiplex 390				Recycle
101798	D	Dell PC		3WJKXV1	Optiplex 390				Recycle
102270	D	Asus PC		D7PFCG0006W0	BP1AE				Recycle
102469	D	Asus PC		E3PFCG0001CF	BM1AD				Recycle
101642	D	Dell PC		G623KS1	Optiplex 390				Recycle
102735	D	Asus PC		E8PFCG000D1C	BM1AD				Recycle
102226	D	Asus PC		D7PFCG0006YB	BP1AE				Recycle
101830	D	HP PC		2UA2520RSN	Z210SFF				Recycle
100153	D	Dell Printer		43RJ951	Dell Laser 1700				Recycle
N/A	D	HP Printer		CN18Q1Q3XR	HP845C				Recycle
100208	D	Canon Scanner		DG317555	DR-2580C				Recycle

Request Date: 03/25/2019

Department Head Signature: _____

Designed via: Signering.com
Bryan Lee
Key: d19052b641220199112d0e02d2706f

Additional Comments/Information: If Addition is related to Surplus Property Acquisition, value information is required and must be attached: Estimate value in column above.

Fixed Asset System Updated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Asset Spreadsheet Updated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Date: _____	Updated by: _____	

* Attach documentation to support disposal request. For instance, police report for lost/stolen property disposition.

**City of Newnan, Georgia
Fixed Asset Addition, Transfer or Disposal Request**

Asset Tag # (required for Disposal)	Addition (A), Transfer (T) or Disposal (D)?	Asset Description w/Vehicle # if applicable	Gross Vehicle Weight (GVW)	Serial/VIN Number	Model Number	Actual Cost (Estimated if from Surplus)	From Dept #	To Dept #	Reason for Disposal/Comments
N/A	D	HP Switch		CN629XIOFK	2810-24G				Recycle
N/A	D	Belkin UPS		90714285	F6C625				Recycle
N/A	D	Enterasys Switch		12410182905U	C5G124- 24P2				Recycle
N/A	D	Netgear Switch		3AS2455U00K1	GS752TP				Recycle
N/A	D	HP Switch		CN920FW080	2510-24				Recycle
200494	D	Linksys Switch		RMQ00K609314	SRW2008				Recycle
N/A	D	HP Switch		CN920FW09X	2510-24				Recycle

Request Date: 03/25/2019

Department Head Signature: _____

Signed via eSignMyDocs.com

Key: 44608f29ab782019e1892ee2e2f068

Additional Comments/Information. If Addition is related to Surplus Property Acquisition, value information is required and must be attached. Estimate value in column above.

Fixed Asset System Updated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Asset Spreadsheet Updated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Date: _____	Updated by: _____	

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City of Newnan, Georgia
Fixed Asset Addition, Transfer or Disposal Request

Asset Tag # (required for Disposal)	Addition (A), Transfer (T) or Disposal (D)?	Asset Description w/Vehicle # if applicable	Gross Vehicle Weight (GVW)	Serial/VIN Number	Model Number	Actual Cost (Estimated if from Surplus)	From Dept #	To Dept #	Reason for Disposal/Comments
100207	D	L-Shaped Cubicle with Desk		N/A					Office Remodel 2019
100212	D	3-Drawer File Cabinet		N/A					Office Remodel 2019
100282	D	3-Drawer File Cabinet		N/A					Office Remodel 2019
100293	D	2-Drawer File Cabinet		N/A					Office Remodel 2019

Request Date: 03/29/2019

Department Head Signature: _____

collected via NewnanDues.com

Key: d19026706b3203100f0e0e0e0c298d1

Additional Comments/Information. If Addition is related to Surplus Property Acquisition, value information is required and must be attached: Estimate value in column above.

Fixed Asset System Updated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Asset Spreadsheet Updated?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
Date: _____	Updated by: _____	

* Attach documentation to support disposal request. For instance, police report for lost/stolen property disposition.



City of Newnan, Georgia – Mayor and Council

Date: April 2, 2019

Agenda Item: Street Acceptance - Collette Cove, Doolittle Court, Boyd Point and Tyson Court in the subdivision f/k/a Fox Ridge, now known as Ashton Place.

Presented by: Tracy Dunnivant, Planning & Zoning Director

Submitted by: Dean Smith, Planner

Purpose:

A request by Fox Ridge Capital, LLC to accept Collette Cove, Doolittle Court, Boyd Point and Tyson Court into the City's public street system.

Background:

Ashton Place is a new name for a section of a subdivision previously approved as Fox Ridge, located off Mary Freeman Road. The applicant is requesting that the City accept recently built streets and public rights-of-way:

Boyd Point	Length: 297.28 l.f.	Acreage: 0.38 AC
Sidewalk:	Length: 3,168 l.f.	Acreage: 0.07 AC
Collette Cove	Length: 1,062.34 l.f.	Acreage: 1.22 AC
Sidewalk:	Length: 1,914.09 l.f.	Acreage: 0.22 AC
Doolittle Court	Length: 544.42 l.f.	Acreage: 0.71 AC
Sidewalk:	Length: 1,134.01 l.f.	Acreage: 0.13 AC
Tyson Court	Length: 262.48 l.f.	Acreage: 0.35 AC
Sidewalk:	Length: 563.14 l.f.	Acreage: 0.06 AC

The final plat has been reviewed and accepted by the City's Planning & Zoning Department, along with the City's Engineering Department. The Engineering Department has conducted their inspections for completeness and has deemed the infrastructure to be in accordance with the City's standards.

Options:

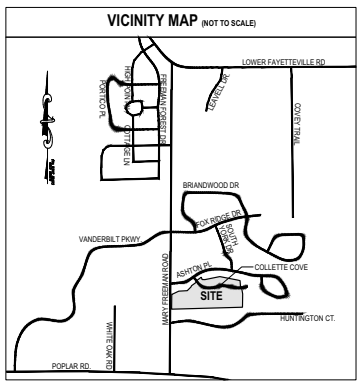
1. Accept the proposed roads into the City's street system.
2. Do not accept the proposed roads into the City's street system.
3. Other direction from Council.

Recommendation:

Option 1.

Attachments: Plat showing streets requesting to be accepted.

THIS BOX IS RESERVED FOR THE CLERK OF SUPERIOR COURT RECORDING INFORMATION



FINAL SUBDIVISION PLAT FOR: ASHTON PLACE - PHASE 2 (FORMERLY KNOWN AS FOX RIDGE) LAND LOT 17 / 1ST DISTRICT CITY OF NEWNAN COWETA COUNTY, GEORGIA

OWNER/DEVELOPER: FOX RIDGE CAPITAL, LLC 1125 COMMERCE DRIVE, SUITE 300 PEACHTREE CITY, GA 30029

24 HOUR CONTACT: W. ROBERT HANCOCK (678) 251-4848

SURVEYOR/ENGINEER: MOORE BASS CONSULTING, INC. 1350 KEYS FERRY COURT MCDONOUGH, GA 30253 (770) 394-8844

OWNER / DEVELOPER INFO. & DEVELOPMENT DATA

- 1. PROPERTY OWNED / DEVELOPER: FOX RIDGE CAPITAL, LLC
2. 24 HOUR CONTACT: W. ROBERT HANCOCK
3. ENGINEER/SURVEYOR: MOORE BASS CONSULTING, INC.
4. SUBDIVISION SOURCE: BOUNDARY SURVEY PERFORMED BY MOORE BASS CONSULTING, INC.
5. PROPERTY INFORMATION: LOCATION, LAND LOT / DISTRICT, TAX ID #, ZONING, TYPE OF SUBDIVISION, WATERSHED, TOTAL SITE AREA, etc.

Curve Table

Table with columns: Curve #, Arc Length, Radius, Chord, Length. Contains data for curves C1 through C50.

Curve Table

Table with columns: Curve #, Arc Length, Radius, Chord, Length. Contains data for curves C51 through C68.

SANITARY SEWER CHART

Table with columns: STRUCT. PIPE, STRUCT. TYPE, TOP ELEV, LENGTH, SLOPE %, INV. IN, INV. OUT, COMMENTS. Lists sanitary sewer line details.

STORM DRAINAGE CHART

Table with columns: STRUCT. PIPE, STRUCT. TYPE, TOP ELEV, LENGTH, SLOPE %, INV. IN, INV. OUT, COMMENTS. Lists storm drainage line details.

OWNER CERTIFICATION

OWNER CERTIFICATION STATEMENT: STATE OF GEORGIA, COUNTY OF COWETA, THE OWNER OF THE LAND SHOWN ON THIS PLAT AND HEREIN NAME IS SUBMITTED HERETO TO RECORD AND THROUGHOUT AUTHORIZED AGENT CERTIFIES THAT ALL ESTATE, CITY, AND COUNTY TAXES OR OTHER ENCUMBRANCES NOW DUE ON THE LAND HAVE BEEN PAID IN FULL.

CITY CERTIFICATION

CITY CERTIFICATION STATEMENT: THE CITY OF NEWNAN HEREBY ACCEPTS ALL STREET RIGHTS OF WAY AND THE IMPROVEMENTS THEREON AND ANY CATCH BASINS, JUNCTION BOXES, STORM DRAINAGE PIPES, EXHAUSTERS OR OTHER STRUCTURES OR DEVICES OF ROAD STREET RIGHT-OF-WAY EXCLUDING UTILITIES AND OTHER DRAINAGE WAIVES WHICH ARE SPECIFICALLY INDICATED ON THIS PLAT AS BEING BELONGING TO THE PUBLIC. HOWEVER, THIS CERTIFICATE DOES NOT OBLIGATE THE CITY TO MAINTAIN THE ABOVE STATED INFRASTRUCTURE AFTER EXPIRATION OF ITS MAINTENANCE PERIOD.

DIRECTOR OF PLANNING DEPT CERTIFICATE

DIRECTOR OF PLANNING DEPT CERTIFICATE STATEMENT: PURSUANT TO THE LAND SUBDIVISION REGULATION OF THE CITY OF NEWNAN, GEORGIA, ALL REQUIREMENTS OF APPROVAL HAVING BEEN FULFILLED, THIS FINAL PLAT WAS GIVEN FINAL APPROVAL ON 01/11/2019.

SURVEY NOTES

SURVEY NOTES: NO N.G.S. MONUMENT FOUND WITHIN 300 FEET OF ANY POINT ON THE SUBJECT PROPERTY. ALL PROPERTY CORNERS REFERENCED AS I.P.S. INDICATES A 1/2" REBAR PLACED IN PLACE LIFT 10" WITH 1/8" OVERLAP. THIS DRAWING HAS BEEN GENERATED ELECTRONICALLY. THIS MEDIA SHOULD NOT BE CONSIDERED AS A CERTIFIED W/DOCUMENT FILED IF IT HAS BEEN PHYSICALLY REPRODUCED, COPIED, REPRODUCED, OR REPRODUCED IN ANY MANNER. THIS PLAT WAS PREPARED FOR THE EXCLUSIVE USE OF THE PARTY OR PARTY NAMED HEREON AND THE CERTIFICATION DOES NOT EXTEND TO ANY OTHERS.

DRAINAGE EASEMENT NOTE:

DRAINAGE EASEMENT NOTE: THE OWNER OF RECORD, ON BEHALF OF HIMSELF, I, THEEY AND ALL SUCCESSORS IN INTEREST SPECIFICALLY RELEASES THE CITY OF NEWNAN FROM ANY AND ALL LIABILITY AND RESPONSIBILITY FOR FLOODING OR EROSION FROM THE STORM DRAIN OR FROM FLOODING FROM HIGH WATER OF NATURAL CREEKS, RIVERS OR DRAINAGE FEATURES SHOWN HEREIN. A DRAINAGE EASEMENT IS HEREBY ESTABLISHED FOR THE SOLE PURPOSE OF PROVIDING FOR THE EMERGENCY PROTECTION OF THE FREE FLOW OF SURFACE WATERS ALONG ALL WATERCOURSES AS ESTABLISHED BY THE REGULATION OF THE CITY OF NEWNAN. THE PUBLIC WORKS DEPARTMENT MAY CONDUCT EMERGENCY MAINTENANCE OPERATIONS WITHIN THE EASEMENT WHERE EMERGENCY CONDITIONS EXIST. EMERGENCY MAINTENANCE SHALL BE THE REMOVAL OF TREES AND OTHER OBSTACLES, EXCAVATION, FILLING AND THE LIKE, NECESSARY TO RESTORE A CONDITION, WHICH IN THE JUDGMENT OF THE PUBLIC WORKS DEPARTMENT, IS POTENTIALLY HAZARDOUS TO LIFE, PROPERTY OR THE PUBLIC ROADS OR UTILITY SYSTEM. SUCH EMERGENCY MAINTENANCE CONDUCTED FOR THE COMMON GOOD, SHALL NOT BE CONSIDERED AS CONSTITUTING A CONTINUING MAINTENANCE OBLIGATION ON THE PART OF THE CITY OF NEWNAN NOR AN ASSIGNMENT OF THE CITY RIGHTS TO BE REAMBURSED FOR EXPENSES FROM THE OWNERS OF THE PROPERTIES OF THE LANDS THAT GENERATED THE CONDITIONS.

ENGINEER'S CERTIFICATE

ENGINEER'S CERTIFICATE STATEMENT: I HEREBY CERTIFY THAT THE ACCEPTED ENGINEERING PROCEDURES AND DESIGN METHODS WERE USED TO ESTABLISH THE LAYOUT OF THIS DEVELOPMENT. THAT THE DRAINAGE STRUCTURES AND ANY OTHER DESIGN FEATURES WERE DESIGNED AND CONSTRUCTED ACCORDING TO THE DEVELOPMENT CONSTRUCTION DRAWINGS AND REVISIONS APPROVED BY THE COWETA COUNTY SUBDIVISION REVIEWER, AND THAT ALL APPLICABLE ENGINEERING REGULATIONS OF THE LAND SUBDIVISION REGULATION FOR RESIDENTIAL, COMMERCIAL, AND/OR INDUSTRIAL, SUBDIVISIONS AND ALL APPLICABLE REQUIREMENTS OF THE ZONING REGULATION OF COWETA COUNTY, GEORGIA, HAS BEEN FULFILLED, EXCEPT AS OTHERWISE APPROVED BY THE REVIEW COMMITTEE.

REFERENCES

- 1. PLAT BOOK 66 PAGE 330-331; COWETA COUNTY, GEORGIA RECORDS.
2. PLAT BOOK 66 PAGE 249; COWETA COUNTY, GEORGIA RECORDS.

FLOOD NOTE

FLOOD NOTE: AS SHOWN ON FLOOD RISK MAPS OF COWETA COUNTY, GEORGIA COMMUNITY PANEL NUMBER: 187703020 EFFECTIVE DATE: 2006/01/21 THIS PROPERTY IS NOT LOCATED IN A FLOOD PLAIN HAZARD ZONE.



PROJECT NAME: ASHTON PLACE PHASE 2
CLIENT NAME: FOX RIDGE CAPITAL, LLC
1125 COMMERCE DRIVE, SUITE 300 PEACHTREE CITY, GA 30029

REVISIONS:
1. REVISION: CITY OF NEWNAN COMMENTS: 2/27/19
2. REVISION: CITY OF NEWNAN COMMENTS: 2/27/19



DATE: 10/19/18
ARCHIVE:
FILE #

CONTRACT #:
DRAWN BY: CJS/MB



SHEET TITLE: FINAL SUBDIVISION PLAT

SHEET 1 OF 2



City of Newnan, Georgia - Mayor and Council

Date: April 9, 2019

Agenda Item: Consideration of repealing the current and adopting anew City of Newnan Code of Ordinances, Chapter 6 Businesses, Article IX Miscellaneous Provisions, Section 6-176, Movie/TV/Advertising/Production Company Use of City Streets/Sidewalk and the consideration of related City of Newnan Filming Policy and Fee Schedule

Prepared and Presented by: Hasco Craver, Assistant City Manager

Purpose: Newnan City Council may consider repealing the current and adopting anew the City of Newnan Code of Ordinances, Chapter 6 Businesses, Article IX Miscellaneous Provisions, Section 6-176, Movie/TV/Advertising/Production Company Use of City Streets/Sidewalk to reflect discussions undertaken during the March 23, 2019 City Council Retreat. In addition, Newnan City Council may consider the related City of Newnan Filming Policy and Fee Schedule to assist in the management of permitting and other activities related to filming.

Background: Newnan City Council, at the March 23, 2019 Retreat, considered a proposed policy statement aimed at successfully managing the review and approval of filming projects within the city limits. Additionally, Newnan City Council discussed their desire to delegate certain review and approval responsibilities to the City Manager's Office. Newnan City Council supported the following:

- City Manager's Office, at its own discretion, may review and approve the full closure and use of public streets/sidewalks for a duration up to 3 days; and
- City Manager's Office, at its own discretion, may review and approve the use of intermittent traffic control for a duration up to 7 days; and
- Newnan City Council will receive regular updates at public meetings, which will include the date, duration and impact of administratively approved filming projects; and
- Applicants that do not receive administrative approval will have the ability to appeal directly to the Newnan City Council for consideration; and
- Applicants will be required to demonstrate adequate and advanced public notification of filming projects to all persons directly affected utilizing "yard signs" and direct contact means (letter, in-person visit, etc.); both notification processes will be confirmed by the applicant submitting a signed affidavit attesting to the required notification; and
- Student filming, productions by municipally-sponsored organizations, productions for wholly charitable or educational purposes from which no profit is derived directly or indirectly will not be required to submit payment according to the adopted fee schedule; and

The following is descriptive of the fee schedule that was presented to and supported by Newnan City Council:

Application Processing Fee	\$100 (non-refundable)
Base Permit Fee	\$100 per day
Street Closure Fee	\$500 per day, per street/city block
Intermittent Street Closure Fee	\$250 per day, per street/city block

Parking Fee*	\$20 per space, per day
Parks	\$250 per day
Cemeteries	\$250 per day
Wadsworth Auditorium	\$500 per day
Wesley Street Gymnasium	\$500 per day
Howard Warner Community Center	\$500 per day
Carnegie Library	\$1,000 per day

*Pricing for parking includes on-street and off-street city owned parking lots

Funding: N/A

Recommendation: Newnan City Council may provide direction to City staff for the repealing the current and adopting anew the City of Newnan Code of Ordinances, Chapter 6 Businesses, Article IX Miscellaneous Provisions, Section 6-176, Movie/TV/Advertising/Production Company Use of City Streets/Sidewalk and the adoption of related City of Newnan Filming Policy and Fee Schedule.

Attachments: Ordinance to repeal the current and adopt anew the City of Newnan Code of Ordinances, Chapter 6 Businesses, Article IX Miscellaneous Provisions, Section 6-176, Movie/TV/Advertising/Production Company Use of City Streets/Sidewalk.

Previous Discussions with Council: Newnan City Council considered a City of Newnan Filming Policy and accompanying Fee Schedule at the March 23, 2019 retreat.

**AN ORDINANCE TO AMEND ARTICLE IX, MISCELLANEOUS PROVISIONS, OF
CHAPTER 6, BUSINESSES, BY DELETING SECTION 6-176,
MOVIE/TV/ADVERTISING/PRODUCTION COMPANY, USE OF CITY
STREETS/SIDEWALKS AND ADOPTING A NEW SECTION 6-176,
MOVIE/TV/ADVERTISING/PRODUCTION COMPANY, USE OF CITY
STREETS/SIDEWALKS OF THE CODE OF ORDINANCES OF THE CITY OF
NEWNAN; AND FOR OTHER PURPOSES**

WHEREAS, the City of Newnan has become a place of interest for the movie/TV/advertising/production company industry's filming of movies, TV productions, documentaries and commercials; and

WHEREAS, staff and the City Council have studied and evaluated the impacts that such filming has had and will have on the residents, property owners, business owners and visitors of the City; and

WHEREAS, the City Council has determined that it is in the best interest of the residents, property owners, business owners and visitors of the City of Newnan, Georgia. that Article IX, Miscellaneous Provisions Of Chapter 6, Businesses, be amended by deleting Section 6-176 and adopting a new Section 6-176, Movie/TV/Advertising/Production Company, Use of City Streets/Sidewalks.

NOW, THEREFORE, be it ordained and it is hereby ordained by the City Council of the City of Newnan and the authority of same that Section 6-176 of Article IX, Miscellaneous Provisions, of Chapter 6, Businesses, be and is hereby deleted in its entirety and a new Section 6-176, Movie/TV/Advertising/Production Company, Use of City Streets/Sidewalks be and is hereby adopted to read as follows:

Section 1. Sec. 6-176. Movie/TV/Advertising/Production Company, Use of City Streets/Sidewalks.

(a) Use of city streets, sidewalks, parks, or other city owned property by a movie/TV/advertising/production company filming in the city shall be permitted only upon approval by the City Manager or his/her designee in accordance with the terms, conditions, restrictions and requirements of the City of Newnan's Filming Policy adopted

by the City Council for use of city streets, sidewalks, parks, or other City owned property by a movie/TV/advertising/production company filming in the City as such policy may be amended from time to time.

(b) Fees for the use of city streets, sidewalks, parks, or other City owned property by a movie/TV/advertising/production company filming in the City shall be as set out in the City of Newnan's Fee Schedule as such schedule of fees may be amended from time to time.

Section II. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Section III. The effective date of this ordinance shall be upon adoption.

DONE, RATIFIED AND PASSED by the City Council of the City of Newnan, Georgia, this the _____ day of _____, 2019 in regular session assembled.

ATTEST:

Della Hill, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

Cynthia E. Jenkins, Mayor Pro-Tem

Cleatus Phillips, City Manager

George M. Alexander, Councilmember

Raymond F. DuBose, Councilmember

Rhodes H. Shell, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

AN ORDINANCE TO AMEND CHAPTER 2 ADMINISTRATION, ARTICLE VI PURCHASING, OF THE CODE OF ORDINANCES OF THE CITY OF NEWNAN BY DELETING ARTICLE VI, PURCHASING IN ITS ENTIRETY AND ADOPTING A NEW ARTICLE VI PURCHASING; AND FOR OTHER PURPOSES

WHEREAS, the City Manager of the City of Newnan has determined that amendments to Chapter 2, Administration, Article VI, Purchasing, of the Code of Ordinances is desirable to provide for the orderly management of the City's purchasing procedures; and

WHEREAS, the City Council of the City of Newnan, upon recommendation of the City Manager, has determined that said amendments to the City's purchasing ordinance is in the best interest of the health and welfare of the City's residents and the orderly management of the City's purchasing procedures.

NOW THEREFORE BE IT ORDAINED BE IT ORDAINED by the Mayor and Council of the City of Newnan and it is hereby ordained by authority of the same that Article VI, Purchasing, of Chapter 2, Administration, of the Code of Ordinances be and is hereby deleted in its entirety and a new Article VI, Purchasing, of Chapter 2, Administration, of the Code of Ordinances be and is hereby adopted read as follows:

SECTION I:

DIVISION 1. - GENERALLY

Sec. 2-251. - Scope.

This article shall govern acquisitions by the City of Newnan for supplies, services, construction, and related contracts and agreements. This article supersedes and repeals existing ordinances to the extent they are inconsistent with the provisions thereof.

Sec. 2-252. - Purpose.

The purpose of this article is to provide guidance for the purchase of supplies, services, and construction for the city while adhering to all laws of the City of Newnan, State of Georgia, and United States. The intent of this article is to establish, foster, and maintain the following principals:

- (1) To consistently consider the best interests of the city in all purchasing transactions.
- (2) To purchase without prejudice, seeking to obtain the maximum value for each dollar expended while maintaining quality standards and high efficiencies.
- (3) To strive for the highest degree of ethical conduct concerning the city purchasing policy.
- (4) To structure a purchasing policy in such a way as to foster efficiency, consistency and proper use by the entire city.

Sec. 2-253. - Application.

This article shall apply to all expenditures of public funds unless otherwise listed in section 2-254 of this article. It shall also apply to contracts for the purchase of supplies, services and construction entered into by the city. When the purchase involves the expenditure of federal assistance or contract funds, the purchase shall be conducted in accordance with mandatory applicable federal and state laws and regulations. Nothing in this article shall prevent the city from complying with the terms and conditions of any grant, gift or bequest that is otherwise consistent with the law.

Sec. 2-254. - Exemptions.

The following expenditures are exempted from the competitive purchase requirements of this article; however, the city manager may develop procedures to oversee all transactions made by the entire city:

- (1) Real estate acquisitions;
- (2) Costs contained within intergovernmental agreements;
- (3) Dues, memberships, and professional subscriptions;
- (4) Utility services including, but not limited to, water, sewer, electricity, and gas;
- (5) Legal services;
- (6) Legal advertisements;
- (7) Payments to arbitrators;
- (8) Conferences, seminars and classes;

- (9) Reimbursements for valid, approved travel expenses as submitted on a travel expense report;
- (10) Instructors or speakers for internal training events;
- (11) Surplus property acquisitions from other governments or governmental agencies;
- (12) Medical services;
- (13) Employee benefits payments;
- (14) Fuel purchases;
- (15) U.S. Postal Service, United Parcel Service, Federal Express, Airborne, or other delivery services; and
- (16) Professional Services.

Sec. 2-255. - Administration of purchase procedures.

Under the direct supervision of the city manager, the finance director shall be responsible for the administration of purchasing policies and procedures to each department within the city. Consistent with this article, and with the approval of the city council, the finance director may adopt operating procedures related to the execution of this article.

Employees involved in the purchasing process shall take full responsibility for understanding the city's policies and procedures regarding purchasing and vendor relations. Purchasing decisions are business decisions made on behalf of the City of Newnan and therefore should be made with the utmost consideration for what is in the best interests of the city.

Sec. 2-256. - Public access to purchasing information.

Purchasing information shall become public record to the extent provided by law, once an award is made by the city, and shall be available to the public upon written request as provided by law.

Sec. 2-257. - Definitions.

[The following words, terms and phrases, when used in this article, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:]

Best value means the best value to the city based on all factors, including: cost, contractors ability, capacity, or skill; ability to perform within the time required; character, integrity, reputation, judgment, experience and efficiency; quality of contractor's performance on previous purchases or contracts, if applicable; and, the ability of the contractor to provide future maintenance, repair, parts and services, if necessary.

Bid means a written offer, more formal than a quote, to furnish supplies, equipment, vehicles, or services in conformity with the specifications, delivery

terms, and conditions required at a guaranteed maximum cost. The user will sometimes prepare an invitation to bid, which is formal notification, through posting and advertisement, that the city is soliciting goods or services.

Bid bond means a financial security provided to guarantee that a bidder will enter into a contract with the city if a bid is awarded.

Brand name or equal specification means a specification limited to one or more items by manufacturers' names or catalogue numbers to describe the standard of quality, performance and other salient characteristics needed to meet city requirements, and which provides for the submission of equivalent products.

Brand name specification means a specification limited to one or more items by manufacturers' names or catalogue numbers.

Business means any corporation, partnership, individual, sole proprietorship, joint stock company, joint venture or any other private legal entity.

Change order means any written alteration to specifications, delivery point, time of delivery, period of performance, price, quantity or other provisions of any contract accomplished by mutual action of the parties to the contract.

City includes all departments, divisions, employees, and City Council of the City of Newnan, Georgia.

City council means the Mayor and City Council of the City of Newnan, Georgia.

City manager means the City Manager of the City of Newnan, Georgia.

Confidential information means any information which is available to an employee only because of the employee's status as an employee of the city and which is not a matter of public knowledge or available to the public on request.

Construction means the process of building, altering, repairing, improving or demolishing any public structure or building, or other public improvements of any kind to any public real property. It does not include the routine operation, repair or maintenance of existing structures, buildings or real property.

Contract means all types of city agreements, regardless of what they may be called, for the purchase of supplies, services or construction.

Contractor means any person, persons, or business having a contract with the city or a using agency thereof.

Disadvantaged business means a small business which is owned or controlled by a majority of persons, not limited to members of minority groups, who have been deprived of the opportunity to develop and maintain a competitive position in the economy because of social disadvantages.

Employee means any individual drawing a salary or wages from the city, whether elected or not; any non-compensated individual performing personal services for the city or any department, agency, commission, council, board or any other entity established by the executive or legislative branch of the city; and any non-compensated individual serving as an elected official of the city.

Emergency means any situation resulting in imminent danger to public health or safety or the loss of a substantial governmental service.

Finance director means the Finance Director for the City of Newnan, Georgia.

Financial interest means:

- (1) Ownership of any interest or involvement in any relationship from which, or as a result of which, a person within the past year has received, or is presently or in the future entitled to receive, more than \$100.00 per year, or its equivalent;
- (2) Ownership of 51 percent of any property or business; or
- (3) Holding a position in a business such as officer, director, trustee, partner, employee, or the like, or holding any position of management.

Gratuity means a payment, loan, subscription, advance, deposit of money, service or anything of more than nominal value (defined as \$25.00), present or promised, unless consideration of substantially equal or greater value is received.

Invitation to bid (ITB) means all documents, whether attached or incorporated by reference, utilized for soliciting sealed bids.

Payment bond means a bond with a good and sufficient surety or sureties payable to the city for which the work is to be done and intended for the use and protection of all subcontractors and all persons supplying labor, materials, machinery, and equipment in the prosecution of the work provided for in the contract.

Performance bond means a bond with a good and sufficient surety for sureties for the faithful performance of the contract and to indemnify the city for any damages occasioned by a failure to perform the same within the prescribed time. Such bond shall be payable to, in favor of, and for the protection of the city.

Purchase means the buying, procurement, renting, leasing or otherwise acquiring of any supplies, services or construction. It also includes all functions that pertain to the obtaining of supplies, services or construction, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration.

Professional services means the services of an attorney, architecture, certified public accountant, actuarial services, landscape architecture, interior design, licensed or accredited appraisers, licensed or accredited financial analysts, professional surveying, construction managers, engineering or planning firm, financial consultant, investment advisor, or other professional.

Public works project means the building, altering, repairing, improving, or demolishing of a public structure or building or other public improvement of any kind to any public real property. Such term does not include the routine operation, repair, or maintenance of existing structures, buildings, or real property.

Purchase order means a document generated by the user, via a purchasing requisition, and submitted to the finance department to formalize a purchase transaction with a vendor or to assure the proper set-aside of funds for a purchase. The vendor's acceptance of a purchase order shall constitute a legal, binding contract with the city.

Qualified products list means an approved list of supplies, services or construction items described by model or catalogue numbers, which, prior to competitive solicitation, the city has determined will meet the applicable specification requirements.

Quote means a verbal or written promise from the vendor or contractor guaranteeing that the cost of specific goods, supplies, or services will not be exceeded.

Request for proposal (RFP) means all documents used for soliciting competitive proposals. The RFP defines, in detail, the terms, conditions, and specifications of goods or services required by the city.

Request for qualification (RFQ) means a request seeking a written presentation of the professional qualifications and experience of a proposed contractor.

Responsible bidder means a person who has the capability in all respects to fully perform the contract requirements, and the tenacity, perseverance, experience, integrity, reliability, capacity, facilities, equipment and credit which will assure good faith performance.

Responsive bidder means a person who has submitted a bid which conforms in all material respects to the requirements set forth in the invitation for bids.

Services means the furnishing of labor, time, materials, or effort by a person, persons, or business for the delivery of items including, but not limited to, data, findings, plans, studies, recommendations, reports, and representation.

Sole source means those purchases made pursuant to a written determination that there is only one source for the requested goods, services or construction items.

Specification means any description of the physical or functional characteristics or the nature of a supply, service or construction item. It may include a description of any requirement for inspecting, testing, or preparing supplies, services or construction items for delivery.

Supplies means all items including, but not limited to, commodities, equipment, materials, printing, insurance and real property, excluding land or a permanent interest in land.

Using department/division (user) means the department which has the authority and responsibility for determining the need for an item or service, its related specifications, and date needed.

Vendor means any person, persons, or business which provides, or offers to provide, goods or services to the city.

Sec. 2-258. - Appropriate expenditures.

The purchase of supplies, services and construction shall comply with the provisions of this article and with all procedures as implemented by the city manager. To ensure that all purchases are appropriate and necessary, each user shall ensure that purchases conform to the aforementioned requirements.

Sec. 2-259. - Tax-exempt status.

The City of Newnan is a government agency and therefore exempt from sales and use taxes. Forms to ensure that all purchases are tax-exempt are available from the finance director.

Sec. 2-260. - Budgeted expenditures.

It is the responsibility of each user to ensure all purchases made for or by their agency or department is consistent with, and conforms to, the current approved fiscal year budget prior to committing such funds.

Sec. 2-261. - Purchase order request.

With the exception of sections 2-254, 2-323 and 2-324 of this article, the user shall generate a requisition prior to the purchase of all supplies and services which exceed \$2,000.00. All such requests shall be submitted to the finance department for processing (with quotes, bids, or other required documentation attached) and approval by the city manager. A purchase order shall be issued by Finance for all approved purchases and returned to the user, typically via email, for order processing.

- (1) *Receiving of goods.* It shall be the responsibility of the user to ensure that all purchased goods and services are received, inspected and verified prior to approval for payment.
- (2) *Disputes with vendor.* Any disputes with the vendor regarding purchases of goods and services are to be handled by the user prior to approval of payment. If payment has already been made when the dispute arises, the finance director shall assist when needed to insure resolution in a timely and efficient manner. Depending on the dollar amount involved in the dispute, acceptable resolution may also involve the city manager and council.

Sec. 2-262. - Payment processing.

All receipts and/or invoices shall be properly coded with the correct account number, signed by the user, and submitted to the finance department within five working days of the receipt of goods or services. The project name shall also be listed on all project-related invoices. Payment terms (due date), unless specified on the vendor invoice, shall default to net 30 days.

Sec. 2-263. - Reimbursements.

A check request or travel expense form is used to request reimbursement, depending on the type of purchase made. Proof of payment and signature of the user are required on the documentation accompanying all requests for reimbursement of purchases made by employees of the city. Additionally, all reimbursement requests must include the purpose of the purchase or trip and appropriate receipts. If a receipt is lost, a copy of the purchaser's cancelled check or credit card statement confirming the purchase may be submitted.

Sec. 2-264. - Split purchases.

Purchases shall not be artificially divided in order to circumvent the dollar limitations and associated procedures established by this article.

Sec. 2-265. – Reserved

Sec. 2-266. - Record keeping.

At the conclusion of a contract, the original contract and any bids, specifications, and other pertinent documents shall be retained by the city for a period consistent with the record retention laws of the State of Georgia.

Sec. 2-267. - Sales tax.

The city shall be exempt from paying sales and use tax on all purchases. In accordance with state law, all vendors shall pay sales and use tax on the supplies and equipment purchased for use on city projects or jobs. No vendor shall attempt to avoid payment of the sales and use tax by having the city purchase supplies for use by the vendor on city projects or jobs.

Sec. 2-268. - Ineligible source list.

The following vendors shall be placed on an Ineligible Source List pursuant to the provisions of this section for a reasonable period not to exceed three years, based upon the recommendation of the finance director:

- (1) Any vendor who submits a bid or proposal in bad faith;
- (2) Any vendor who willfully or repeatedly breaches a contract with the city;
- (3) Any vendor who repeatedly refuses to accept a bid or proposal award;
- (4) Any vendor who has established a pattern or practice of unethical or immoral business practices;
- (5) Any vendor who has been convicted of a crime involving moral turpitude; or,

- (6) Any vendor who is owned, controlled, or managed, in whole or in part, by any other vendors described in (1) through (5) above.

Sec. 2-269. - Public works law compliance.

Public works projects, as defined by O.C.G.A. § 36-91-2(10), exceeding \$100,000.00 shall comply with the provisions of the Georgia Local Government Public Works Construction Law, O.C.G.A. § 36-91-1 et seq. The purchase of road construction contracts are subject to the requirements of O.C.G.A. § 32-4-1 et seq., O.C.G.A. § 36-91-2(12) and this ordinance, where applicable. Those projects which qualify for and utilize federal aid highway program (FAHP) funding are further subject to the City of Newnan policy for competitive negotiation qualifications-based selection for projects using federal aid highway program (FAHP) funding as set out in section 2-271 herein below.

Sec. 2-270. - Project delivery methods.

In compliance with local and state law, the city manager shall have the authority to establish procedures and authorize the use of construction delivery methods for public works, road construction, or other construction projects. The delivery methods may include but are not limited to design-bid-build, design-build, and construction management at risk.

Sec. 2-271. - City of Newnan policy for competitive negotiation qualifications-based selection for projects using federal aid highway program (FAHP) funding.

- (a) *General.* Except as provided in (b) and (c) below, the City of Newnan shall use the competitive negotiation method for the procurement of engineering and design related services when FAHP funds are involved in the contract (as specified in 23 U.S.C. 112(b)(2)(A)). The solicitation, evaluation, ranking, selection, and negotiation shall comply with the qualifications-based selection procurement procedures for architectural and engineering services codified under 40 U.S.C. 1101—1104, commonly referred to as the Brooks Act. In accordance with the requirements of the Brooks Act, the following procedures shall apply to the competitive negotiation procurement method:

- (1) *Solicitation.* The solicitation process shall be by public announcement, public advertisement, or any other public forum or method that assures qualified in-state and out-of-state consultants are given a fair opportunity to be considered for award of the contract. Procurement procedures may involve a single step process with issuance of a request for proposal (RFP) to all interested consultants or a multiphase process with issuance of a request for statements or letters of interest or qualifications (RFQ) whereby responding consultants are ranked based on qualifications and request for proposals are then provided to three or more of the most highly qualified consultants. Minimum qualifications of consultants to perform services under general work categories or areas of expertise may also be assessed through a prequalification process whereby statements of qualifications are submitted on an

annual basis. Regardless of any process utilized for prequalification of consultants or for an initial assessment of a consultant's qualifications under an RFQ, a RFP specific to the project, task, or service is required for evaluation of a consultant's specific technical approach and qualifications.

(2) *Request for proposal (RFP).* The RFP shall provide all information and requirements necessary for interested consultants to provide a response to the RFP and compete for the solicited services. The RFP shall:

- a. Provide a clear, accurate, and detailed description of the scope of work, technical requirements, and qualifications of consultants necessary for the services to be rendered. The scope of work should detail the purpose and description of the project, services to be performed, deliverables to be provided, estimated schedule for performance of the work, and applicable standards, specifications, and policies;
- b. Identify the requirements for any discussions that may be conducted with three or more of the most highly qualified consultants following submission and evaluation of proposals;
- c. Identify evaluation factors including their relative weight of importance in accordance with subparagraph 23 CFR Part 172.7(a)(1)(iii) of this section;
- d. Specify the contract type and method(s) of payment to be utilized in accordance with 23 CFR Part 172.9;
- e. Identify any special provisions or contract requirements associated with the solicited services;
- f. Require that submission of any requested cost proposals or elements of cost be in a concealed format and separate from technical/qualifications proposals as these shall not be considered in the evaluation, ranking, and selection phase; and
- g. Provide a schedule of key dates for the procurement process and establish a submittal deadline for responses to the RFP which provides sufficient time for interested consultants to receive notice, prepare, and submit a proposal, which except in unusual circumstances shall be not less than 14 days from the date of issuance of the RFP.

(3) *Evaluation factors.*

- a. Criteria used for evaluation, ranking, and selection of consultants to perform engineering and design related services must assess the demonstrated competence and qualifications for the type of professional services solicited. These qualifications-based factors may include, but are not limited to, technical approach (e.g., project understanding, innovative concepts or alternatives, quality control procedures), work experience, specialized expertise, professional licensure, staff capabilities, workload capacity, and past performance.

- b. Price shall not be used as a factor in the evaluation, ranking, and selection phase. All price or cost related items which include, but are not limited to, cost proposals, direct salaries/wage rates, indirect cost rates, and other direct costs are prohibited from being used as evaluation criteria.
- c. In-state or local preference shall not be used as a factor in the evaluation, ranking, and selection phase. State licensing laws are not preempted by this provision and professional licensure within a jurisdiction may be established as a requirement which attests to the minimum qualifications and competence of a consultant to perform the solicited services.
- d. The following non-qualifications based evaluation criteria are permitted under the specified conditions and provided the combined total of these criteria do not exceed a nominal value of ten percent of the total evaluation criteria to maintain the integrity of a qualifications-based selection:
 - 1. A local presence may be used as a nominal evaluation factor where appropriate. This criterion shall not be based on political or jurisdictional boundaries and may be applied on a project-by-project basis for contracts where a need has been established for a consultant to provide a local presence, a local presence will add value to the quality and efficiency of the project, and application of this criteria leaves an appropriate number of qualified consultants, given the nature and size of the project. If a consultant outside of the locality area indicates as part of a proposal that it will satisfy the criteria in some manner, such as establishing a local project office, that commitment shall be considered to have satisfied the local presence criteria.
 - 2. The participation of qualified and certified Disadvantaged Business Enterprise (DBE) sub-consultants may be used as a nominal evaluation criterion where appropriate in accordance with 49 CFR Part 26 and the City of Newnan's FHWA-approved DBE program.

(4) *Evaluation, ranking, and selection.*

- a. Consultant proposals shall be evaluated by the City of Newnan based on the criteria established and published within the public solicitation.
- b. While the contract will be with the prime consultant, proposal evaluations shall consider the qualifications of the prime consultant and any sub-consultants identified within the proposal with respect to the scope of work and established criteria.
- c. Following submission and evaluation of proposals, the City of Newnan shall conduct interviews or other types of discussions determined three of the most highly qualified consultants to clarify the technical approach, qualifications, and capabilities provided in

response to the RFP. Discussion requirements shall be specified within the RFP and should be based on the size and complexity of the project as defined in City of Newnan written policies and procedures (as specified in 23 CFR Part 172.5(c)). Discussions may be written, by telephone, video conference, or by oral presentation/interview. Discussions following proposal submission are not required provided proposals contain sufficient information for evaluation of technical approach and qualifications to perform the specific project, task, or service with respect to established criteria.

- d. From the proposal evaluation and any subsequent discussions which have been conducted, the City of Newnan shall rank, in order of preference, at least three consultants determined most highly qualified to perform the solicited services based on the established and published criteria.
 - e. Notification must be provided to responding consultants of the final ranking of the three most highly qualified consultants.
 - f. The City of Newnan shall retain acceptable documentation of the solicitation, proposal, evaluation, and selection of the consultant accordance with the provisions of 49 CFR Part 18.42.
- (5) *Negotiation.*
- a. Independent estimate. Prior to receipt or review of the most highly qualified consultant's cost proposal, the City of Newnan shall prepare a detailed independent estimate with an appropriate breakdown of the work or labor hours, types or classifications of labor required, other direct costs, and consultant's fixed fee for the defined scope of work. The independent estimate shall serve as the basis for negotiation and ensuring the consultant services are obtained at a fair and reasonable cost.
 - b. Elements of contract costs (e.g., indirect cost rates, direct salary or wage rates, fixed fee, and other direct costs) shall be established separately in accordance with 23 CFR Part 172.11.
 - c. If concealed cost proposals were submitted in conjunction with technical/qualifications proposals, only the cost proposal of the consultant with which negotiations are initiated may be considered. Concealed cost proposals of consultants with which negotiations are not initiated should be returned to the respective consultant due to the confidential nature of this data (as specified in 23 U.S.C. 112(b)(2)(E)).
 - d. The City of Newnan shall retain documentation of negotiation activities and resources used in the analysis of costs to establish elements of the contract in accordance with the provisions of 49 CFR Part 18.42. This documentation shall include the consultant cost certification and documentation supporting the acceptance of the indirect cost rate to be applied to the contract (as specified in 23 CFR Part 172.11(c)).

- (b) *Small purchases.* The small purchase method involves procurement of engineering and design related services where an adequate number of qualified sources are reviewed and the total contract costs do not exceed an established simplified acquisition threshold. The City of Newnan may use the state's small purchase procedures which reflect applicable State laws and regulations for the procurement of engineering and design related services provided the total contract costs do not exceed the federal simplified acquisition threshold (as specified in 48 CFR Part 2.101). When a lower threshold for use of small purchase procedures is established in State law, regulation, or policy, the lower threshold shall apply to the use of FAHP funds. The following additional requirements shall apply to the small purchase procurement method:
- (1) The scope of work, project phases, and contract requirements shall not be broken down into smaller components merely to permit the use of small purchase procedures.
 - (2) A minimum of three consultants are required to satisfy the adequate number of qualified sources reviewed.
 - (3) Contract costs may be negotiated in accordance with state small purchase procedures; however, the allow ability of costs shall be determined in accordance with the federal cost principles.
 - (4) The full amount of any contract modification or amendment that would cause the total contract amount to exceed the established simplified acquisition threshold would be ineligible for Federal-aid funding. The FHWA may withdraw all federal-aid from a contract if it is modified or amended above the applicable established simplified acquisition threshold.
- (c) *Noncompetitive.* The noncompetitive method involves procurement of engineering and design related services when it is not feasible to award the contract using competitive negotiation or small purchase procurement methods. The following requirements shall apply to the noncompetitive procurement method:
- (1) The City of Newnan may use their own noncompetitive procedures which reflect applicable State and local laws and regulations and conform to applicable federal requirements.
 - (2) The City of Newnan shall establish a process to determine when noncompetitive procedures will be used and shall submit justification to, and receive approval from, the FHWA before using this form of contracting.
 - (3) Circumstances under which a contract may be awarded by noncompetitive procedures are limited to the following:
 - a. The service is available only from a single source;
 - b. There is an emergency which will not permit the time necessary to conduct competitive negotiations; or
 - c. After solicitation of a number of sources, competition is determined to be inadequate.

- (4) Contract costs may be negotiated in accordance with the City of Newnan noncompetitive procedures; however, the allow ability of costs shall be determined in accordance with the federal cost principles.
- (d) *Additional procurement requirements.*
- (1) *Common grant rule.*
- a. The City of Newnan must comply with procurement requirements established in state and local laws, regulations, policies, and procedures which are not addressed by or in conflict with applicable federal laws and regulations (as specified in 49 CFR Part 18.36).
- b. When state and local procurement laws, regulations, policies, or procedures are in conflict with applicable federal laws and regulations, the City of Newnan must comply with Federal requirements to be eligible for federal-aid reimbursement of the associated costs of the services incurred following FHWA authorization (as specified in 49 CFR Part 18.4).
- (2) *Disadvantaged business enterprise (DBE) program.*
- a. The City of Newnan shall give consideration to DBE consultants in the procurement of engineering and design related service contracts subject to 23 U.S.C. 112(b)(2) in accordance with 49 CFR Part 26. When DBE program participation goals cannot be met through race-neutral measures, additional DBE participation on engineering and design related services contracts may be achieved in accordance with the City of Newnan's FHWA approved DBE program through either:
1. Use of an evaluation criterion in the qualifications-based selection of consultants (as specified in 23 CFR Part 172.7(a)(1)(iii)(D)); or
 2. Establishment of a contract participation goal.
- b. The use of quotas or exclusive set-asides for DBE consultants is prohibited (as specified in 49 CFR Part 26.43).
- (3) *Suspension and debarment.* The City of Newnan must verify suspension and debarment actions and eligibility status of consultants and sub-consultants prior to entering into an agreement or contract in accordance with 49 CFR Part 18.35 and 2 CFR Part 180.

Secs. 2-272—2-280. - Reserved.

DIVISION 2. - ETHICAL STANDARDS

Sec. 2-281. - Vendor relations.

All employees shall conduct all purchase functions in a professional manner and shall promote equal opportunity and fairness in all vendor

relations. All purchase functions shall be conducted impartially to assure fair competitive access by responsible vendors.

Sec. 2-282. - Gratuity.

It shall be unethical for any person to offer, give or agree to give any city employee or official or for any city employee or official to solicit, demand, accept or agree to accept from another person a gratuity or an offer of employment in connection with any decision, approval, disapproval, or recommendation as part of any on-going or previous process to procure goods or services.

Sec. 2-283. - Kickbacks.

It shall be unethical for any payment, gratuity or offer of employment to be made by, or on behalf of, a contractor, vendor, subcontractor, or any person associated therewith, as an inducement for the award of a contract or order.

Sec. 2-284. - Financial interest.

It shall be unethical for any city employee or official who is participating directly or indirectly in the purchase process to hold a financial interest in the company conducting business with the city.

Sec. 2-285. - Use of confidential information.

It shall be unethical for any city employee or official to knowingly use confidential information for actual or anticipated personal gain, or for the actual or anticipated personal gain of any other person.

Secs. 2-286—2-300. - Reserved.

DIVISION 3. - SOLICITATION, BIDDING AND NOTICE REQUIREMENTS

Sec. 2-301. - Maximum practicable competition.

All specifications shall be drafted so as to promote overall economy for the purposes intended and encourage competition in satisfying the city's needs, and shall not be unduly restrictive. The policy enunciated in this section applies to all specifications including, but not limited to, those prepared for the city by architects, engineers, designers and draftsmen. When required by federal or state law, the city will comply with all disadvantaged business provisions.

Sec. 2-302. - Brand name specification.

Since use of a brand name specification is restrictive of product competition, it may be used only when the user, upon approval from the city manager, makes a written determination that only the identified brand name

item or items will satisfy the city's needs. The user shall seek to identify sources from which the designated brand name item or items can be obtained and shall solicit such sources to achieve whatever degree of price competition is practicable. If only one source can satisfy the city's requirements, the purchase may be made as a sole source purchase.

Sec. 2-303. - Brand name or equal specification.

Brand name or equal specifications shall seek to designate three, or as many different brands as are practicable, as "or equal" preferences and shall further state that substantially equivalent products to those designated will be considered for award. Brand name or equal specifications may be used when the user determines that:

- (1) No other design or performance specification or qualified products list is available;
- (2) Time does not permit the preparation of another form of purchase description, not including a brand name specification;
- (3) The nature of the product or the nature of the city's requirements makes use of a brand name or equal specification suitable for the purchase; or
- (4) Use of a brand name or equal specification is in the city's best interests.

Sec. 2-304. - Public notice requirements.

In order to provide adequate notice to potential vendors, whenever the city issues an invitation to bid, request for proposals, or request for qualifications, the public notice requirements shall be as follows:

- (1) *Supplies, equipment and services.* Notices to purchase supplies, equipment or services shall be given not less than 15 calendar days prior to the date set forth for the opening of bids. Such notice may include publication in the legal organ of the city or by electronic means on an internet website of the city or an internet website recognized by the city. The public notice shall state the place, date, and time of bid opening, along with such details and specifications as will enable the public to know the extent and character of the offering.
- (2) *Public works projects.* Notices for public works projects, with the exception of road construction, shall be posted conspicuously in the Newnan City Hall and shall be advertised in the legal organ of the county; or by electronic means on the city's official internet website or an Internet website identified by the city. Bid opportunities that are advertised in the legal organ shall be advertised a minimum of two times, with the first advertisement occurring at least four weeks prior to the opening of the proposals. The second advertisement shall follow no earlier than two weeks from the first advertisement. Bid opportunities that are advertised solely on the Internet shall be posted continuously

for at least four weeks prior to the opening of the proposals. The public notice shall state the place, date, and time of proposal opening along with other details and specifications which will enable the public to know the extent and character of the offering and in accordance with state law.

- (3) *Road construction projects.* Notices for road construction projects shall be posted conspicuously in the Newnan City Hall and shall be advertised in the legal organ of the city. The advertisement must run at least two times during the two weeks prior to the bid opening. The first advertisement must run two weeks prior to the bid opening. The second advertisement must run one week after the first advertisement. The public notice shall state the place, date, and time of proposal opening along with other details and specifications which will enable the public to know the extent and character of the offering and in accordance with state law.

(4) All “Request for Proposals” or “Invitations to Bid” released by the city for goods, services and public works projects subject to Chapter 91 of Title 36 of the O.C.G.A. must be posted on the Georgia Procurement Registry (GPR).

Sec. 2-305. - Local vendor preference.

If factors such as quality, previous performance, and availability are equal and acceptable for all vendors, the bid may be awarded to a local vendor if the local vendor's quote, or bid, is within three percent of the lowest bidder. Local vendor preference may only be given when the total amount of the lowest bid does not exceed \$25,000.00. A local vendor is defined as one who holds a current, valid occupational tax certificate issued by City of Newnan.

Sec. 2-306. - Responsibility of bidders.

The failure of a bidder to supply prompt information in connection with an inquiry with respect to the bidder's qualifications or responsibility may be grounds for a determination of non-responsibility with respect to such bidder. A copy of the determination shall be sent promptly to the bidder in this case. The final determination shall be made part of the contract file and be made a public record once an award is made.

Sec. 2-307. - Modification of bids.

Any clerical mistake, which is patently obvious on the face of the bid, may be corrected upon receipt of a written request and verification submitted by the bidder. A non-material omission in a bid may be corrected if the city determines the correction to be in the best interests of the city. Omissions effecting or relating to the bid price shall be deemed material and shall not be corrected after bid opening.

Sec. 2-308. - Withdrawal of bids.

Bids may be withdrawn at any time prior to bid opening. After bids have been publicly opened, the bidder shall give notice in writing of this claim of right to withdraw his bid due to an error within two business days after the public bid opening. Such requests for withdrawal may be considered if the price was substantially lower than other bids due solely to a mistake therein, provided the bid was submitted in good faith, and the mistake was a clerical mistake as opposed to a judgment mistake. If a bidder or offeror withdraws a bid or proposal without penalty because of a mistake, he or she may not later submit a bid or proposal for the work if the project is re-bid. Additionally, he or she may not subcontract with the contractor who is awarded the project or supply material or labor to the project or benefit, directly or indirectly, from the performance of the project.

Sec. 2-309. - Reserved rights.

The city reserves the right to cancel any advertised bid and to reject any or all bids if it determines that such action is in the best interests of the city. The reasons for such bid rejection or cancellation shall be made part of the bid file.

Sec. 2-310. - Discussions with responsible bidders.

Discussions may be conducted with responsible bidders who submit proposals determined to be reasonably susceptible of being selected for award for the purpose of clarification to assure full understanding of, and conformance to, the solicitation requirements.

Sec. 2-311. - Disqualification of bids.

Any bid which is incomplete in any material aspect or submitted without required, or requested, bonds or insurance certificates shall be immediately disqualified from consideration.

Secs. 2-312—2-320. - Reserved.

DIVISION 4. - PURCHASE METHODS

Sec. 2-321. - Sole source purchase.

A contract may be awarded without competition when the city manager determines, after the user conducts a good faith review of available sources, that there is only one source for the required supply or service. The user shall conduct negotiations, as appropriate, as to price, delivery, and terms.

Sec. 2-322. - Government contracts.

Where the State of Georgia or Federal Government (GSA) takes bids and develops purchase contracts on certain items and it is determined that the purchase of these items is in the best interests of the city, the city manager shall have the authority to allow the use of such contracts. Bids received by local government units within the State of Georgia are also eligible provided such bids were solicited within the previous six months.

Sec. 2-323. - Emergency purchases.

Notwithstanding any other provisions of this article, the city manager may make, or authorize others to make, emergency purchases of supplies, services or construction items if immediate action is required to prevent disruption of operations or services, or if there is a threat to public health, safety or welfare, and where the adverse effect of such emergency may worsen materially with the passage of time; provided that such emergency purchases shall be made with such competition as is practicable under the circumstances. All emergency purchases that exceed \$50,000.00 will require ratification of the city council.

Sec. 2-324. - Routine purchases.

Users, or their designee(s), shall be authorized to make purchases up to \$2,000.00 without competitive solicitation or issuance of a purchasing requisition, provided such purchase complies with all applicable provisions of this article and is within the legal limits of the adopted budget.

Sec. 2-325. - Quotes.

Purchases in excess of \$2,000.00, but not greater than \$50,000.00 shall comply with all applicable provisions of this article in addition to the following:

- (1) *Solicitation.* The user, after obtaining authorization from the city manager, shall develop minimum specifications for such purchase and solicit a minimum of three quotes from qualified vendors. User shall document all quotes received including no response from vendor.
- (2) *Public notice.* Public advertisement for such solicitation shall not be required.
- (3) *Review of quotes.* The user shall review the quotes and select the quote which provides the city with its best value and meets all other purchasing guidelines as set forth by this article. The user may also elect to deny all quotes and re-solicit quotes.

Sec. 2-326. - Reserved

Sec. 2-327. - Invitation to bid (ITB).

Under this method of procurement the city shall issue an "invitation to bid" establishing the requirements necessary to award a contract. Bidders shall submit bids to perform the project for a specified price. The final award shall be made to the most qualified bidder with the lowest price who meets all of the requirements set forth in the invitation to bid. Under this bid method, price is typically the deciding factor in choosing a contractor, once it has been determined which bidders are "responsive" and "responsible". Purchases utilizing this method shall comply with all applicable provisions of this article in addition to the following:

- (1) *Threshold.* The requirements of this purchase method shall apply to all purchases in excess of \$50,000.00.
- (2) *Solicitation.* The user, after obtaining authorization from the city manager, shall develop minimum specifications for such purchase and prepare an invitation to bid soliciting bids from qualified vendors. The ITB shall include specifications and all contractual terms and conditions necessary for the purchase and shall be in compliance with state law.
- (3) *Public notice.* Adequate public notice of the invitation to bid shall be given in accordance with section 2-304 of this article.
- (4) *Receipt of bids.* No bid shall be eligible for consideration by the city unless it is placed in a sealed envelope or package and received by the city by the date and time specified in the invitation to bid. All received bids shall be stamped with the date and time of receipt and secured until the designated opening time. Any bid delivered or received late shall not, under any circumstances, be eligible for consideration and shall be returned unopened to the bidder.
- (5) *Opening of bids.* Bids shall be opened publicly in the presence of two council members at the time and place designated in the invitation to bid. The amount of each bid, together with the name of each bidder, shall be recorded. This record and each bid shall be open to public inspection once an award is made by the city.
- (6) *Evaluation of bids.* Bids shall be evaluated based on the requirements set forth in the ITB, which may include criteria to determine acceptability such as inspection, testing, quality, workmanship, delivery and suitability for a particular purpose. No criteria may be used in bid evaluation that is not specifically set forth in the invitation.
- (7) *Recommendation.* At the next available city council meeting, the city manager, or his/her designee, shall make a recommendation for award of the bid to the most qualified, responsive vendor whose bid meets the requirements and criteria set forth in the ITB. The contract file shall contain the basis on which the award is made.

Sec. 2-328. - Request for proposals (RFP).

Under this method of procurement the city shall issue a "request for proposal" describing the project and establishing the factors, as well as their relative importance, which will be used to evaluate the proposals. Vendors shall submit proposals to perform such services as described within the RFP. While price shall be a factor in the city's award decision, it may not be the sole determining factor. In many instances, there may not be specific and/or final specifications for the project; therefore, the city is soliciting firms to provide proposals which require creativity, expertise and experience. Purchases of this type shall comply with all applicable provisions of this article in addition to the following procedures:

- (1) *Threshold.* The requirements of this purchase method shall apply to purchases in excess of \$50,000.00
- (2) *Solicitation.* The user, after obtaining authorization from the city manager, shall develop a request for proposal for such service and solicit proposals from qualified service providers. All requests for proposals shall include detailed information regarding the scope of service, minimum professional qualifications, contractual terms and conditions necessary for the purchase, and any other information as required by law.
- (3) *Public notice.* Adequate public notice of the request for proposals shall be given in accordance with section 2-304 of this article.
- (4) *Receipt of proposals.* No proposal shall be eligible for consideration by the city unless it is placed in a sealed envelope or package and received by the date and time as specified in the request for proposals. All received proposals shall be stamped with the date and time of receipt and secured until the designated opening time. A proposal delivered or received late shall not, under any circumstances, be eligible for consideration and shall be returned unopened to the bidder.
- (5) *Opening of proposal.* Proposals shall be opened publicly in the presence of two councilmen at the time and place designated in the request for proposals. The dollar amount of each proposal, together with the name of each vendor, shall be recorded; the record and each proposal shall be open to public inspection once an award is made by the city.
- (6) *Evaluation of proposals.* Proposals shall be evaluated based on the requirements set forth in the request for proposals, which may include criteria to determine acceptability such as project related experience, vendor qualifications, prior business experience in municipal contracting, bonding and insurance capacity, proposed project schedule, and suitability for a particular purpose. No criteria may be used in proposal evaluation that is not specifically set forth in the request for proposal.
- (7) *Recommendation.* At the next available city council meeting, the city manager, or his/her designee, shall make a recommendation as to

which proposal should be selected based on the requirements and criteria set forth in the RFP. The contract file shall contain the basis on which the award is made.

Sec. 2-329. - Request for qualifications (RFQ).

This purchase method is typically utilized to obtain the services of a professional firm, where the scope of work is very complex and it is determined that the qualifications of potential service providers is of the highest priority and in the best interests of the city to insure proper execution of the project deliverables. Purchases of this form shall comply with all applicable provisions of this article in addition to the following procedures:

- (1) *Solicitation.* The user, after obtaining authorization from the city manager, shall develop a "request for qualifications" for such service and solicit proposals from qualified vendors. All requests for qualifications shall include detailed information regarding the scope of service, desired professional qualifications, preferred delivery method, contractual terms and conditions necessary for the purchase, and any other information required by law.
- (2) *Public notice.* Adequate public notice of the request for qualifications shall be given in accordance with section 2-304 of this article.
- (3) *Receipt of qualifications.* No proposal shall be eligible for consideration by the city unless it is placed in a sealed envelope or package and received by the date and time as specified in the request for qualifications. All received qualifications shall be stamped with the date and time of receipt and secured until the designated opening time. A proposal delivered or received late shall not, under any circumstances, be eligible for consideration. Such proposal shall be returned unopened to the bidder.
- (4) *Opening of qualifications.* Qualifications shall be opened publicly in the presence of the user and city manager at the time and place designated in the RFQ. Only the name of each vendor shall be recorded; the qualification statement shall be open to public inspection once an award is made by the city.
- (5) *Evaluation of qualifications.* Qualifications shall be evaluated based on the requirements set forth in the RFQ, which may include criteria to determine acceptability such as project related experience, vendor qualifications, prior business experience in municipal contracting, bonding and insurance capacity, project scheduling, delivery methods, and suitability for a particular purpose. No criteria may be used in proposal evaluation that is not specifically set forth in the request for proposal.
- (6) *Selection method.* The initial request for qualifications shall establish the selection method. Selection methods may include the following:
 - a. *Pre-qualification method.* This method shall allow the city to select only those vendors who are qualified per the specifications listed in

the RFQ to submit sealed bids, which shall be opened in accordance with the provisions of this article and applicable state law.

- b. *Negotiated price method.* This method shall allow the city to negotiate a price with the vendor who is deemed to have the qualifications which best comply with the needs of the city and the specifications as established in the request for qualifications. If an agreement cannot be reached with the initial vendor, the city may select to negotiate with next highest qualified vendor; or the city may elect to re-advertise the request for qualifications. Subsequent ratification of the selected vendor must be obtained at the earliest possible city council meeting for those agreements exceeding \$100,000.00.

Sec. 2-330 – Professional Services

The City Manager has the authority to directly negotiate and enter into contract with a professional firm in an amount not greater than \$50,000. For contracts in excess of \$50,000 but not greater than \$100,000 the City Manager has the authority to seek qualifications from a minimum of two professional firms and negotiate a contract with the firm deemed the most qualified. All contracts in excess of \$100,000.00 shall be procured using purchase methods as stated in section 2-328 or 2-329. In certain circumstances the city council may waive these provisions if deemed to be in the best interest of the city.

Sec. 2-331. - Grants and donations.

Periodically, the city may be awarded or provided private or public grants and donations from sources such as state and federal government and private corporations which are typically designated for specific purposes. These types of funds may be more restrictive and may dictate the procurement process the city is to follow. If there are no such restrictions on the funds, the user shall follow the purchasing guidelines set forth in this article when purchasing goods and services utilizing grants or donated funds.

Secs. 2-332—2-335. - Reserved.

DIVISION 5. - CONTRACTING REQUIREMENTS

Sec. 2-336. - Written contracts required.

All service and construction projects in which the total cost will exceed \$50,000 shall require the selected vendor to enter into a written contract with the city. The form of the contract shall be approved by the city attorney. The mayor is required to execute all such written contracts. For all other supplies and services, a city issued purchase order shall constitute a legal, binding agreement between the city and the vendor. Nothing in this section shall prohibit the city from requiring written contracts for any acquisition of supplies or services when it is deemed to be in the best interests of the city.

Sec. 2-337. - Bid bonds.

Bids submitted to the city shall include a bid bond, or bid security, as set forth below:

- (1) *Requirement for bid bonds.* Bid bonds shall be required for all bids for public works or construction contracts when the price is estimated to exceed \$100,000.00 and for any other bid, or bid amount, in which a bid bond is deemed to be necessary in order to protect the best interests of the city. Bid bonds shall be of the forfeiture type. All sureties must be licensed to do business in the State of Georgia and listed in the Department of the Treasury's publication of companies holding certificates of authority as acceptable reinsuring companies. In lieu of the bid bond described above, vendors may submit a cashier's check payable to the city. To the extent permitted by Georgia law, a guaranteed letter of credit will act as a bid bond, provided that the form of such letter of credit and the lending institution has been approved by the city.
- (2) *Amount of bid bond.* Bid bonds shall be in an amount equal to at least five percent of the amount of the bid.
- (3) *Withdrawal of bids.* If a vendor is permitted to withdraw its bid before award, as provided in this article, no action shall be had against the bidder or the bid security.

Sec. 2-338. - Performance and payment bonds.

Prior to execution of a contract for public works or construction projects, performance and payment bonds shall be delivered to the city as set forth below:

- (1) *When required.* Performance and payment bonds shall be required for all public works and construction projects when the contract award exceeds \$100,000.00. Performance bonds shall be conditioned upon the bidder's faithful performance of the terms of the bid or proposal and the contract executed in connection therewith. Payment bonds shall be executed for the benefit of all persons supplying labor, materials, machinery and equipment in the prosecution of the work provided for in the contract. All sureties must be licensed to do business in the State of Georgia and listed in the Department of the Treasury's publication of companies holding certificates of authority as acceptable reinsuring companies, Circular 570.
- (2) *Amount of performance and payment bonds.* Both performance and payment bonds shall be in an amount equal to at least 100 percent of the total contract price.
- (3) *Authority to require additional bonds.* Nothing in this section shall be construed to limit the authority of the city to require a performance

bond or other security in addition to those bonds, or in circumstances other than specified in subsection (a) of this section.

Sec. 2-339. - Insurance requirements.

The city manager, upon review by the city attorney, shall have the authority to determine what types and amounts of insurance coverage are reasonably necessary for the protection of the city's interest for all acquisitions covered by this article. All sureties must be licensed to do business in the State of Georgia. Whenever possible, specific insurance requirements shall be stated within the invitation to bid or request for proposal; however, failure to do so shall not eliminate the authority of the city to require insurance coverage from the successful bidder prior to the commencement of work.

Sec. 2-340. - Immigration compliance.

Pursuant to O.C.G.A § 13-10-91, any vendor entering into a written contract with the city shall complete an affidavit affirming their compliance with the Georgia Security and Immigration Compliance Act of 2006. Such Act requires that all contractors and subcontractors comply with Rule 300-10-01-.02 as a condition of awarding the contract.

Sec. 2-341. - Multi-year contracts.

To the extent authorized by law, a contract for supplies or services may be entered into for any period of time deemed to be in the best interests of the city, provided that the term of the contract and renewal provisions are included in the original solicitation process. Adequate funds must be available to fulfill the first fiscal year's obligation at the time of contract execution. Subsequent year appropriations are subject to authorization by the city council.

Sec. 2-342. - Change orders.

Except as herein provided, any change order or other contract modification shall be governed by the following provisions:

- (1) *Amounts specified.* The city manager shall have the authority to approve all change orders to up to 20 percent of original contract price, provided the total change order does not exceed \$50,000.00. All other change orders shall be approved by the city council.
- (2) *Field required change orders.* Where time is of the essence or emergency circumstances exist which do not allow delay of a project, the user shall request approval from the city manager before proceeding to authorize such work. Subsequent ratification by the city council must be obtained by the user at the earliest possible meeting if the change order exceeds 20 percent of the original contract price, or more than \$50,000.00.

Sec. 2-343. - Intergovernmental contracts.

Notwithstanding any other provision of this article, the city may participate in a cooperative agreement for the acquisition of real property, personal property, commodities, supplies, equipment or services with any other governmental entity or agency, whether federal, state or local or purchasing cooperative. Where cost of such commodities or service has been approved in the current year budget, the city manager shall have the authority to enter into such intergovernmental contracts when deemed in the best interests of the city. Documentation to substantiate this decision shall be maintained in the contract file.

Secs. 2-344 – On-Call Services Contracts

Under this method of procurement the city shall issue a "request for proposal" or "request for qualifications" depending on the type of on-call service requested; describing the services and establishing the factors, as well as their relative importance, which will be used to evaluate the firms. Vendors shall submit proposals/qualifications to perform such on-call services as described within the RFP/RFQ. While price shall be a factor in the city's award decision, it may not be the sole determining factor. Purchases of this type shall comply with the following procedures:

- (1) All on-call services contracts will be budgeted on an annual basis through the annual budget process.
- (2) The city will have the authority to determine duration of all on-call services contracts as well as having the right to terminate a contract if deemed to be in the best interest of the city.

Secs. 2-345 2-460. - Reserved.

SECTION II: All ordinances or parts of ordinances inconsistent or in conflict with this ordinance are hereby repealed.

SECTION III. Should any phrase, clause, sentence, or section of this Ordinance be deemed unconstitutional by a Court of competent jurisdiction, such determination shall not affect the remaining provisions of this Ordinance, which provisions shall remain in full force and effect.

SECTION IV: The effective date of this ordinance shall be upon adoption.

DONE, RATIFIED AND PASSED by the Mayor and City Council of the City of Newnan, Georgia, this ____ day of _____, 2019, in regular session assembled.

ATTEST:

L. Keith Brady, Mayor

Della Hill, City Clerk

Cynthia E. Jenkins, Mayor Pro-Tem

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Raymond F. DuBose, Councilmember

Rhodes H. Shell, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

DONE, RATIFIED AND PASSED in regular session, on second reading this the _____ day of _____ 2019.

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

AN ORDINANCE TO AMEND ARTICLE VIII – PAWN BROKERS OF CHAPTER 6, BUSINESSES, BY ADDING A NEW SECTION 6-160, RECORDS AND INFORMATION TO BE RECORDED IN THE REQUIRED FORMAT OF THE CODE OF ORDINANCES OF THE CITY OF NEWNAN; AND FOR OTHER PURPOSES

WHEREAS, the City Council has determined that it is in the best interest of the residents, property owners and citizens of the City of Newnan, Georgia. that Article VIII.- Pawn Brokers of Chapter 6, Businesses, by adding a new section 6-160, Records and Information To Be Recorded In The Required Format to provide recording and for electronic reporting of pawn shop transactions.

NOW THEREFORE, BE IT ORDAINED, by the City Council of the City of Newnan, Georgia, and it is hereby ordained by the authority of same that Article VIII – Pawn Brokers Of Chapter 6, Businesses, of the Code of Ordinances of the City of Newnan is hereby amended by adding a new Section 6-160, Records and Information To Be Recorded In The Required Format as follows:

Section 1. Sec. 6-160. Records and information to be recorded in the required format.

Notwithstanding the provisions of Sections 6-153, 6-154, 6-155, and 6-156 hereinabove:

1. Every person engaged as a pawnshop operator within the city shall secure from every person from whom he received any used or previously owned tangible personal property, whether by purchase or through pledge, trade, pawn or exchange, the following:

- (a) Government-issued photo identification card, such as a driver's license, military identification card, state identification card, or passport;
- (b) The name, address, telephone number, race, sex, height weight, date of birth, and a social security or driver's license number;

- (c) A digital photograph clearly showing a frontal view of the subject's face digital images shall be labeled with the date and time of the transaction and stored in such a manner that they are safe from corruption);
- (d) Written description of property or item received, including serial number or other identifying marks, if available, and digital photograph of property or item, labeled with date and time of transaction.

2. The operator or dealer shall maintain the above information, digital photographs, and fingerprint for a period of three years and make the same available to law enforcement personnel upon request.

3. Every pawnshop operator located within the city shall make a computer-generated daily report, in such format as prescribed by the chief of police, of all transactions that occurred during the 24-hour period, ending at 9:00 p.m. on the date of the report. A report shall be made for each day the operator or dealer transacts business. Daily reports shall be filed electronically by posting to a law enforcement web site designated by the chief of police. Where technological problems prevent posting the daily report electronically, a printed, typed or legibly handwritten report shall be delivered to the police department in lieu thereof.

Section II. All ordinances or parts of ordinances in conflict with the provisions of this ordinance are, to the extent of such conflict, hereby repealed.

Section III. The effective date of this ordinance shall be upon adoption.

DONE, RATIFIED AND PASSED by the City Council of the City of Newnan, Georgia, this the _____ day of _____, 2019 in regular session assembled.

ATTEST:

L. Keith Brady, Mayor

Della Hill, City Clerk

Cynthia E. Jenkins, Mayor Pro-Tem

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Raymond F. DuBose, Councilmember

Rhodes H. Shell, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

DONE, RATIFIED AND PASSED in regular session, on second reading this the _____ day of _____ 2019.

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

City of Newnan, Georgia – Mayor and Council



Date: April 9, 2019

Agenda Item: 10 Burch Ave, 286 West Washington St., 121 Pinson St., 180 West Washington St., and 17 Ray St

Prepared and Presented by: Matt Murray, Code Enforcement Officer

Submitted by: Bill Stephenson, Chief Building Official

Purpose: To inform Council of the status of 10 Burch St , 286 West Washington St., 121 Pinson St., 180 West Washington St. and 17 Ray St having been before Council in Public Hearings.

Background: Date of Status Check: April 2, 2019

<u>Property Address</u>	<u>Owner</u>	<u>Original Hearing</u>	<u>Original # Of Days Allowed</u>	<u>Original Resolution Deadline</u>	<u>Extensions</u>	<u>Updated Resolution Deadline</u>	<u>Status</u>
10 Burch Ave	Abdul Saeed Kader	March 28,2017	45 days	May 12,2017	180 days	June 9,2019	Interior progress
280 West Washington St	Irvin Jones Estate	February 24, 2015	180 Days	August 23, 2015	180 Days	April 6, 2019	Interior/Exterior progress
121 Pinson St.	Marcus Beasley	August 26, 2014	180 days	February 22, 2015	60 Days	May 10, 2019	Interior progress

180 West Washington St.	Render Godfrey
17 Ray St	Salome Realty LLC

September 25, 2017	45 days	November 9, 2017
February 26,2019	120 days	June 26, 2019

180 Days	September 7, 2019	Exterior Progress
		No Progress

Options:

1. Accept status reports, no further action is required.
2. Other direction from Council.

Funding:

Not Applicable

Recommendation:

Staff is requesting Council's approval for Option 1.

**Previous Discussions
With Council:**

All have previous history with Council.



City of Newnan, Georgia - Mayor and Council

Date: April 9, 2019

Agenda Item: Request to block off parking spaces in front of Greenville Street Park

Prepared by: Paulo Manso de Sousa – Southern Arc Dance

Purpose: Request to block off parallel parking spaces for 3 food trucks at Greenville Street Park for the Artz in the Park event on May 4, 2019. The spots would need to be blocked from 3:00pm until 8:00pm.

Background: Arts in the Park is sponsored by Southern Arc Dance and will be held on the first Saturday of May this year. They will begin set up at 12:00pm and the festival will begin at 5pm. Southern Arc Dance will have local artists painting in the park along with live music and diverse dance programs. This year they are hoping to add food trucks.

Funding: None

Recommendation: Approval with requester working with staff on scheduling details. Leisure Services has confirmed with Main Street that this request will not interfere with Market Day – times do not conflict.

Previous Discussion with Council: N/A

Newnan Veteran's Day Parade Committee

1484 Corinth Rd Newnan, GA 30263

Phone: 678-953-4270 or newnanvetdayparade@gmail.com

To whom it may concern,

I am writing this letter to request use of the streets in Downtown Newnan for the Newnan Veteran's Day Parade. The parade will begin at City Hall and will end at Veteran's Memorial Park. We will do the meet and greet again which will be held in the back-parking lot of City Hall. The date of this event will be November 9, 2019. The parade will begin at 10:00 AM.

Thank you for you continued support of the veterans of the City of Newnan and the continued support of the Newnan Veteran's Day Parade.

Thanks,

Nathan Thompson

Coordinator

Newnan Veteran's Day Parade

678-953-4270



GUIDELINES FOR USING DOWNTOWN NEWNAN SQUARE OR ANY CITY STREETS

NAME OF AGENCY	Newnan Veterans Day Parade Committee
NAME OF PERSON IN CHARGE OF EVENT	Nathan Thompson
ADDRESS OF PERSON IN CHARGE	1484 Corinth Rd Newnan, GA 30263
CELL PHONE NUMBER OF PERSON IN CHARGE	678-953-4270
TYPE OF EVENT	Parade
PURPOSE OF EVENT	to honor Coweta County's Veterans
DATE OF EVENT	November 9, 2019
TIME OF EVENT	10:00 AM

CONDITIONS OF PERMIT

If permit is for any type utilizing streets of the city other than just the square area, a map shall be submitted to indicate routes of the event. If road race, walk or similar event, a fee will be charged based on number of police officers required to provide safety for the event; and all events of this type should be scheduled to end by 10:00 AM. If officers are required for other events, a fee will be charged based on number of officers requested by agency sponsoring event.

Applicants for permits for the square area only which require the setting of booths or selling goods should be aware that homegrown or handmade goods are preferred and that other goods sold should not be in conflict with goods that merchants on the square have for sale, excluding restaurant style prepared food items. Personal information from those attending the event should not be solicited. Subscription based businesses, home improvement companies, insurance companies, etc., that approach those attending the event for solicitation for future services are not allowed. It is recommended that a 10x10 booth space be assigned to each participant with the participants name written in chalk at each sidewalk location. Permanent marking on the square is not allowed. You must provide your own tent, chairs and tables. If your event requires electricity, it must be requested in advance. If it is used from the light poles, then the cover must be put back on after the event. If a cover is lost the event coordinator and vendor are liable for the cost of replacing the lost cover. All cords must be duct taped down to the sidewalks to prevent accidents.

EVENT STAFFING

The coordinator of the event on the square must remain on site throughout the set up and clean up of the event. The event coordinator must make sure that the square is returned to normal after the event is over.

GARBAGE

Additional rolling trash cans by the City of Newnan Sanitation Department need to be around the court square. Contact Sanitation Services at 770-253-0327 to coordinate and determine the number of cans needed for your event. We recommend that you cover the permanent cans surrounding the square and use the rolling cans. If the decorative cans are overflowing at the end of the event, they should be emptied into the rolling cans. Cost of Sanitation cans are \$10.00 per can during normal business hours and \$25.00 per can after hours. *(Costs are subject to change)*

PUBLIC NOTICE SIGNAGE

The coordinator of the event is responsible for obtaining and displaying Special Event Notice signs as provided by City staff. Public notice along/near the event location shall be provided at least 72 hours in advance of the event.

BATHROOMS

A portable restroom, or more depending on the size of the event, must be provided for the public to use. Downtown shops only allow restroom facilities to be used by paying customers. Main Street can assist with contact information on a Main Street member that provides port-a-potties for a fee. We recommend these be placed on the side of NuLink on West Washington Street.

PARKING

Vendors can park on the square to unload, but once unloaded they will need to move their vehicles to a city lot. Parking on the square or in front of stores is prohibited. This includes on side streets. Parking is for customers and event attendees.

AGREEMENT

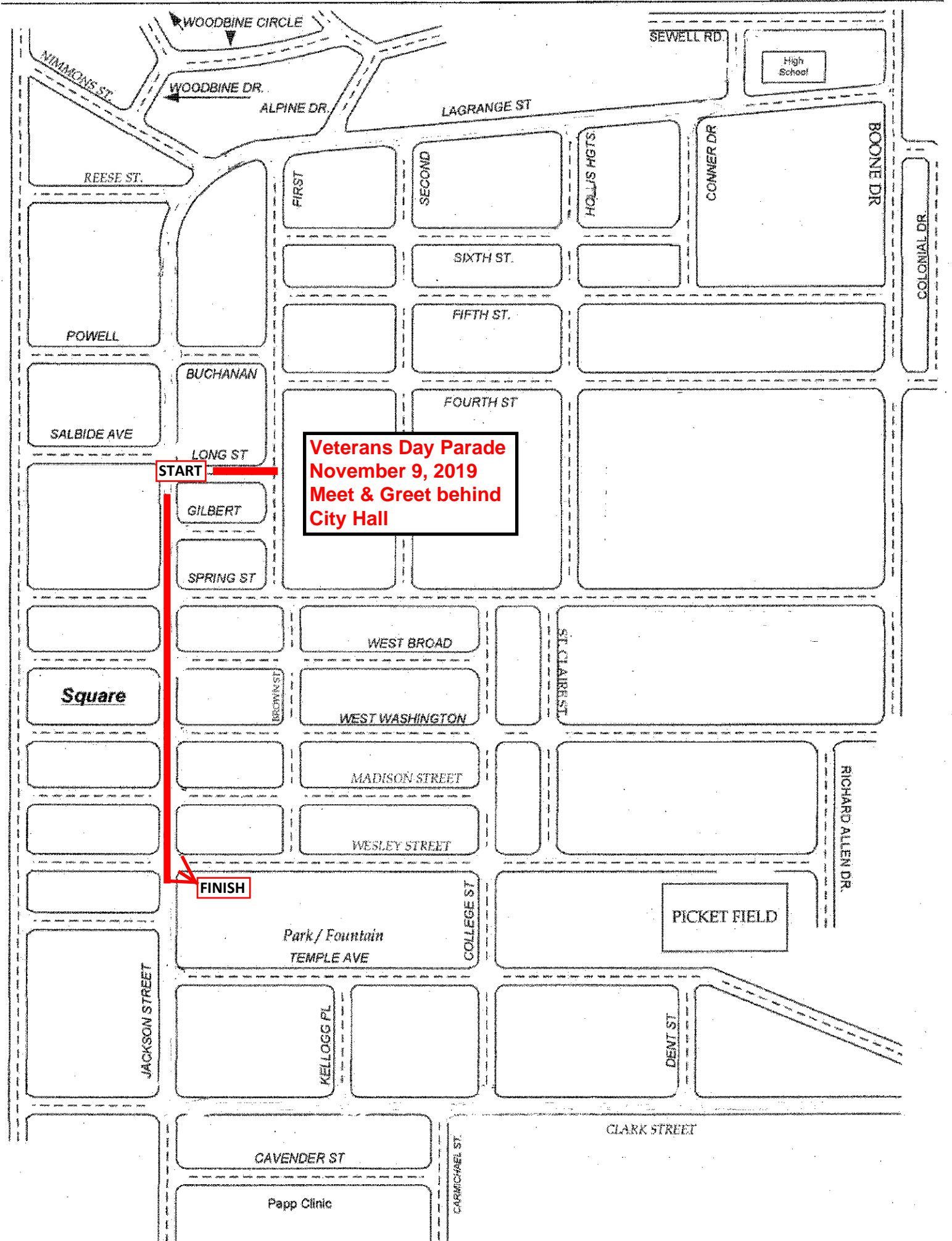
NATHAN C THOMPSON
I, *Nathan C Thompson* agree to these guidelines for use of the Newnan Square and/or city streets.

SIGNED *Nathan C Thompson*

DATE *4/2/19*

EVENT - 100.00.34.2901 – Event Activity Fees

Form Updated February 8, 2019 / October 12, 2018



Veterans Day Parade
November 9, 2019
Meet & Greet behind
City Hall

START

FINISH

Square

Park / Fountain
TEMPLE AVE

High School

PICKET FIELD

CAVENDER ST

Papp Clinic

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

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).