



Newnan City Council Meeting

AUGUST 12, 2021

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

CALL TO ORDER

INVOCATION

READING OF MINUTES

- [A.](#) Minutes from Regular Meeting on July 20, 2021

REPORTS OF BOARDS AND COMMISSIONS

- B. 1 Appointment- Cultural Arts Commission, 3 year term
- C. 1 Appointment- Keep Newnan Beautiful, 3 year term
- D. 2 Appointments- Board of Zoning Appeals, 3 year term
- E. 1 Appointment- Coweta County Board of Health, 4 year term
- F. 4 Appointments- Downtown Development Authority, 4 year term
- [G.](#) Request from Farmer Street Cemetery Commission to Host Public Information Gathering August 26th
- [H.](#) Report from Cultural Arts Commission

REPORTS ON OPERATIONS BY CITY MANAGER

REPORTS AND COMMUNICATIONS FROM MAYOR

NEW BUSINESS

- [I.](#) Public Hearing- Application for Alcohol Beverage License- El Callejon Cantina, LLC- Retail on Premise (Pouring) Sales of Distilled Spirits, Malt Beverages & Wine- 33 1/2 E. Broad St. - Reason: Addition of Distilled Spirits
- [J.](#) Consideration to Purchase a Heavy-Duty Rescue Unit Using the HGAC (Houston- Galveston Area Council) Co-Op Method
- [K.](#) Consideration of Agreement with Coweta County and the Coweta Community Foundation

UNFINISHED BUSINESS

- [L.](#) 2nd and Final Reading- Ordinance to Amend Section 3-25, Consumption and Sales on Public Property and Section 3-67, Growlers, of Chapter 3 Alcoholic Beverages of the Code of Ordinances
- [M.](#) 2nd and Final Reading- Ordinance to Amend Section 5-3, Scope (a) (2), Building, of Article I, Administration, Adoption, Enforcement, of Chapter 5, Buildings, of the Code of Ordinances
- [N.](#) Consideration of Ordinance to regulate the sale of distilled spirits
- [O.](#) 18 Berry Ave - Owner update and request for extension.
- [P.](#) 21 Berry Ave - Owner update and request for extension.

VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS

MOTION TO ENTER INTO EXECUTIVE SESSION

[Q.](#) Motion to Enter into Executive Session

ADJOURNMENT

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, July 20, 2021 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: George Alexander; Ray DuBose, Cynthia Jenkins, Paul Guillaume and Dustin Koritko; Absent- Rhodes Shell. Also present: City Manager, Cleatus Phillips; City Clerk, Megan Shea; Planning Director, Tracy Dunnavant; Chief Building Official, Bill Stephenson; and City Attorney, Brad Sears.

MINUTES – REGULAR COUNCIL MEETING – JUNE 15, 2021

Motion by Councilman DuBose, seconded by Councilman Alexander to dispense with the reading of the minutes of the Regular Council meeting on June 15, 2021 and adopt them as presented.

MOTION CARRIED. (6-0)

APPOINTMENTS- CONVENTION CENTER AUTHORITY, 3 YEAR TERM

Motion by Councilman Koritko, seconded by Councilman Guillaume to reappoint Krista Frost for another term.

MOTION CARRIED. (6-0)

APPOINTMENTS- CULTURAL ARTS COMMISSION, 3 YEAR TERM

Motion by Councilman DuBose, seconded by Councilman Alexander to accept the resignation of Mandy Barrett and to appoint Doug Kees to the Cultural Arts Commission.

MOTION CARRIED. (6-0)

Mayor Brady asked the City Manager to place Councilman Guillaume's appointment to the Cultural Arts Commission on the agenda for the next meeting.

Motion by Councilman Koritko, seconded by Councilwoman Jenkins to reappoint Brenda Jessel for another term.

MOTION CARRIED. (6-0)

APPOINTMENTS- KEEP NEWNAN BEAUTIFUL, 3 YEAR TERM

Mayor Brady asked the City Manager to place Mayor Pro Tem Shell's appointment to Keep Newnan Beautiful on the agenda for the next meeting.

Motion by Councilman Koritko, seconded by Councilman Alexander to reappoint Bill Boyd for another term.

MOTION CARRIED. (6-0)

DDA RECOMMENDATION- CITY COUNCIL TO CONSIDER ORDINANCE
AMENDMENT TO ALLOW RETAIL ALCOHOL LICENSE HOLDERS TO HOST
TASTING EVENTS

Councilman DuBose, Chairman of the Downtown Development Authority explained that several merchants in downtown hold wine tastings in conjunction with other events. The DDA wanted to recommend that this be made permissible.

City Manager stated that he also thinks it's a good idea. He has looked at other communities and how they regulate tastings or samplings. He thinks we should consider this city wide and not just downtown as there are other areas such as Ashley Park that would want to take advantage of this.

Motion by Councilman DuBose, seconded by Councilman Alexander to instruct staff to bring back an amendment to the ordinance to be voted on.

MOTION CARRIED, (6-0)

RETIREMENT BOARD- 3 APPOINTMENTS

City Manager explained that he has 3 nominations for the retirement board that he wanted to put forward. The first is the reappointment of Ray Norton, Public Works Director. The second was Battalion Chief, Damon Rosser. Third will be an interim appointment as we are currently searching for a new HR Director who does serve as the Pension Secretary. For now, Nanette Miller is serving in that capacity and is being nominated for the board.

Motion by Councilman Alexander, seconded by Councilwoman Jenkins to accept the appointments as presented by the City Manager.

MOTION CARRIED. (6-0)

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – CRACKER BARREL

Mayor Brady open a public hearing on the application for a Retail On Premise (Pouring) Sales of Malt Beverages and Wine License for Cracker Barrel Old Country Store Inc. dba Cracker Barrel, 527 Bullsboro Drive.

A representative of applicant was present for the hearing. No one spoke for or against the application. Mayor Brady closed the public hearing. The City Clerk advised that all the documentation had been received and everything was in order.

Motion by Councilman Guillaume, seconded by Councilman Koritko to approve the application for a Retail On Premise (Pouring) Sales Malt Beverages and Wine License.

MOTION CARRIED. (6-0)

PUBLIC HEARING- 2021 UPDATE TO THE CAPITAL IMPROVEMENTS ELEMENT, INCLUDING 2021 UPDATE TO THE SHORT-TERM WORK PROGRAM

Mayor Brady opened the public hearing.

Chris Cole, Planner explained that this is to inform the public of the City's completion and intent to adopt an update to the Capital Improvements Element including the Short-Term Work Program. All local governments that utilize an impact fee system must include CIE in their comprehensive plans and must update them annually. A public hearing must be held prior to the transmittal of the updates. Transmittal to Three Rivers Regional Commission and Department of Community Affairs will be on the August 24th City Council agenda. Once Three Rivers and DCA approve the updates then Council will be asked to adopt them.

Mayor Brady closed the public hearing.

CONSIDERATION OF DIRECTING STAFF TO RELEASE REQUEST FOR PROPOSALS FOR THE ABATEMENT AND DEMOLITION OF FACILITIES AT 57 E. BROAD ST.

City Manager explained that since the City acquired this property there has been a lot of environmental due diligence. This is a request to authorize staff to prepare an RFP, seeking proposals to preform the demolition of all structures with the exception of the façade of the original building and also soliciting proposals to abate the property.

The proposals will be reviewed and then brought back to council for consideration. There are estimates showing abatement may be in the \$700-800,000 range and possibly as much for the demo. We are looking at potentially \$1.6- \$2 million.

Councilwoman Jenkins asked about taking down the historical building due to contamination. City Manager explained that the issue is that soil contamination was identified directly under the foundation of the building. That would make abatement very

costly. Some initial estimates a few years ago, price per square foot to renovate was \$600/ft to remodel. In the demolition process we should be selective in saving timber, certain artifacts, saving certain things from the building to reuse them.

Motion by Councilman Alexander, seconded by Councilman Guillaume to approve the request.

MOTION CARRIED. (6-0)

CONSIDERATION OF RESOLUTION TO AMEND THE 2021 PAY PLAN

City Manager explained that the pay plan is considered at the beginning of the year and there have been some mid-year changes. There have been 3 changes. After the Tornado, we separated the title of City Engineer and Public Works Director. We recently hired a program manager for ARPA. We also separated out Municipal Court and now have a Municipal Court Clerk Manager. Two of those positions report to the City Manager and the ARPA position reports to the Assistant City Manager. All changes are within the allocations of the 2020-2021 budget.

Motion by Councilman Guillaume, seconded by Councilman Alexander to adopt the resolution as presented.

MOTION CARRIED. (6-0)

CONSIDERATION OF AN ORDINANCE TO AMEND SECTION 3-25, CONSUMPTION AND SALES ON PUBLIC PROPERTY AND SECTION 3-67, GROWLERS, OF CHAPTER 3 ALCOHOLIC BEVERAGES OF THE CODE OF ORDINANCES

City Manager stated the during COVID there were some temporary responses to help the downtown businesses. One was an open container district and another was allowing growler businesses to participate in that. This was extended once by City Council and the temporary ordinance does expire at the end of this month. This ordinance would make those two things permanent.

Councilman Koritko brought attention to a small typo in the ordinance, page 2, section 5. Exception was noted.

Councilman Koritko then asked where it states the hours are from 12 noon to 12 midnight, how does that work on Saturdays? Do they have to stop at 11:59pm before it becomes Sunday? City Attorney explained that the ordinance actually says serving establishments can stay open until 2am on Saturdays. This is how it was worded in the temporary ordinance.

Motion by Councilman Guillaume, seconded by Councilman DuBose to adopt the ordinance as presented. 2nd and Final Reading next agenda.

MOTION CARRIED. (6-0)

CONSIDERATION OF ORDINANCE TO REGULATE THE SALE OF DISTILLED SPIRITS

Mayor Brady explained that this could not be voted on but that there are questions. Council can ask questions so staff can answer and there won't be a vote on this item as it will be on a later agenda. There will not be a call for a vote on this.

Councilwoman Jenkins asked about the protections in neighborhoods? It does not address not having the liquor stores in neighborhoods. The City Manager explained that they are only permissible in certain zoning districts, they will not be permissible in residential districts or even certain community commercial districts. The question then is adding a minimum distance to the ordinance. City Attorney stated you can add any distance requirement that Council may want. He also cautioned that it needs to be carefully defined as some of the downtown areas will be closer to residential than other areas outside of the downtown. City Manager also mentioned being careful around Ashley Park as that will probably be a hot spot and residential has been approved there as well.

Councilman Alexander agreed that certain areas are of concern with residential. For example, chalk level there is an area where a liquor store could go in and it's right next to residential.

Councilman Koritko also had the concern of residential but also questioned the number of licenses being issued. He feels 4 is a lot and maybe we look at reducing that to only 2 or 3. He further asked that the wording of the ordinance that mentions no person or entity shall hold more than one license, he would like that strongly crafted so no one can get around that.

The City Attorney addressed the question about number of licenses. He stated that number can be set at whatever council may want. Staff looked at several ordinances and they picked 10,000 residents per license which is large, many other places were only 5,000. In doing research the two commonalities were either 1 per 5,000 or no limit at all.

Councilman Koritko then asked about the 300,000-inventory stipulation and is that adequate? City Manager stated that again that was what was found in the research, averages that were found in other ordinances.

Mayor Brady stated that during the next few weeks everyone should reach out to staff with questions or concerns as this will be on the next agenda again. The public can also reach out to the staff with comments or questions. This is a very important piece of legislation that will be put before the public for vote.

CONSIDERATION OF MEAG CONTRACT APPROVAL FOR PURCHASE OF ENERGY FROM SOLAR PROJECT

Jeff Phillips from Newnan Utilities was present for any questions. There was an extensive evaluation process with this.

Motion by Councilman DuBose, seconded by Councilwoman Jenkins to approve contracts.

MOTION CARRIED. (6-0)

CONSIDERATION OF AN UPDATE TO THE CITY OF NEWNAN'S CODE OF ORDINANCES IN REGARDS TO ADDING TWO ADDITIONAL PERMISSIVE CODES AS ADOPTED AND AMENDED BY THE STATE OF GEORGIA DCA

Motion by Councilman Alexander, seconded by Councilman Guillaume to adopt the ordinance as presented. 2nd and Final reading next agenda.

MOTION CARRIED. (6-0)

2nd AND FINAL READING- ORDINANCE TO AMEND THE 2020 BUDGET FOR SPECIAL REVENUE FUNDS

Motion by Councilman Alexander, seconded by Councilman Guillaume to adopt the ordinance as presented.

MOTION CARRIED. (6-0)

CONSIDERATION OF AN INTERGOVERNMENTAL AGREEMENT BETWEEN COWETA COUNTY AND THE CITY OF NEWNAN, RELATING TO MASTER PLANNING AND POTENTIAL REDEVELOPMENT OF CERTAIN BLOCKS OF THE EASTSIDE OF DOWNTOWN

This was on the agenda last time and it was voted on for 3 people to be on this group. The County came back and said they can't have 3 as that would give them a quorum. The County has appointed Bob Blackburn and Al Smith.

Councilwoman Jenkins thought since the issue is the County's quorum and not the City's that we could propose to them that they have 2 and we have 3. She reached out to them but was not able to reach Mr. Blackburn.

Councilman Alexander expressed his desire to be part of the planning group and he and Councilwoman Jenkins both discussed their qualifications in being part of this group.

Mayor Brady decided to withdrawal and place Councilman Alexander and Councilwoman Jenkins names forward as the two who will represent the City on this group.

CONSIDERATION OF ADOPTING SECTION 3 POLICIES AND TWO RESOLUTIONS ASSOCIATED WITH THE FY2021 COMMUNITY HOME INVESTMENT PROGRAM (CHIP) GRANT AWARD REGARDING PROGRAM DESIGN, POLICIES/PROCEDURES, HOMEOWNER ELIGIBILITY AND REHABILITATION STANDARDS

Councilman Koritko commented that these grants could apply to other areas, not just chalk level, in the future when we apply for these grants.

Motion by Councilwoman Jenkins, seconded by Councilman Koritko to adopt section 3 policies and the resolutions as presented.

MOTION CARRIED. (6-0)

PUBLIC HEARING FOR THE CITY OF NEWNAN'S COMPREHENSIVE PLAN UPDATE 2021-2041, SECOND OF TWO TO BE HELD

Mayor Brady stated that the full comprehensive plan is available on the city's website. The City has gone through an extensive process to get to this point and council appreciates the hard work of staff and the input of the citizens, both city and county.

Chris Cole, Planner explained that per the minimum standards of the planning process there must be two public hearings held. The first public hearing was held February 9, 2021. The purpose of this second hearing is to brief the public on the contents of the comprehensive plan and provide an opportunity for the community to comment. Final approval will be sought at the August 24, 2021 City Council Meeting for the comp plan to be submitted to the Three Rivers Regional Commission and Georgia Department of Community Affairs. Then City Council will be asked to adopt the comp plan at one of their meetings in October.

Mr. Cole wanted to emphasize that comments can be taken up until the comp plan is transmitted. He explained that staff is very proud of the efforts that went into the public participation component of this process. This included emails, popup events, zoom meeting, a dedicated website, surveys and a steering committee.

Mr. Cole highlighted parts of the future land use map. It was noticed that the map had become a zoning map and they really wanted it to show the vision over the next 20 years so there were some new categories added. The new categories include Historic Neighborhood, Built Community, Planned Development, Emerging Suburban and Emerging Missing Middle residential. Another new category is Business Office, land dedicated to non-industrial employment generators. Mixed Use is also a new category, the Steering Committee had a large part in helping to label some vacant tracks as mixed use.

Redevelopment opportunity areas were looked at a lot with management to really redefine them. These areas are defined as to spur additional growth, by allowing disinvested areas to be repurposed as livable, economically productive centers for business and social activity. This looks to convert older uses to new uses.

Mayor Brady said he appreciates staff and the community response and input, it's been tremendous. He asked Council to have a work session on this document. That meeting will be open to the public, during the evening and be interactive.

Mayor Brady closed the public hearing and he asked the City manager to schedule a date for the work session and give notice to the newspaper.

PUBLIC HEARING- 62 MURRAY ST- RESOLUTION TO REPAIR OR DEMOLISH

Matt Murray, Code Enforcement, explained this property had a fire in January 2020 and the cost to repair the structure exceeds 50% of the assessed value and the house has been vacant. Building department feels there is some urgency due to the location of this property, close to the new LINC trail and park. Property was sold last summer to A & C Renovations and they did complete some internal renovation but nothing more.

Mr. Matthew Cawthon, managing partner with A & C Renovations was present. He explained that within 6-8 months they plan to completely renovate the house to a single-family dwelling. Mayor Brady then suggested a 180-day time frame and explained that Mr. Murray will report back periodically to Council on milestones that are being met. Mr. Cawthon asked if the 180 days is to complete the entire project. Mayor Brady explained that as long as they can show progress they can come back and ask for an extension.

Mayor Brady closed the public hearing.

Motion by Councilman Alexander, seconded by Councilman Koritko to adopt the resolution, directing the property owner to repair or demolish within 180 days.

MOTION CARRIED. (6-0)

PUBLIC HEARING- 29 WESTGATE PARK LN- RESOLUTION TO REPAIR OR DEMOLISH

Mayor Brady opened the public hearing for 29 Westgate Park Ln.

Matt Murray, Code Enforcement, explained this property was damaged in spring of 2020 from a storm. Property has been sold several times. Cost to repair does exceed 50% assessed value. There have been complaints from neighbors.

Keirston Stepp came forward, she is the current owner. She explained that she plans to demo in the next 30-45 days and then rebuild within 4 months. Mayor Brady suggested a 60-day time frame, as long as the demolish part has happened then the resolution goes away.

Mayor Brady closed the public hearing.

Motion by Councilwoman Jenkins, seconded by Councilman Koritko to adopt the resolution, directing the property owner to repair or demolish within 60 days.

MOTION CARRIED. (6-0)

REQUEST FROM NEWNAN JUNIOR SERVICE LEAGUE TO HOST THEIR ANNUAL CAN-A-THON ON THE SQUARE ON TUESDAY, NOVEMBER 30TH

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

MOTION CARRIED. (6-0)

OFF AGENDA ITEM

Kristi Fenniger from First Baptist Church requested to close Brown St. between Madison St. and Washington St. on August 5th from 8am-12pm. Mayor Brady explained that this was off agenda due to the request not being submitted in time for the meeting.

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

MOTION CARRIED. (6-0)

ADJOURNMENT

Motion by Councilman Guillaume, seconded by Councilman Koritko to adjourn the Council meeting at 7:25pm.

MOTION CARRIED. (6-0)

Megan Shea, City Clerk

Keith Brady, Mayor



August 3, 2021

Dear City of Newnan Mayor and City Council,

At the August 2, 2021 regular meeting of the Farmer Street Cemetery Commission, the members considered and voted unanimously to host a public information gathering meeting in hopes of gaining community input as it relates to the potential future promotion, protection, preservation and improvement of the Farmer Street Cemetery.

The commission intends on hosting the aforementioned meeting in conjunction with the Coweta County chapter of the National Association for the Advancement of Colored People (NAACP). Additionally, the commission intends on securing the services of a third party facilitator to moderate the meeting. The meeting is scheduled to take place at 6:00pm on Thursday, August 26, 2021 at the Wadsworth Auditorium.

Please accept this letter as a formal request to host the public information gathering meeting as well as an invitation to attend the August 26, 2021 meeting at the Wadsworth Auditorium.

The regular meeting of the Farmer Street Cemetery Commission occurs on the first Monday of each month at 6:00pm in the 2nd Floor Conference Room at Newnan City Hall.

Please do not hesitate to contact me for any additional information.

Most Sincerely,

Mandela Littleton
Chairperson,
Farmer Street Cemetery Commission



NEWNAN CULTURAL

ARTS

COMMISSION

Newnan Cultural Arts Commission

- ▶ **Mission Statement:** To engage, enhance, and excite our community through the cultural arts experience
- ▶ **Purpose:** Established for the “purpose, planning, sponsoring, and coordinating appropriate cultural events in the City of Newnan

NCAC Members

- ▶ Tracey Brooks - Treasurer
- ▶ Betsy Burnette
- ▶ Phyllis Graham
- ▶ Maggie Hickman - Social Media
- ▶ Bette Hickman
- ▶ Brenda Jessel - Secretary
- ▶ Evette Jones
- ▶ Doug Kees
- ▶ Bob McKoon
- ▶ Maggie Millen
- ▶ Craig Ruby
- ▶ Jaami Rutledge - Chair
- ▶ Makisha Stickland - Vice Chair
- ▶ 1 Vacant Position

NCAC 2021 Virtual Programs

- ▶ A.R.T. 2nd Saturday Facebook Series (Art Recharges our Town)
 - ▶ January – Artists are Welcome Here! Film
 - ▶ February – H.O.P.E. spotlight of song, dance, spoken word, poetry
 - ▶ March – Wadsworth Tribute
 - ▶ April - Tornado Recovery Montage/#newnanstrong
 - ▶ May - David Boyd, artist workshop
 - ▶ June - Luis Alas, musician spotlight
 - ▶ July – Stanton Young, musician spotlight
 - ▶ August - Atlanta Jazz Band, musician spotlight
 - ▶ September – James Best, musician spotlight
 - ▶ October - NewnanShakes Shakespeare Production
 - ▶ November - Angela McRae, author spotlight
 - ▶ December - Paolo Manso DeSousa choreographer spotlight

- ▶ February 2021 - Celebrating Black History Month with “The Power of Place” - an award winning historical documentary filmed in Newnan, Ga.

NCAC 2021 In Person Events

▶ Summer Music Series: Jazz in the Park

- ▶ June 26
- ▶ July 24
- ▶ August 20
- ▶ September 11

▶ Dracula

- ▶ October 22-23

▶ Nutcracker

- ▶ December 10-11

NCAC 2022 Proposed Calendar of Events

- ▶ Newnan Sister City Burns Weekend
- ▶ Friends of Wadsworth Concert & Piano Competition
- ▶ Overtones
- ▶ Artz N the Park
- ▶ Jazz in the Park (Summer Concert Series)
- ▶ Newnan Shakespeare in the Park
- ▶ Dracula
- ▶ Orchestra Noir
- ▶ Nutcracker

The background features abstract, overlapping geometric shapes in various shades of blue, ranging from light sky blue to deep navy blue. These shapes are primarily located on the right side of the slide, creating a modern, dynamic feel.

Thank You Newnan City Council

APPLICATION FOR ALCOHOL BEVERAGE LICENSE ADDITION OF DISTILLED SPIRITS

Name: **El Callejon Cantina LLC**

Licensee: **Norma Canseco**

License Representative: **N/A**

Type License: **Retail On Premise (Pouring) Sales Distilled Spirits, Malt Beverages & Wine**

Location: **33 ½ East Broad St.**

TO THE CITY COUNCIL: REASON – ADDITION OF DISTILLED SPIRITS

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

If incomplete, reasons _____

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

If not, reasons _____

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

If not, reasons _____

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

If not, reasons _____

Application - Beverage License

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

If not, reasons _____

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

If not, reasons _____

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

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

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

N/A

Respectfully submitted,

Megan Shea
City Clerk



City of Newnan, Georgia - Mayor and Council

Date: August 12, 2021

Agenda Item: Consideration to Purchase a Heavy-Duty Rescue Unit Using the HGAC (Houston- Galveston Area Council) Co-Op Method

Prepared By: Chief Stephen Brown, Fire Department

Purpose: Consideration to Purchase a Heavy-Duty Rescue Unit Using the HGAC (Houston- Galveston Area Council) Co-Op Method

Background: Heavy-Duty Rescue Unit at a total of \$249,500.00 will replace the aging current rescue unit at Fire Station # 1.

In the past City Council has authorized the purchase of three (3) other fire apparatus using the Co-Op method through HGAC. HGAC issues RFPs and vendors respond with their pricing just as they would if we released an RFP; saving the City a tremendous amount of time in the bidding process. The Co-Op then instills the best and current unit pricing within their contracts with each vendor based on the type product the vendor offers. When an entity purchases through a Co-Op program, the vendors are required to use those fixed unit prices resulting in savings.

Southeast Apparatus is a vendor with HGAC and submitted a proposal in the amount of \$249,500.00 for the Heavy-Duty Rescue to City staff. Staff forwarded to the HGAC Co-Op to confirm the pricing in Southeast Apparatus LLC proposal was the exact pricing in the contract between Southeast Apparatus, LLC and HGAC. HGAC confirmed the unit pricing was correct.

Funding: Impact Fees

Recommendation: Staff recommends that the Newnan City Council authorize the purchase of the Heavy-Duty Rescue Unit through Southeast Apparatus, LLC., utilizing the Co-Op (HGAC) purchasing method in the amount of \$249,500.00.

Previous Discussion with Council: N/A



Helping Governments Across the Country Buy

PO Box 22777 • 3555 Timmons Ln. • Houston, Texas 77227-2777 • 1-800-926-0234

CONTRACT PRICING VERIFICATION

TO:

Stephen Brown

FROM:

Joshua Cadoree

END USER:

City of Newman

DATE

08 1 2021

PHONE NUMBER:

770-253-1851

832-681-2557

RE:

Price Verification

REFERENCE:

City of Newman Worksheet

We have reviewed the pricing provided through HGACBuy Contract FS12-19. Our review verifies that the pricing provided is in compliance with the contract.

Once a purchase document is executed for this order, please **send a completed compilation of all required documents for HGAC processing.**

Please advise if we can assist further in this matter.

*****This is not an Order Confirmation*****



City of Newnan, Georgia - Mayor and Council

Date: August 12, 2021

Agenda Item: Consideration of Agreement with Coweta County and the Coweta Community Foundation

Prepared By: Cleatus Phillips, City Manager

Purpose: Consideration of an agreement with Coweta County and the Coweta Community Foundation to fund the position of Long-Term Recovery Director.

Background: Soon after the March 26th tornado, several community groups began meeting to discuss the long-term recovery efforts of our community. As a result of these meetings, a plan was developed in which the Coweta Community Foundation will be hiring a Long-Term Recovery Director to oversee these efforts. The agreement states that the City of Newnan and Coweta County will each provide \$50,000 annually for a three-year period to cover the cost of such position. The position will report to and be managed by the Coweta Community Foundation. The City and County will each receive an appointment to the Allocations Panel of the Foundation and receive frequent reports from the Foundation.

Funding: \$50,000 Annually for a 3 Year Period – General Fund (Potentially ARPA Eligible – will be determined at a later date)

Recommendation: Consider the agreement as presented

Attachments: Agreement with Coweta County and the Coweta Community Foundation

Previous Discussion with Council: None

Position: Long Term Recovery Director

Reports to: Executive Director of The Coweta Community Foundation, Inc.
Job Classification: Exempt, 40+ hours per week, Two year contract based on funding
Hours: Varied, flexible. Some weekends and evenings required.

Salary Range: Low: \$65,000; Mid: \$75,000; High: \$85,000

Position Summary

The Long Term Recovery (LTR) Director provides overall managerial leadership and is responsible, and accountable, for the effective and efficient financial, operational, and administrative management of the Coweta County's long term recovery efforts. The Director is the chair of the LTR Committee and reports to the Executive Director of The Coweta Community Foundation (CCF), who in turn reports to the CCF Board of Directors. The Director assumes responsibility as the chief development and fundraising officer of the LTR.

Qualifications:

- Bachelor's degree and at least 5 years' experience in disaster recovery management or other relevant management or experience.
- Valid driver's license, reliable transportation and willingness to travel are required.
- Required to pass a background check and a post-hire drug screen.
- Cannot be a registered sex offender or have a felony conviction.
- Must be able to articulate the organization's mission, values and goals.
- Must be organized, able to meet deadlines, and able to manage projects.
- Must possess the ability to work effectively with diverse groups of people.
- Must maintain a working knowledge of Newnan/Coweta recovery efforts.
- Demonstrates empathy for people suffering from disasters.
- Maintains confidentiality.
- Experience in building successful community engagement coalitions.
- Effective public relations skills
- Be a self-starter and have excellent time management skills.
- Work well in a team structure
- Ability to work independently.
- Ability to resolve complex issues through creative and adaptive actions.
- Demonstrated flexibility in changing circumstances.

Essential Duties and Responsibilities

General Administration

- Act as the chief administrator responsible for managing all aspects of LTR operations.
- Manage the organization by directing, training, supervising, and recognizing the paid and volunteer staff in the performance of assigned duties.
- Establish office procedures, guidelines, and performance standards.
- Maintain a climate which attracts, keeps, and motivates staff and volunteers.
- Ensure communication of relevant issues flows among all groups.
- Ensure the organization adheres to government regulations.

Financial Management

- Interact with the CCF Executive Director and Board of Directors to ensure completion of required audits and other financial activities.
- Maintain confidential employee and volunteer organization's records.
- Work with the Coweta Community Foundation's Long Term Recovery Committee, CCF Executive Director and CCF Board of Directors in preparing a yearly budget and ensure that the organization operates within budget guidelines.
- Ensure that adequate funds are available to permit the organization to carry out its mission.

Committee support and guidance

- Serve as Chair of the LTRC.
- Assist the committee members and provide communication flow among committees, staff, volunteers, and the board as appropriate.
- Monitor the progress of all committees and support their efficient operation.
- As appropriate, attend committee meetings and assist committee members in completing their duties.

Board Support

- Work with CCF Executive Director, and LTRC members to prepare an agenda for meetings.
- Assist the CCF Board of Directors and LTRC members in making fundamental decisions, preparing strategic plans and creating/maintaining policies.
- Work with the CCF board to establish which decisions the board wants to be consulted for and which decisions should be left to staff and committees.

Community Relations and Resource Development

- Serve as spokesperson for the LTRC organization.
- Actively participate with appropriate community and governmental groups.
- Establish and nurture good media relationships.
- Ensure that the activities of the organization are publicized.
- Seek, apply for and oversee grants.

Communications & Public Relations

- Help the LTRC develop strategic communications plan.
- Implement communications and public relations programming.

**AN AGREEMENT
BETWEEN THE CITY OF NEWNAN,
COWETA COUNTY, GEORGIA AND THE
COWETA COMMUNITY FOUNDATION**

This Agreement (hereinafter “Agreement”) is entered into this ____ day of _____, 2021 by and between the CITY OF NEWNAN (hereinafter “City”), COWETA COUNTY, GEORGIA (hereinafter “County”) and the COWETA COMMUNITY FOUNDATION (hereinafter “Foundation”). The City, County, and the Foundation are collectively referred to hereinafter as “Parties”.

WITNESSETH

WHEREAS, a severe storm passed across Coweta County and the City of Newnan in the early morning of March 26, 2021 producing a confirmed EF-4 tornado; and

WHEREAS, the tornado resulted in catastrophic damage of homes, businesses, utility systems, public buildings, trees, automobiles, and other property; and

WHEREAS, the Governor of the State of Georgia declared a State of Emergency on March 26, 2021; and

WHEREAS, the City of Newnan and the Coweta County Board of Commissioners declared a local State of Emergency on March 26, 2021; and

WHEREAS, the Public Assistance Preliminary Damage Assessment determined that 1,453 homes in Coweta County were impacted, 273 of these homes either being completely destroyed or suffering significant damage; and

WHEREAS, on April 16, 2021, the Governor of the State of Georgia requested a Major Disaster Declaration, identified as FEMA-4600-DR-GA, which included requests for Public Assistance, Individual Assistance, and Hazard Mitigation; and

WHEREAS, on May 5, 2021 the Major Disaster Declaration, identified as FEMA-4600-DR-GA, received approval for Public Assistance and Hazard Mitigation; and

WHEREAS, on May 7, 2021, the Governor of the State of Georgia received notice from the Federal Emergency Management Agency (“FEMA”) indicating that the impact to the individuals and households from the tornado was not of such severity and magnitude to warrant the designation of Individual Assistance (“IA”) as part of FEMA-4600-DR-GA; and

WHEREAS, on June 5, 2021, the Governor of the State of Georgia filed an appeal regarding the denial of Individual Assistance; and

WHEREAS, on July 1, 2021, the Governor of the State of Georgia received notice from FEMA denying the Individual Assistance appeal filed by Governor Kemp; and

WHEREAS, as of July 30, 2021, approximately 30% of the homes that were destroyed or significantly destroyed have not begun repairs and many of the property owners are faced with undue financial burden as a result; and

WHEREAS, the City, the County, and the Foundation, along with various local non-profits began long-term recovery planning efforts days after the tornado; and

WHEREAS, as a duly registered 501(c)(3) established in 1997 to focus on local philanthropy in our community, the Foundation agreed to formally lead the long-term recovery efforts on behalf of the community; and

WHEREAS, the Foundation has determined that it is necessary to establish a contracted position to serve as the Long-Term Recovery Director to oversee local recovery efforts; and

WHEREAS, the City and the County have determined that it is mutually beneficial and in the best interests of the general public to assist the Foundation regarding funding for the Long-Term Recovery Director position; and

WHEREAS, the City and the County have determined that in order to avoid the duplication of some long-term recovery services and direction of such services by the City, County, and the community, it is further determined that it is mutually beneficial and in the best interests of the general public to assist the Foundation as the community point of service provider by entering into this Agreement to assist in funding the Long-Term Recovery Director role.

NOW, THEREFORE, in consideration of the mutual promises and undertakings as hereinafter set forth, the Parties agree as follows:

Section 1. Obligations of the City and the County.

- 1.1 The City and the County shall assist the Foundation in selecting volunteers from the community to serve on the Expert Panel and other recovery committees established by the Foundation.
- 1.2 The City and the County shall each appoint one (1) member to serve on the Allocations Panel established by the Foundation.
- 1.3 The City and the County shall each provide the Foundation with access to available information and data to assist with the long-term recovery efforts.
- 1.4 The City and the County shall each provide an annual financial contribution in the amount of \$50,000 (\$100,00 per year) for a three (3) year period for the sole purpose of funding the Foundation's Long-Term Recovery Director position.

Section 2. Obligations of the Foundation.

- 2.1 The Foundation shall provide the City and the County each with one (1) seat on the Allocations Panel.
- 2.2 The Foundation shall provide monthly progress reports to the City and the County, and bi-annual presentations to the City Council and the Board of Commissioners as mutually agreed.
- 2.3 The Foundation shall hire and oversee the position of Long-Term Recovery Director as described in the attached job description incorporated herein as Exhibit “A”.
- 2.4 The Foundation shall be responsible for selecting, hiring, and training the Long-Term Recovery Director.
- 2.5 The Foundation shall be responsible for the operating costs including, but not limited to, salaries, benefits, unemployment and workers’ compensation insurance, travel, training, supplies, rent, and utilities.
- 2.6 The Foundation shall reimburse the City and the County for any funds not used for the purpose of funding the Long-Term Recovery Director.

Section 3. Term of Agreement. The term of this Agreement shall commence upon execution and shall terminate on December 30, 2023, unless terminated sooner in accordance with Section 4.

Section 4. Termination. This Agreement may be terminated at any time, with or without cause, by either party upon sixty (60) days written notice.

Section 5. Miscellaneous.

- 6.1 The Parties may modify this Agreement only in writing by having a modification signed by all Parties and adopted pursuant to the Open Meetings Act, O.C.G.A. 50-14-1 *et seq.*
- 6.2 Nothing in this Agreement shall obligate any party outside the terms as stated herein.
- 6.3 The Parties shall comply with all local, State, and Federal Statutes in the performance of this Agreement.
- 6.4 Notices regarding this Agreement shall be sent to:

(a) City

City of Newnan
Attn: Cleatus Phillips
25 LaGrange Street
Newnan, Georgia 30263
cphillips@cityofnewnan.org

(b) County

Coweta County Board of Commissioners
Attn: Michael Fouts
22 East Broad Street
Newnan, Georgia 30263
mfouts@coweta.ga.us

(c) Foundation

Coweta Community Foundation
Attn: Kristin Webb
ADDRESS
Newnan, Georgia XXXXX
kwebb@cowetafoundation.org

SO AGREED this ____ day of _____, 2021.

CITY OF NEWNAN, GEORGIA
Acting by and through the Mayor
and Council

By: _____
Mayor

ATTEST: _____

Clerk

[SEAL]

COWETA COUNTY, GEORGIA

By: _____
Chairman

ATTEST: _____
Clerk
[SEAL]

COWETA COMMUNITY FOUNDATION

By: _____
Chairman

**AN ORDINANCE TO AMEND SECTION 3-25.
CONSUMPTION AND SALES ON PUBLIC PROPERTY
AND SECTION 3-67. GROWLERS, OF CHAPTER 3 ALCOHOLIC BEVERAGES
OF THE CODE OF ORDINANCES OF THE CITY OF NEWNAN, GEORGIA;
AND FOR OTHER PURPOSES**

WHEREAS, the Mayor and City Council on May 26, 2020 adopted a temporary ordinance for the taking of measures to encourage business within a portion of the City's Central Business District related to COVID-19; and

WHEREAS, the Mayor and City Council have determined that it is in the best interest of the businesses in the City's Central Business District to adopt certain provisions set out in the temporary ordinance adopted on May 26, 2020 as a part of the City's Alcoholic Beverage Ordinance so as to provide for the regulations for consumption of alcoholic beverages on public property within the City's Central Business District.

NOW, THEREFORE, BE IT ORDAINED AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NEWNAN AS FOLLOWS:

Section 1: Section 3-25 Consumption and Sales on Public Property, of Chapter 3, Alcoholic Beverages of the City's Code of Ordinances is hereby amended by adding a new Paragraph (c) to read as follows:

(c) Notwithstanding the regulations of the consumption of alcoholic beverages on public property set out in Paragraph (a) and (b) hereinabove: From the hours of 12:00 noon to 12:00 midnight on Monday through Saturday alcoholic beverages purchased from a licenses establishment for on premise consumption may permit a person and that person may exit the establishment and possess and consume an alcoholic beverage on the public sidewalks and alleys and streets where permitted with in the City's Central Business District as depicted on Exhibit A attached hereto, provided that the beverage is contained in a metal, paper or plastic container as set out in Sec. 3-27 (b) of this Chapter.

Section 2: Section 3-67. Growlers, of Chapter 3, Alcoholic Beverages, of the City's Code of Ordinances, is hereby amended by adding a new Paragraph (c) to read as follows:

(c) An establishment licensed to serve malt beverages in a growler and licenses for package sales of malt beverages and wine is permitted to offer for sale to a single person up to 32 ounces of malt beverages for consumption on the premises and elsewhere as provided in this temporary ordinance in a single day and only in a metal, paper or plastic container with a sticker affixed as described in Section 3-25 Paragraph (c) of this Chapter.

Section 3. Repealer. All ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Constitutionality. Should any phrase, clause, sentence 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 5. Adoption of this Ordinance does not create any additional right or benefit, substantive or procedural, enforceable in law or in equity by any party against the City of Newnan, its departments, agencies, officials, employees, agents or other person or entity.

Section 6. Effective Date/Termination Date. This Ordinance shall be effective immediately upon adoption.

DONE, RATIFIED, and PASSED by the City Council of the City of Newnan, Georgia this _____ day of _____, 2021.

ATTEST:

Megan Shea, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

Rhodes H. Shell, Mayor Pro-Tem

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Raymond F. DuBose, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

DONE, RATIFIED AND PASSED in regular session, on second reading this the _____ day of _____ 2021.

ATTEST:

Megan Shea, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

Rhodes H. Shell, Mayor Pro Tem

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Raymond F. DuBose, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

**AN ORDINANCE TO AMEND SECTION 5-3, SCOPE (a) (2), BUILDING, OF
ARTICLE I, ADMINISTRATION, ADOPTION, ENFORCEMENT, OF CHAPTER
5, BUILDINGS, OF THE CODE OF ORDINANCES OF THE CITY OF NEWNAN,
GEORGIA; TO PROVIDE FOR SEVERABILITY; TO REPEAL CONFLICTING
ORDINANCES; AND FOR OTHER PURPOSES**

WHEREAS, in an ongoing effort to protect the health, safety and welfare of the citizens of the City of Newnan, the City has conducted a review of its current building construction code for the City of Newnan; and

WHEREAS, the City has determined that the City's current building code ordinance needs updating to clarify the various construction building codes applicable in the City of Newnan by adopting an amendment to the City's building construction code ordinance by adopting the International Existing Building Code as amended and by adopting the National Green Building Standard, as amended, both which have been adopted by the Georgia Department of Community Affairs, and that it is the best interest of its citizens and its citizens health, safety and welfare to adopt said amendment to the City's building construction codes.

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 1, Administration, Adoption, Enforcement, of Chapter 5 Buildings, Section 5-3. Scope (a) (2) Building, of the Code of Ordinances is hereby deleted in its entirety and a new Section 5-3, Scope (a) (2) Building, of Article 1, Administration, Adoption, Enforcement, of Chapter 5 Buildings, of the Code of Ordinances is hereby adopted to read as follows:

Sec. 5-3: Scope (a) (2) Building.

(2) Building.

(a) The provisions of the International Building Code, as adopted and amended by the Georgia Department of Community Affairs, shall apply to the construction, alteration, repair, equipment, use and occupancy, location, maintenance, removal, and demolition of every building or structure or any appurtenances connected or attached to such buildings or structures, except in one and two family dwellings.

(b) The provisions of the International Existing Building Code, as adopted and amended by the Georgia Department of Community Affairs shall apply to the repair, alteration, change of occupancy, addition, to and relocating of existing buildings.

(c) The provisions of the National Green Building Standard, as adopted and amended by the Georgia Department of Community Affairs shall apply as to new and existing construction, as applicable, and as requested by the property owner.

SECTION II: All ordinances or parts of ordinances in conflict or inconsistent 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 January 1, 2021.

DONE, RATIFIED AND PASSED by the City Council of the City of Newnan, this ____ day of _____ 2021, in regular session assembled.

ATTEST:

L. Keith Brady, Mayor

Megan Shea, City Clerk

Rhodes H. Shell, Mayor Pro-Tem

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Raymond F. DuBose, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember

DONE, RATIFIED AND PASSED in regular session, on second reading this the _____ day of _____ 2021.

ATTEST:

Megan Shea, City Clerk

L. Keith Brady, Mayor

REVIEWED AS TO FORM:

Rhodes H. Shell, Mayor Pro Tem

C. Bradford Sears, Jr., City Attorney

George M. Alexander, Councilmember

Cleatus Phillips, City Manager

Cynthia E. Jenkins, Councilmember

Raymond F. DuBose, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember



City of Newnan, Georgia - Mayor and Council

Date: August 6, 2021

Agenda Item: Consideration of Ordinance to regulate the sale of distilled spirits

Prepared By: Cleatus Phillips, City Manager

Purpose: Consideration of an ordinance establishing regulations for the package sale of distilled spirits.

Background: On June 15th, Council passed a resolution calling for a referendum on November 2, 2021 for the purpose of allowing the package sale of distilled spirits inside the corporate limits of the City of Newnan. On August 4th, Council conducted a work session to prepare a draft ordinance to regulate such package sales provided the referendum passes in November. Below are highlights of the ordinance:

- A maximum of three (3) licenses will be issued;
- Each store must be a minimum of 5,000 square feet, plus other square footage requirements;
- Each store must be a stand-alone store;
- Each store must have a minimum distilled spirits inventory valued at \$750,000;
- No store shall be closer than 1,500' from another package store, 300' from a church or single-family dwelling and 600' from school;
- Permitted zoning districts of CGN, CCS, and PDC;
- No person or entity shall hold more than one (1) license.

Funding: N/A

Recommendation: Consider the ordinance as presented

Attachments: Draft Ordinance

Previous Discussion with Council: July 20, 2021

**AN ORDINANCE TO AMEND ARTICLE I, IN GENERAL,
CONSUMPTION AND SALES ON PUBLIC PROPERTY, OF
CHAPTER 3 ALCOHOLIC BEVERAGES OF THE CODE OF ORDINANCES
OF THE CITY OF NEWNAN, GEORGIA; AND FOR OTHER PURPOSES**

WHEREAS, the Mayor and City Council on June 15, 2021, adopted a resolution calling for a special election referendum for consideration by the City's electors authorizing the City of Newnan, Georgia to issue licenses for the package sale of distilled spirits within the City limits; and

WHEREAS, pursuant to the vote of the electors of the City authorizing the sale of distilled spirits by the package and in accordance with a plan designed for the purposes, among others, of promoting the health, safety and general welfare of the citizens of the City, the Mayor and City Council have considered an ordinance which is intended:

(1) To establish reasonable standards for the regulation and control of the licensing and sale of distilled spirits by the package; and

(2) To protect and preserve schools, churches, and similar places of public assembly; and

(3) To preserve residential areas regarding, among other things, the character of the areas, their particular suitability for particular uses and the congestion in the surrounding roads and streets, with a general view of promoting desirable living conditions, and sustaining the stability of neighborhood and property values.

NOW, THEREFORE, BE IT ORDAINED AND IT IS HEREBY ORDAINED BY THE AUTHORITY OF THE MAYOR AND CITY COUNCIL OF THE CITY OF NEWNAN AS FOLLOWS:

Section 1: Article I, In General, of Chapter 3 Alcoholic Beverages of the City's Code of Ordinances is hereby amended by deleting and reserving Section 3-3, Sale of Package Distilled Spirits Prohibited.

Section 2: Article III, In General, of Chapter 3 Alcoholic Beverages of the City's Code of Ordinances is hereby amended by adding a new Sec. 3-68 License issuance for distilled spirits package sales-Retail dealer building and inventory requirements and a new Sec. 3-69 Maximum number of distilled spirits retail licenses permitted to read as follows:

Sec. 3-68. License issuance for distilled spirits package sales – Retail dealer building and inventory requirements

(a) General regulatory and licensing procedures of distilled spirits package sales shall conform to Article I, Article II, and Article V of Chapter 3 Alcoholic Beverages of the City's Code of Ordinances.

(b) No retail dealer license for the sale of distilled spirits shall be issued to any applicant whose building where the business will be conducted (a) is not "free standing"

(i.e., is part of a larger building or structure) and (b) does not include a showroom with a minimum of 5,000 square feet and an additional storage area of at least 500 square feet. For distilled spirits retail dealers desiring to sell malt beverages and wine in addition to distilled spirits, at least an additional 500 square feet of showroom, and at least an additional 500 square feet of storage area is required over and above the minimum square feet for the establishment set forth above. In addition to the minimum square footage, retail dealers for the sale of distilled spirits shall maintain a minimum inventory of at least \$300,000.00 in distilled spirits available for sale. Retail dealers selling malt beverages and wine in addition to distilled spirits shall maintain a minimum of \$15,000.00 inventory in malt beverages and wine.

(c) No retail license for the sale of distilled spirits by the package shall be granted under this chapter unless the premises to be licensed are, at the time the application is approved by the city council, located under the planning and zoning ordinance of the city in a CGN, CHV, CCS, CUN and PDC zoning district subject to the specific limitations of the respective districts.

(d) No premises shall be licensed for the sale of distilled spirits by the package which is located within 1,500 feet of any other business licensed to sell distilled spirits by the package or within 300 feet of any church building or within 600 feet of any school building, educational building, school grounds, or college campus.

(e) No person, entity with similar members shall have an interest in more than one license for the package sale of distilled spirits issued by the city.

(e) It shall be unlawful for any person to open or consume any alcoholic beverages on premises licensed for the sale of distilled spirits by the package.

(f) It shall be unlawful for any person to sell or offer for sale distilled spirits by the package within the city by means of drive-through sale. For purposes of the section, the term "drive-through sale" means the sale of distilled spirits by the package by any means that allows the customer to remain in their motor vehicles.

(g) Each application for a package distilled spirits license shall be accompanied by a non-refundable application fee in the amount of \$500.00.

(h) The license fee for a retail sales of distilled spirits package license shall be \$5000.00 annually. To add a retail sales of package malt beverage license the fee shall be an additional \$500.00 annually; and to add a retail sales of package wine license the fee shall be an additional \$500.00 annually.

(i) There is imposed by the city an excise tax on the first sale or use of distilled spirits in the city at the rate of \$0.22 per liter and a proportionate tax at the same rate on all fractional parts of a liter.

Sec. 3-69 Maximum number of distilled spirits retail licenses permitted.

(a) Subject to subsection (b)-(e) below, the city will not accept any applications for the retail sale of distilled spirits by the package, and no licenses for the retail sale of distilled spirits by the package shall be issued over the number of four (4).

(b) If at any time and for whatever reason, the number of active licenses for the retail sale of distilled spirits by the package falls below four, then the city shall accept applications for and issue such additional licenses for the retail sale of distilled spirits by the package so as to bring the total number of active licenses for the retail sale of distilled spirits by the package to four.

(c) the provisions of subsection (b) notwithstanding, additional licenses may be issued once the population of the city exceeds 40,000. In this regard, one additional license shall be issued for each 10,000 person increase in population over 40,000. In determining population, the city shall utilize the most recent population figures published by the Atlanta regional Commission. In the absence of such figures, the city shall utilize the U.S. Census of 2010 or any future decennial census.

(d) If the total number of permitted licenses has increased pursuant to subsection (c) above, and if at any time and for whatever reason thereafter, the number of active licenses for the retail sale of distilled spirits by the package falls below the number then permitted, then the city shall accept applications for and issue such additional licenses for the retail sale of distilled spirits by the package so as to bring the total number of active licenses for the retail sale of distilled spirits by the package to the total number then permitted.

(e) If the city receives more applications than allotted licenses to be issued under this section which applications comply with the standards for the issuance of licenses for the sale of package distilled spirits set forth in this Chapter, then the selection of the successful application(s) shall be conducted by a lottery system overseen by an independent thirty party firm. The applications drawn from the lottery system shall then be presented to the city council for action on the approval of the initial licenses to be issued under this Chapter. Any person that contacts a City Council member with intent to lobby on behalf of an applicant shall subject that application to immediate disqualification.

Section 3. Repealer. All ordinances in conflict with the provisions of this ordinance are hereby repealed.

Section 4. Constitutionality. Should any phrase, clause, sentence 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 5. Adoption of this Ordinance does not create any additional right or benefit, substantive or procedural, enforceable in law or in equity by any party against the City of Newnan, its departments, agencies, officials, employees, agents or other person or entity.

Section 6. Effective Date/Termination Date. This Ordinance shall be effective immediately upon adoption.

ATTEST:

Megan Shea, City Clerk

REVIEWED AS TO FORM:

C. Bradford Sears, Jr., City Attorney

Cleatus Phillips, City Manager

L. Keith Brady, Mayor

Rhodes H. Shell, Mayor Pro-Tem

George M. Alexander, Councilmember

Cynthia E. Jenkins, Councilmember

Raymond F. DuBose, Councilmember

Dustin Koritko, Councilmember

Paul Guillaume, Councilmember



City of Newnan, Georgia - Mayor and Council

Date: August 12, 2021

Agenda Item: 18 Berry Ave

Prepared and
Presented by: Matt Murray, Code Enforcement Officer

Submitted by: Bill Stephenson, Chief Building Official

Purpose: New owner to update council on status and request an extension to repair the dilapidated structure at 18 Berry Ave.

Background: Owner: SKA Realty Services LLC (Kiran Artham)

Date Sub-Standard housing file was opened: December 18, 2018

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

On December 18, 2018 the Building Department conducted an inspection of the premises and found the structure to be unsafe, uninhabitable. The structure has been determined to be unsafe as set forth by City Ordinance Section 5-24. (a), Sub-sections (3, 5, 6, 7, 8, 9, 10).

Options:

1. Accept the extension request from owner in order to complete the renovations to the property.
2. Other direction from council.

Funding: Not Applicable

Recommendation: Staff is requesting Council's approval to proceed with Option1.

Previous Discussions
With Council:

April 19, 2019 – Info only provided to council.

June 18, 2019 – Public hearing was held and Resolution was adopted to repair or demolish (inform council of intent) within 30 days.

July 16, 2019 – Owner was given a 90 day resolution deadline to repair or demolish. Owner informed council he had decided to sell the property. Deadline expires October 15, 2019.

October 8, 2019 – Owner informed council he was selling property with a closing of 10/9/19. Will update council on October 22.

October 22, 2019 – Owner granted 120 day extension by council.



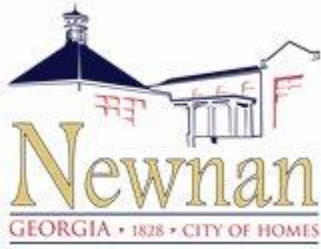








City of Newnan, Georgia - Mayor and Council



Date: August 12, 2021

Agenda Item: 21 Berry Ave

Prepared and Presented by:
Matt Murray, Code Enforcement Officer

Submitted by: Bill Stephenson, Chief Building Official

Purpose: Owner to update council on status and request an extension to repair the dilapidated structure at 21 Berry Ave.

Background: Owner: Teresa Calderon

Date Sub-Standard housing file was opened: July 18, 2018.
Does the cost to bring this structure into compliance by means of repair exceed 50% of the structure's assessed tax value? **YES**

On November 20, 2019 the Building Department conducted an inspection of the premises. The structure has been determined to be unsafe as set forth by City Ordinance Section 5-24. (a), Sub-sections (3, 4, 5, 6, 8, 9, 10).

Options:

1. Accept the extension request from owner in order to complete the renovations to the property.
2. Other direction from Council.

Funding: Not Applicable

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

Previous Discussions with Council:

December 12, 2019 – Council informed of conditions.

January 14, 2020 – Public Hearing was requested.

February 25, 2020 – Public hearing was held and resolution was adopted to repair or demolish within 90 days.







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).