

REGULAR MEETING, MAYOR AND COUNCIL, CITY OF COVINGTON, GEORGIA, COUNCIL ROOM, JANUARY 17, 2023, 6:30 PM.

Mayor Steve Horton presided with Mayor Pro-tem Anthony Henderson, Council members: Fleeta Baggett, Charika Davis, Kenneth Morgan, and Don T. Floyd, City Manager Tres Thomas, Deputy City Manager John King, City Clerk Audra M. Gutierrez, Deputy Clerk Amanda Huggins, and City Attorney Frank Turner, Jr. present. Council member Susie Keck was absent.

Mayor Horton gave invocation and led everyone in the Pledge of Allegiance to the Flag of the United States of America.

Mayor Horton administered the oath of office to new CPD Officer Ryan Abadie.

1. Motion made by Council member Morgan, seconded by Council member Floyd to approve the minutes from the Regular Council Meeting held on January 3, 2023.

Motion carried unanimously.

Mayor Horton informed everyone Council member Keck is absent tonight.

2. Motion made by Council member Floyd, seconded by Council member Henderson to approve **final** reading of an ordinance for the City of Covington:

“AN ORDINANCE OF THE CITY OF COVINGTON, GEORGIA, TO AMEND THE COVINGTON MUNICIPAL CODE, ENACTED AND ADOPTED ON THE 16TH DAY OF OCTOBER, 2001, AS AMENDED BY PREVIOUS AMENDMENTS, TO ALTER CERTAIN PROVISIONS OF TITLE 16 OF THE SAID CODE OF ORDINANCES FOR THE PURPOSE OF **AMENDING SECTION 16.28.025 (BUILDING TYPOLOGY)**; TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”

Motion carried unanimously.

3. Motion made by Council member Morgan, seconded by Council member Davis to approve **final** reading of an ordinance for the City of Covington:

“AN ORDINANCE OF THE CITY OF COVINGTON, GEORGIA, TO AMEND THE COVINGTON MUNICIPAL CODE, ENACTED AND ADOPTED ON THE 16TH DAY OF OCTOBER, 2001, AS AMENDED BY PREVIOUS

AMENDMENTS, TO ALTER CERTAIN PROVISION OF TITLE 16 OF THE SAID CODE OF ORDINANCES FOR THE PURPOSE OF **AMENDING SECTION 16.12.170 (VARIANCES) AND 16.12.180 (APPEAL PROCEDURES) OF CHAPTER 16.12 (PROCEDURES)** THEREOF TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”

Motion carried unanimously.

4. Motion made by Council member Morgan, seconded by Council member Henderson to table discussion of the Procurement Policy until the February 6, 2023 Council meeting.

Motion carried unanimously.

5. Motion made by Council member Henderson, seconded by Council member Morgan to approve a license to sell alcoholic beverages for **off-premises consumption** only for:

Dollar General Store # 7057	7118 Hwy 278 NE
Dollar General Store # 85	6185 Hwy 278 NW
Dollar General Store # 11417	10734 Hwy 36

Motion carried unanimously.

City Attorney Frank Turner Jr. stated Council member Anthony Henderson requested initiation of a text amendment to create the Alcovy Road Overlay at property located between Alcovy Road, SR 142, Flat Rock Road, and Gregory Road. Mr. Eric Johansen of 6083 Shadburn Ferry Road, Buford, GA 30518 was present to answer questions on the proposal. Council member Baggett questioned why an overlay is necessary. Mr. Johansen stated there are current buffer setbacks and the overlay would allow a mixture of uses within the M-2 zoning district to include Industrial, Commercial, Multi-Family, and Townhouses. Mr. Matt Crowe of 843 Cornish Mountain Road, Oxford, GA voiced concern on reasoning of the City to want to give up any say on said property, the negative impact on surrounding property owners, the developer only caring about money, and Council’s responsibility to care about what citizens want. Mr. Brion Frix of 130 Cornish Mountain Road stated it is rare to have a prime piece of land marked as Industrial that should be utilized as such, and the area is not fit for multi residential housing.

6. Motion made by Council member Baggett, seconded by Council member Floyd to table discussion of initiating a text amendment regarding proposed Alcovy Road Overlay until the February 6, 2023 Council meeting.

Motion **denied** with Council members Morgan, Davis, and Henderson voting against. Council members Baggett and Floyd voting for.

Mayor Horton questioned City Manager Tres Thomas on the status of sewer capacity findings at said property. Mr. Thomas stated a meeting scheduled on January 18, 2023 to discuss water and sewer capacity shall take place.

Council member Baggett stated Council is aware of changes that have taken place around the Town Center area that were not originally proposed and that there is a sewage and water issue that needs resolving at said property before developers are allowed to build whatever they choose.

Council member Henderson stated he sees more opportunity for people to live in the area, different restaurants coming, and more developments created. Council member Henderson stated he believes citizens view Town Center as a success, and the City made past mistakes regarding the water and sewage issues.

Council member Davis asked for an update on the Eastside Sanitary Sewer project. Mr. Thomas stated bids open on January 19, 2023 and the project should be complete from Alcovy Road to the Eastside Pump Station by the end of 2024.

Council member Morgan stated he would rather see growth than pastures and things should move forward despite not having insights or not knowing what may happen in the future. Council member Morgan stated that growth around said area has been positive, and Council needs to think outside of the box.

Mayor Horton stated that capacity is critical for any development, and the text amendment will need voting on by Planning Commission before coming back to Mayor and Council for a first reading, second reading, and public hearing.

7. Motion made by Council member Morgan, seconded by Council member Henderson to initiate a text amendment regarding proposed Alcovy Rd Overlay District and allowing the property to remain as M-2 zoning and to permit the mixture of land uses (Industrial, Commercial, Multi-Family, and Townhouses).

Motion passes with Council members Morgan, Davis, and Henderson voting for. Council members Baggett and Floyd voting against.

A public hearing was held at 7:19 PM for the **first** reading of an ordinance for the City of Covington regarding **Section 16.28.050 – Sidewalks**. Planning and Zoning Director Marc Beechuk gave a detailed staff report and recommendations from the Planning Commission.

8. Motion made by Council member Floyd, seconded by Council member Morgan to approve a **first** reading of an ordinance for the City of Covington:

“AN ORDINANCE OF THE CITY OF COVINGTON, GEORGIA, TO AMEND THE COVINGTON MUNICIPAL CODE, ENACTED AND ADOPTED ON THE 16TH DAY OF OCTOBER, 2001, AS AMENDED BY PREVIOUS AMENDMENTS, TO ALTER CERTAIN PROVISIONS OF TITLE 16 OF THE SAID CODE OF ORDINANCES FOR THE PURPOSE OF **AMENDING SECTION 16.28.050 (SIDEWALKS)**; TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”

Motion carried unanimously.

9. Motion made by Council member Floyd, seconded by Council member Henderson to approve a **first** reading of a text amendment to an ordinance for the City of Covington:

“AN ORDINANCE OF THE CITY OF COVINGTON, GEORGIA, TO AMEND THE COVINGTON MUNICIPAL CODE, ENACTED AND ADOPTED ON THE 16TH DAY OF OCTOBER, 2001, AS AMENDED BY PREVIOUS AMENDMENTS, TO ALTER CERTAIN PROVISION OF TITLE 13 OF THE SAID CODE OF ORDINANCES FOR THE PURPOSE OF **AMENDING SECTION 13.08.360 (SECURITY LEASED LIGHTING SERVICE) OF CHAPTER 13.08 (ELECTRIC SYSTEM) THEREOF**, TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”

Motion carried unanimously.

A discussion ensued regarding the purchase of (2) level 3 EV chargers to install for charging stations along with associated equipment at the CNG Fueling Center. City Attorney Frank Turner Jr. is to look into legalities involved for the City to possibly partner with General Motors local dealers in providing free charging stations per request of Mayor Horton. Mr. Brion Frix voiced concern of security and increased traffic around the area. Deputy City Manager John King stated there are security cameras at the CNG Fueling Center, and former Council made the decision to install the two slow chargers located at the Welcome Center.

10. Motion made by Council member Morgan, seconded by Council member Henderson to approve sole source bid from Gresco amounting to \$139,532.00 for the purchase of (2) Level 3 EV chargers to install for charging stations along with associated equipment at the CNG Fueling Center.

Motion carried unanimously.

11. Motion made by Council member Morgan, seconded by Council member Davis to accept a GDOT Local Maintenance & Improvement Grant (LMIG) Application for Fiscal Year 2023 amounting to \$190,303.46 with a local City match (SPLOST) of 30% that amounts to \$57,091.08 for the Flat Shoals Road Project totaling \$401,198.71.

Motion carried unanimously.

12. Motion made by Council member Morgan seconded by Council member Henderson to authorize Mayor Horton to sign an extension letter from GDNR regarding the Recreational Trail Grant for Central Park Red Trail Project Phase 2, in compliance with ADA requirements.

Motion carried unanimously.

13. Motion made by Council member Davis, seconded by Council member Morgan to approve setting qualifying fees for Mayor and Council Posts to be filled by the general election on November 7, 2023 at 3% of annual salary of the office or \$540.00 for Mayor and \$270.00 for Council Posts.

Mayor
Post 1 West
Post 2 East
Post 3 East

Motion carried unanimously.

14. Motion made by Council member Henderson, seconded by Council member Morgan to approve an Intergovernmental Service Agreement with NCWSA to provide water service to 96.77 acres, more or less, currently designated as tax map parcel C097 035B on Hazelbrand Road.

Motion carried unanimously.

Comments from City Manager Tres Thomas:

- Appreciation to City staff who worked tirelessly through the recent bad weather/storms, especially to the Electric, Gas, and Street departments
- Update on emergency culver/sinkhole repair at Turner Lake Road- bid awarded to Dekalb Pipeline for giving fastest response time, and project totaling \$157,205.00
- Bicentennial time capsule ceremony at flowerbed by City Hall drive-thru scheduled for January 31, 2023 at 1:00 PM
- Banquet for City Board and Committee members scheduled for March 23, 2023 at 6:00 PM at Legion Field
- Mayor and Council to meet and review 2023-2024 budget with department heads in May, date and time to be determined, and consensus regarding format of the meeting is needed no later than March or April 2023

Assistant City Manager John King thanked the Fire, Police, Electric, Gas, and Water Resources departments for all the hard work during the recent storms and recognized Gas Director Mike Jewell and Water Resources Director Kevin Sorrow for staying out with crews and providing needed resources.

Council member Morgan thanked City employees that worked through the storms, asked for an update on Central Park construction, and asked for a meeting between Mayor and Council and local merchants. Council member Morgan stated there is disconnect between Economic Development and local merchants.

Council member Baggett stated she ran for Council in part to be a voice for citizens against developers trying to do whatever they wanted in the City, and she is embarrassed and ashamed that the proposed Alcovy Road Overlay District vote happened without waiting one day for more facts. Council member Baggett stated growth needs controlling as public services are struggling, and expressed appreciation to City employees that worked through the storms.

Council member Davis questioned if inmate service is available to pick up trash around City, and asked about recommendations from Mr. Freddy Broome on DEI hire.

Assistant City Manager John King stated the County is not using inmates for trash pickup but a third party, and a cost analysis is in progress by the City regarding a third party trash pickup service. Mr. King stated the new probation service allows

clients to choose which public service they would like to do, and four cleanups per year are required by the City.

City Manager Tres Thomas stated a group including himself and Human Resources are to reach out to Mr. Freddy Broome and to see what other municipalities are doing in regards to DEI. There is a DEI certificate program offered by UGA being looked into by a few City employees.

Council member Floyd stated Crestview and Farmington needs restriping, and questioned if new apartments have different tax rates.

City Attorney Frank Turner, Jr. stated the apartment complex owner pays the taxes on the complex and the millage rate is the same. Mr. Turner stated the property taxes work like a shopping center, based on appraisal, and in one lump sum.

Mayor Horton reiterated much gratitude to City employees that worked through storms and to the City of Lawrenceville that helped. Mayor Horton stated the City of Griffin was requesting help with fire services, and he was thankful for community as we are stronger together.

15. Motion made by Council member Morgan, seconded by Council member Henderson to enter into Executive Session at 8:16 PM for the purpose of discussing land opportunities.

Motion carried unanimously.

16. Motion made by Council member Morgan, seconded by Council member Davis to enter into Regular Session at 8:26 PM.

Motion carried unanimously.

17. Motion made by Council member Floyd, seconded by Council member Morgan to amend the agenda to add:

a) A discussion of Limited Warranty Deed between City of Covington and Newton County Industrial Development Authority regarding property located on Williams Road containing 73.696 acres.

b) A discussion of lease between City of Covington and Newton County Industrial Development Authority for FAA project site parcel 0061-015 containing 5.944 acres and parcel 006-016 containing 4.704 acres on Williams Road, until 2034.

c) A discussion of ninety-nine year lease between City of Covington and Archer Aviation for FAA project site parcel 0061-015 containing 5.944 acres and parcel 006-016 containing 4.704 acres on Williams Road.

Motion carried unanimously.

18. Motion made by Council member Floyd, seconded by Council member Morgan to approve a Limited Warranty Deed between the City of Covington and the Newton County Industrial Development Authority regarding property located on Williams Road containing 73.696 acres.

Motion carried unanimously.

19. Motion made by Council member Morgan, seconded by Council member Floyd to approve a lease between the City of Covington and the Newton County Industrial Development Authority for FAA project site parcel 0061-015 containing 5.944 acres and parcel 006-016 containing 4.704 acres on Williams Road, until 2034.

Motion carried unanimously.

20. Motion made by Council member Morgan, seconded by Council member Henderson to approve a ninety-nine year lease between the City of Covington and Archer Aviation for FAA project site parcel 0061-015 containing 5.944 acres and parcel 006-016 containing 4.704 acres on Williams Road.

Motion carried unanimously.

Being no further business meeting adjourned at 8:29 PM.

Steve Horton, Mayor

Audra M. Gutierrez, City Clerk