

**REGULAR MEETING, MAYOR AND COUNCIL, CITY OF COVINGTON, GEORGIA, COUNCIL ROOM, APRIL 1, 2024, 6:30 PM.**

Mayor Fleeta Baggett presided with Mayor Pro-tem Susie Keck, Council members: Anthony Henderson, Charika Davis, Kimberly Johnson, Travis Moore, and Jared Rutberg, 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.

Reverend Harold Miller Jr. of New Hope Baptist Church gave the invocation.

Mayor Baggett led everyone in the Pledge of Allegiance to the Flag of the United States of America.

Mayor Baggett administered the Oath of Office to new Covington Police officer Shawn Lewis.

Mayor Baggett read a proclamation acknowledging April as Child Abuse Prevention Month and presented to Lauren Gregory of A Child's Voice Child Advocacy Center, Inc., who was in attendance to discuss Child Abuse Prevention month. Mrs. Gregory mentioned Pinwheel Palooza scheduled for April 3, 2024 at 3:30 PM at Covington First United Methodist Church 1113 Conyers Street SW, and passed out packets to Mayor, Council, and staff.

Mayor Baggett read a proclamation and presented to Wanda Reagan and Jo Taylor of the Georgia Poetry Society, in attendance, who encouraged adults to read poetry to and creatively expose all children to poetry during the month of April.

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1. Motion made by Council member Keck, seconded by Council member Moore to approve the minutes from the Regular Council Meeting held on March 18, 2024.

Motion carried unanimously.

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2. Motion made by Council member Rutberg, seconded by Council member Henderson to approve the **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 16<sup>TH</sup> 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**

**16.12.190 (SPECIAL EVENT PERMITS) OF CHAPTER 16.12 (PROCEDURES); TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”**

Motion carried unanimously.

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Council member Rutberg left the meeting at 6:51 PM.

3. Motion made by Council member Johnson, seconded by Council member Moore to approve the **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 16<sup>TH</sup> 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 16.08.010 (DEFINITIONS) OF CHAPTER 16.08 (INTERPETATIONS AND DEFINITIONS), AMENDING SECTIONS 16.16.020 (PERMITTED USES) OF CHAPTER 16.16 (STANDARD ZONING DISTRICTS), ADOPTING SECTION 16.20.125 (BANQUET HALL), SECTION 16.20.325 (FUNERAL HOMES), SECTION 16.20.430 (LANDSCAPING SERVICES), SECTION 16.20.455 (MASSAGE/WELLNESS SPAS/CENTER), SECTION 16.20.725 (TIRE STORE RETAIL) AND SECTION 16.20.735 (TRUCK TERMINAL/DISPATCH/PARKING) OF CHAPTER 16.20 (SUPPLEMENTAL USE PROVISIONS), TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”**

Motion carried with Council members Keck, Johnson, and Moore voting in favor. Council members Davis and Henderson voting against. Council member Rutberg recused himself from vote.

Council member Rutberg returned to meeting at 6:53 PM.

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4. Motion made by Council member Rutberg, seconded by Council member Johnson 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 16<sup>TH</sup> DAY OF OCTOBER, 2001, AS AMENDED BY PREVIOUS AMENDMENTS, TO ALTER CERTAIN PROVISION OF TITLE 2 OF THE SAID CODE OF ORDINANCES FOR THE PURPOSE OF **ADOPTING SECTION 2.08.030 (DECORUM) OF CHAPTER 2.08 (MAYOR AND CITY COUNCIL), TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”**

Motion carried with Council members Keck, Johnson, Moore, Rutberg, and Henderson voting in favor. Council member Davis voting against.

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

**Walgreens #13760                      3188 Hwy 278, NE**

Motion carried unanimously.

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Mayor Baggett signed a Certificate of Appointment for the appointment of Sandi Spears to the Covington Housing Authority Board to fill expired term ending April 30, 2024 of Lucy Courchaine, for a 5-year term to expire April 30, 2029.

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6. Motion made by Council member Henderson, seconded by Council member Keck to approve a Mutual Aid Agreement between City of Covington and Snapping Shoals EMC.

Motion carried unanimously.

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7. Motion made by Council member Henderson, seconded by Council member Keck to approve the best bid to purchase high mast light fixtures for the replacement of the existing fixtures at Exit 90 along I-20 from Gresco, amounting to \$48,000.00.

	<u>Gresco</u>	<u>Irby</u>	<u>Anixter</u>	<u>Tristate</u>	<u>SolarMax</u>
<b>Price Each</b>	\$ 750.00	\$ 940.00	\$ 869.57	\$ 994.60	\$ 459.95
<b>Total Price</b>	\$ 48,000.00	\$ 60,160.00	\$ 55,652.48	\$ 63,654.40	\$ 29,436.80
<b>Score</b>	4	2	3	1	5
<b>Lead Times</b>	8-10 Weeks	8-10 Weeks	8-10 Weeks	?	12-14 Weeks
<b>Score</b>	5	5	5	1	4
<b>Warranty</b>	10 Year	5 Year	5 Year	5 Year	10 Year
<b>Score</b>	5	3	3	3	5
<b>Manf. Rep</b>	Georga	Georgia	Georgia	Georgia	California
<b>Score</b>	5	5	5	5	1
<b>Projected Hrs.</b>	138,000	135,000	135,000	140,000	100,000
<b>Score</b>	4	3	3	5	2
<b>Final Score</b>	<b>23</b>	<b>18</b>	<b>19</b>	<b>15</b>	<b>17</b>

Motion carried unanimously.

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City Attorney Frank Turner Jr. stated Thomas Mitchell with Carothers & Mitchell, LLC Attorneys at Law was present to assist with an appeal hearing of the Historic Preservation Commission (HPC) Certificate of Appropriateness (COA) approvals for PMAJ23-004, PMAJ23-0046, PMAJ23-0047, PMAJ23-0048, PMAJ23-0049, PMAJ23-0050, PMAJ23-0051, PMAJ23-0052, and PMAJ23-0053 the Lakewood. Mr. Turner further stated a copy of the record pertaining to the HPC decision was available in the Council room. Planning and Zoning Director Judy Johnson gave a detailed presentation and review of action taken at the February 7, 2024 HPC meeting. Mr. Turner stated the Council should determine if the HPC abused discretion in approving five of the nine said lots. Appeal hearing of opened at 7:07 PM. Appellants present to speak included Attorney Steven L. Jones with Taylor English Duma LLP representing Quinn Residences Q. Dorchester, LLC, CFO of Quinn Residences James Howley, and author of Dorchester design code for St. Bourke Ben Simpson. Mr. Howley stated if a precedent of seven lots/repeats is allowed for the Lakewood house plan and remaining house plans that include the Dustin, Silverstone, Cadwell, and Archibald, he is willing to dismiss pending litigation. Mr. Mitchell stated he would prefer to have the appellant's attorney confirm agreement stated by Mr. Howley. Mr. Jones restated and confirmed agreement presented by Mr. Howley.

8. Motion made by Council member Davis, seconded by Council member Rutberg to enter into Executive Session to discuss pending litigation at 7:38 PM.

Motion carried unanimously.

9. Motion made by Council member Davis, seconded by Council member Rutberg to enter back into Regular Session at 8:07 PM.

Motion carried unanimously.

10. Motion made by Council member Davis, seconded by Council member Keck to modify the decision of the Historic Preservation Commission Certificate of Appropriateness (COA), approving COAs for the Lakewood house plan in cases PMAJ23-0045, PMAJ23-0046, PMAJ23-0049, PMAJ23-0050, PMAJ23-0051, PMAJ23-0052, and PMAJ23-0053, and denying the COAs for the Lakewood house plan in cases PMAJ23-0047 and PMAJ23-0048.

Motion carried unanimously.

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11. Motion made by Council member Henderson, seconded by Council member Moore to approve a request by staff for Mayor and Council to initiate a text amendment regarding Section 16.20.235 Dwelling, single-family detached.

Motion carried unanimously.

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12. Motion made by Council member Keck, seconded by Council member Moore to approve the final plat for Neely Farms Subdivision Phase 1A (single family residential).

Motion carried unanimously.

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13. Motion made by Council member Keck, seconded by Council member Johnson to approve the final plat for The Reserves @ Jackson Highway Phase I & Phase II (single family residential).

Motion carried unanimously.

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14. Motion made by Council member Rutberg, seconded by Council member Moore, to approve the **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 16<sup>TH</sup> 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 13.08.340 (ELECTRIC VEHICLE FAST CHARGING TARIFF)** OF CHAPTER 13.08 (ELECTRIC SYSTEM) THEREOF, TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”

Motion carried with Council members Keck, Johnson, Moore, Rutberg, and Henderson voting in favor. Council member Davis voting against.

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15. Motion made by Council member Johnson, seconded by Council member Keck to approve the **first** reading of an ordinance for the City of Covington, increasing the City of Covington water rate to .05 cents/1000 gallons of water purchased due to the increase of the purchase price of water from the Newton County Board of Commissioners:

“AN ORDINANCE OF THE CITY OF COVINGTON, GEORGIA, TO AMEND THE COVINGTON MUNICIPAL CODE, ENACTED AND ADOPTED ON THE 16<sup>TH</sup> 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 13.12.090 (FEES AND RATES) OF CHAPTER 13.12 (WATER SYSTEM) THEREOF**, TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”

Motion carried with Council members Keck, Johnson, Moore, and Rutberg voting in favor. Council members Davis and Henderson voting against.

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16. Motion made by Council member Keck, seconded by Council member Rutberg to approve the renewal and amendment to the current residential solid waste contract with Latham Sanitation as presented, extending for an additional 5-year term.

Motion carried with Council members Keck, Johnson, Moore, and Rutberg voting in favor. Council members Davis and Henderson voting against.

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17. Motion made by Council member Rutberg, seconded by Council member Johnson to approve an additional \$25,428.20 change order for the redesign of the Welcome Center parking lot drainage system from Peach State Construction, with condition of funding coming out of visitor and tourism product development fund.

Motion carried unanimously.

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18. Motion made by Council member Johnson, seconded by Council member Keck to approve a Memorandum of Agreement with Northeast Georgia Regional Commission to develop and submit a Community Development Block Grant Redevelopment Fund (CDBG-RDF) grant application for the purpose of rehabilitation of Conyers Street Gym.

Motion carried unanimously.

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Thelma Nolley stated she is receiving phone calls from residents of the east side of the City asking her who represents them and how to contact them, and it is sad. Ms. Nolley stated there is grant money needed and Mayor and Council need to talk more with citizens.

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Comments from the City Manager:

- Environmental Protection Division (EPD) conducted a sanitary sewer inspection on the water system performed every five years to evaluate performance of the system with respect to EPD regulations and the City's operation permit, Water and Sewer Construction Manager Robert Barber accompanied regulator throughout inspection, no deficiencies were found and the system was classified as an outstanding performer - congratulations to Water Resources team
- May 15, May 16, or May 17, 2024 considered for possible budget work session with Mayor and Council. Council member Davis stated she will be out of country May 11-18, 2024 - other dates will be considered

Deputy City Manager John King thanked City employees and volunteers of the community for helping with Great American Clean-up.

Council member Rutberg stated he would like an update on feedback regarding the Washington Street four-way stop sign, as well as the Floyd Street/East Street Bulb-out Project, the Square repair, and the Turner Lake Road Improvements Project.

City Manager Tres Thomas stated Transportation Manager John Hendrix stated there was positive feedback from a couple of citizens regarding the Washington Street four-way stop sign. Mr. Thomas further stated the final design for the Floyd Street/East Street Bulb-out Project is scheduled for completion and review by the City at the end of April 2024 and should be advertised in June 2024 with construction hopefully to begin in July 2024. Mr. Thomas stated the design and contract documents are prepared and ready for advertisement in regards to the Square repair. Mr. Thomas further stated Council should consider if power should be above or below ground for the Square, as in 2022 Council decided to leave the power above ground. Mr. Thomas stated current design of the Square is based on that decision and a re-design to place power underground will cost more money as well as delay project.

Council member Rutberg stated he would like more information before making a decision on whether to place power to the Square above or below ground.

City Manager Tres Thomas stated he will present accurate cost information from contractor working on the Square repair as soon as it is available.

Council member Rutberg stated he would like a work session to discuss impact fees regarding the addition of recreation.

Council member Keck stated if anyone would like to reach a Council member, contact information is available on the City website [cityofcovington.org](http://cityofcovington.org), and she has never had anyone state she was not able to be reached in six years of service.

Mayor Baggett stated she hoped everyone had a great Easter weekend and it is always a pleasure to swear in new police officers. Mayor Baggett further stated all of our public safety departments are doing an excellent job. Mayor Baggett thanked everyone that participated in the Great American Clean-up. Mayor Baggett requested everyone keep City Court Clerk Stephanie Finney and her family in your thoughts and prayers in dealing with the tragic unexpected loss of her son, and the funeral will be held Tuesday April 2, 2024 at Grace United Methodist Church.

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Being no further business meeting adjourned at 8:55 PM.

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Fleeta Baggett, Mayor

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Audra M. Gutierrez, City Clerk