

REGULAR MEETING, MAYOR AND COUNCIL, CITY OF COVINGTON, GEORGIA, COUNCIL ROOM, JULY 15, 2024, 6:30 PM.

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. Mayor Fleeta Baggett and Mayor Pro-tem Susie Keck joined meeting via teleconference with two-way video and audio.

City Attorney Frank Turner, Jr. stated Mayor Fleeta Baggett, while in attendance via teleconference, is not present in the Council meeting and Mayor Pro-tem Susie Keck is not present due to illness and in attendance via teleconference. Mr. Turner stated an Interim Mayor Pro-tem appointment to preside over the meeting by Council is necessary for the meeting to move forward.

Council member Anthony Henderson called the meeting to order.

1. Motion made by Council member Rutberg, seconded by Council member Davis to appoint Council member Anthony Henderson as Interim Mayor Pro-tem for the July 15, 2024 City of Covington Council meeting due to Mayor Fleeta Baggett being absent in Council Chambers although in attendance for meeting via teleconference and Mayor Pro-tem Susie Keck being disabled as a result of illness and in attendance via teleconference.

Motion carried unanimously.

Dr. Royeese Stowe gave the invocation. Interim Mayor Pro-tem Anthony Henderson led everyone in the Pledge of Allegiance to the Flag of the United States of America.

2. Motion made by Council member Moore, seconded by Council member Rutberg to approve the minutes from the Regular Council Meeting held on July 1, 2024, with changes mentioned by Council member Rutberg.

Motion carried unanimously.

3. Motion made by Council member Rutberg, seconded by Council member Moore to add "11a" to the agenda, *"Enter into Executive Session for the purpose of discussing litigation."*

Motion carried unanimously.

4. Motion made by Council member Davis, seconded by Council member Johnson to approve execution of the MEAG Power Projects 2023 Year-End Settlement Election form by the Mayor and City Manager, ex post facto.

Motion carried unanimously.

A public hearing was held at 6:43 PM regarding consideration of a city initiated rezoning petition for seven (7) parcels along Tate Street, Elizabeth Street and Newton Drive from NR2 (Neighborhood Residential 1 District) to NM (Neighborhood Mixed-Use District) in order to align with the use of the properties, primarily additional parking for the hospital and neighboring medical offices. These addresses/parcels include: 4137 Newton Dr./C008000030006000, 4145 Newton Dr./C008000030005000, 4149 Newton Dr./ C008000030004000, 4253 N Elizabeth St./ C008000030002000, 4175 Newton Dr./ C008000020011000, 5104 Tate St./ C008000020003000, and 4195 Newton Dr./ C008000020008000. Planning and Zoning Director Judy Johnson gave a detailed report and recommendations from staff and Planning Commission. Dr. Mark Hanson, a member of Georgia Heart Properties, was present to speak in favor.

5. Motion made by Council member Moore, seconded by Council member Davis to approve a city initiated rezoning petition for seven (7) parcels along Tate Street, Elizabeth Street and Newton Drive from NR2 (Neighborhood Residential 1 District) to NM (Neighborhood Mixed-Use District) in order to align with the use of the properties, primarily additional parking for the hospital and neighboring medical offices. These addresses/parcels include: 4137 Newton Dr./C008000030006000, 4145 Newton Dr./C008000030005000, 4149 Newton Dr./ C008000030004000, 4253 N Elizabeth St./ C008000030002000, 4175 Newton Dr./ C008000020011000, 5104 Tate St./ C008000020003000, and 4195 Newton Dr./ C008000020008000.

Motion carried unanimously.

6. Motion made by Council member Rutberg, seconded by Council member Moore to approve initiation of a text amendment to Section 16.16.020, Permitted Use table, to consider adding the use of motor vehicle sales to the M2 (Heavy Industrial) zoning district along with a text amendment to Section 16.20.480 Supplemental Use Motor Vehicle Sales restricting to online sales only.

Motion carried unanimously.

- 7. Motion made by Council member Moore, seconded by Council member Davis to approve initiation of a text amendment to Section 16.04.050, Relationship to the Comprehensive Plan.

Motion carried unanimously.

- 8. Motion made by Council member Rutberg, seconded by Council member Johnson to approve the lowest bid for the City Pond Road at Williams Road Phase One Project from Azimuth Contractors, LLC amounting to \$1,133,847.22, with a condition to add landscaping to detour foot traffic to the crosswalk.

Azimuth Contractors, LLC \$1,133,847.22	Vertical Earth, INC. \$1,357,000.00
Peach State Construction Co., LLC \$1,162,911.50	Backbone Infrastructure, LLC \$1,357,486.00
Summit Construction & Development, LLC \$1,218,785.78	Mcleroy, INC. \$1,391,072.25
Ohmshiv Construction, LLC \$1,246,458.20	Pittman Construction Company \$1,402,501.50

Motion carried unanimously.

Comments from the City Manager:

- 4th of July celebration on the Square - thanks to Public Safety Departments, Downtown and Tourism Development, and Public Works Departments for all the hard work, staff members met to discuss best practice management due to the trouble caused at event, staff recommendations will be presented at a work session on August 5, 2024
- City Hall will be closing at 3:30 PM on July 18, 2024 for a City employee Family Fun Day at Legion Field presented by our Civility Task Force

Council member Moore stated he would like to thank City Attorney Frank Turner, Jr. for his hard work and assistance answering questions and keeping the city in compliance. Council member Moore further stated he would like to thank the City Clerk’s office for keeping the Mayor and Council organized and information easily accessible.

Council member Rutberg stated citizens have asked him for clarification regarding the city becoming a golf cart city and the approved roads for golf carts. Council member Rutberg thanked all staff for the great 4th of July celebration, and with the city being a victim of its own success, safety protocols will be addressed and presented. Council member Rutberg stated the budget will be coming out soon, and there may be some items questioned, but the city will be hiring four new police officers, three new firemen, and funding for many important infrastructure projects that are long overdue.

Chief Philip Bradford stated there is a list of roads on the golf cart application in which golf carts are not permitted, being the crossing of Elm Street and Hwy 278, Herring Street, Pace Street NE, Robinson Street, and Wheat Street, mainly due to frequent speeding violations by vehicles. Chief Bradford further stated Section 10.18.30 Part D in the city code discusses streets determined unsafe by a former Mayor and Council, and this could be revisited by the current Mayor and Council as some land uses have changed.

City Attorney Frank Turner, Jr. stated Section 10.18.30 Part D in the city code regarding motorized cart operation regulations could be addressed by resolution to the Mayor and Council and may be placed on a future agenda.

Mayor Baggett thanked Interim Mayor Pro-tem Anthony Henderson and wished Council member Susie Keck a speedy recovery.

9. Motion made by Council member Davis, seconded by Council member Rutberg to enter into Executive Session at 7:08 PM for the purpose of discussing litigation.

Motion carried unanimously.

10. Motion made by Council member Rutberg, seconded by Council member Henderson to enter into Regular Session at 7:13 PM.

Motion carried unanimously.

11. Motion made by Council member Rutberg, seconded by Council member Moore to amend the agenda to add *"Discussion of joining the Tyco Fire Products class action lawsuit."*

Motion carried unanimously.

12. Motion made by Council member Rutberg, seconded by Council member Moore to approve joining the Tyco Fire Products class action lawsuit.

Motion carried unanimously.

Being no further business meeting adjourned at 7:14 PM.

Fleeta Baggett, Mayor

Audra M. Gutierrez, City Clerk