

**REGULAR MEETING, MAYOR AND COUNCIL, CITY OF COVINGTON,  
GEORGIA, COUNCIL ROOM, NOVEMBER 7, 2022, 6:30 PM.**

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

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

Lieutenant Gene Nuqui and Chief Stacey Cotton presented certificates of completion to the graduating class of the Citizen's Police Academy.

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1. Motion made by Council member Davis, seconded by Council member Baggett to approve the minutes from the Executive Session Meeting held on September 28, 2022.

Motion carried with Council members Keck, Baggett, Davis, and Henderson voting for. Council member Floyd abstained.

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Mayor Horton asked everyone to keep Council member Morgan in prayer, as he was involved in an automobile accident earlier in the day.

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2. Motion made by Council member Keck, seconded by Council member Henderson to approve the minutes from the Regular Council Meeting held on October 17, 2022 with addition of "Council member Davis stated she is willing to serve on the Newton County Executive Committee Board for Newton County Tomorrow."

Motion carried unanimously.

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3. Motion made by Council member Floyd, seconded by Council member Keck to approve the minutes from the Called Council Meeting held on October 19, 2022.

Motion carried unanimously.

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4. Motion made by Council member Keck, seconded by Council member Baggett to approve **final** reading of an ordinance for the City of Covington, with changes to

language to require owner occupancy on properties allowed accessory structure rent for gain:

“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 16.20.020 (ACCESSORY USES)**; TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”

Motion carried with Council members Keck, Baggett, Henderson, and Davis voting for. Council member Floyd voting against.

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5. Motion made by Council member Henderson, seconded by Council member Keck 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 16 OF THE SAID CODE OF ORDINANCES FOR THE PURPOSE OF **AMENDING SECTION 16.12.040 (AMENDMENTS) OF CHAPTER 16.12 (PROCEDURES)** THEREOF TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”

Motion carried with Council members Keck, Baggett, Henderson, and Davis voting for. Council member Floyd voting against.

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6. Motion made by Council member Davis, seconded by Council member Baggett to approve the addition of an Executive Session to the agenda for the purpose of discussing a personnel matter.

Motion carried unanimously.

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7. Motion made by Council member Baggett, seconded by Council member Floyd to add “Discussion of GA Cities Revolving Fund Loan Application for Lucky Day Tacos, LLC” to the agenda.

Motion carried unanimously.

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Mr. Tony Benise with Benise-Dowling & Associates Inc. stated he has a business in Decatur, GA as well as Oxford, GA that uses a lot of natural gas and competitive bids for natural gas are non-existent with the City of Covington, as well as being a monopoly. Mr. Benise stated gas costs \$0.38/therm at his location in Decatur, and his Oxford location gas costs him \$1.87/therm. Mr. Benise stated his business lost \$200,000.00 last year due to the cost of gas at his Oxford location. Mr. Benise would like to know how to get this expense lowered, and stated the management of the City gas commodity is poor. Mr. Benise stated handling of leftover monies shows mismanagement, as he has reviewed the City budget. Mr. Benise stated he feels gas should be open to bids, as this is how his Decatur business lowered gas cost. Mr. Benise stated he hopes his only option is not to shame City, but he is willing to do whatever will help the cost go down.

Mayor Horton stated there was a meeting with MGAG and Gas Director Mike Jewel on November 4, 2022 to discuss Mr. Benise's concerns.

Council member Baggett stated the City of Covington is a utility-based municipality and there is revenue needed to run the City. Council member Baggett stated taxes would increase tremendously if not for utilities revenue.

Mr. Scott Tolleson with MGAG passed out handouts to Council and stated he is in the process of getting other prices/bids for Mr. Benise, and as a top twenty-five customer, he qualifies for programs with MGAG. Mr. Tolleson stated the only thing under Council's management is the local distribution charge, and that has not changed. Mr. Tolleson stated natural gas has gone up tremendously, and there is a need for more pipeline in the country. Mr. Tolleson stated one of the only ways to get a better rate with the City is to have a back-up fuel system on site.

Mr. Michael D. Jamison stated there is a lack of entertainment venues on east side of town. Mr. Jamison stated he is looking to do two events at Legion Field on June 17<sup>th</sup>, 2023, and another sometime in August 2023. Mr. Jamison stated he is seeking approval to have these events at Legion Field.

Ms. Thelma Nolley stated Ms. Ruby Henderson was upset because a trash man had been taking pictures of her daughter coming and going. Ms. Nolley reported the trash man told of another young lady visiting Ms. Henderson and stated she could take trash to the road for pickup. Ms. Nolley stated someone was trying to explain the situation to the trash man, but the man called them a liar. Ms. Nolley called Customer Service to report disrespect. Ms. Henderson was told to provide

a doctor's note in order to receive back door trash pickup, and was hospitalized due to being so upset. Ms. Nolley stated the next City Manager does not need to be concerned with own agenda.

Council member Baggett requested City Manager Tres Thomas to schedule a meeting with Latham, as Ms. Nolley's complaint was the fourth complaint she received in a week.

City Manager Tres Thomas stated from what he has gathered, the communication broke down with the City, not with Latham. Mr. Thomas stated follow-up needs to improve, and Ms. Henderson's exemption form is being handled.

Council member Davis stated back door service suspension by a third party is not reasonable, and customer service by Latham needs addressing.

Public Works Director Lee Harvey stated Latham attempted to contact Ms. Henderson numerous times and was not able to communicate with her regarding trash service, and the City attempted communication. Mr. Harvey is looking at back door service list to address accuracy and maintenance.

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8. Motion made by Council member Keck, seconded by Council member Floyd to approve a license to sell alcoholic beverages for **on-premises consumption** only for:

<b>Applebee's Neighborhood Grill</b>	<b>5176 Hwy 278</b>
<b>Chili's Grill and Bar</b>	<b>14480 Paras Drive</b>
<b>El Charro Mexican Restaurant #1</b>	<b>3165 Elm Street, NE</b>
<b>El Charro Mexican Restaurant #5</b>	<b>9148 Dr. MLK JR. Ave</b>
<b>Johnny's New York Style Pizza</b>	<b>10176 Carlin Dr</b>
<b>The Social Goat Tavern</b>	<b>1115 Church Street</b>
<b>Longhorn Steakhouse of Covington</b>	<b>6112 Pavilion Way</b>
<b>Little Phillies South dba Tubby Tom's</b>	<b>9148 Hwy 278</b>

Motion carried unanimously.

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

<b>E-Z Covington Gas and Food Co</b>	<b>10125 Alcovy Road</b>
<b>Hester Package Store</b>	<b>5148 Washington Street</b>
<b>Ingles Markets # 439</b>	<b>9176 Hwy 278 NE</b>
<b>Newton Package Shop</b>	<b>9197 Hwy 278</b>

**Quiktrip # 821  
Quiktrip # 798  
Walmart # 459  
21 Package Store**

**11124 Hwy 142  
3214 Hwy 278 NW  
10300 Industrial Blvd, NE  
6147 Hwy 278 NW**

Motion carried unanimously.

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10. Motion made by Council member Keck, seconded by Council member Floyd to approve a license for **Personal Service Beer and/or Wine** only for:

**Southern Heartland Art Gallery**

**1132 Monticello Street, SW**

Motion carried unanimously.

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11. Motion made by Council member Keck, seconded by Council member Floyd to approve a license to sell alcoholic beverages for **on-premises ancillary tasting and off-premises consumption** only for:

**Bread & Butter**

**1124 Monticello Street**

Motion carried unanimously.

Council member Baggett stated she wanted to make everyone aware that several Vampire Diaries “blood bags” sold at the Square and consumed during tours have wine in them, and businesses on the Square should have a reminder of the City’s open container ordinance.

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12. Motion made by Council member Baggett, seconded by Council member Floyd to contribute joint funding, as requested by the District Attorney Alcovy Judicial Circuit, of \$30,000.00 with Newton County, City of Monroe, and Walton County, for a Gang/Violent Crime Prosecutor. This includes a budget amendment resolution increasing payments to other agencies account by \$30,000.00 and decreasing contingencies account by \$30,000.00, and is contingent on other agencies to contribute in like form.

Motion carried unanimously.

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13. Motion made by Council member Floyd, seconded by Council member Henderson to approve the bid of Highway 278 CID Phase I preliminary

engineering to QK4 amounting to \$581,000.00, with \$464,800.00 coming from federal funding, and a local match of \$116,200.00.

Motion carried unanimously.

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- 14. Motion made by Council member Keck, seconded by Council member Baggett to approve raising PCA (Power Cost Adjustment) rate from \$0.012 to \$0.016.

Motion carried with Council members Keck, Baggett, and Floyd voting for. Council members Davis and Henderson voting against.

A consensus of Council agreed to have a legal draft of an ordinance prepared by City Attorney Frank Turner, Jr. to change the Power Cost Adjustment rate for gas and electric automatically, as needed.

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- 15. Motion made by Council member Floyd, seconded by Council member Keck, to approve lowest bid from Irby Stewart amounting to \$27,390.00 for the purchase of eleven 37.5 KVA transformers for Ashton Estates and to replenish stock.

Tri State	No Quote N/A
Anixter	No Quote, could not quote for several weeks, 175-179 weeks lead time
Gresco	\$2,600.00 each, 52-55 weeks lead time
Irby Stewart	\$2,490.00, May/June 2023

Motion carried unanimously.

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- 16. Motion made by Council member Henderson, seconded by Council member Davis to approve lowest bid from Cappstone Energy Group, LLC amounting to \$34,950.00 for system-wide inspection of wood utility poles.

Osrose	\$30.95 per pole	Est. price/yr \$51,686.00
Cappstone Energy Group, LLC	CCA Poles less than 30 years old= \$13.75, all other poles= \$23.75	Est. price/yr \$34,950.00

Motion carried unanimously.

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- 17. Motion made by Council member Davis, seconded by Council member Keck to approve Notice of Intent for GA EPD regarding Phase II MS4 NPDES permit to discharge, ex post facto.

Motion carried unanimously.

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18. Motion made by Council member Keck, seconded by Council member Henderson to approve the Disadvantaged Business Enterprise Plan for Covington Municipal Airport.

Motion carried unanimously.

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19. Motion made by Council member Floyd, seconded by Council member Davis to approve the Covington Municipal Airport CIP (Capital Improvement Plan) 2024-2028.

Motion carried unanimously.

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20. Motion made by Council member Davis, seconded by Council member Baggett to approve the best bid from Prologic ITS, LLC amounting to \$42,668.56, to purchase two message boards and a radar display. (three lowest bids listed below)

Transafe	\$42,380.00
Prologic ITS, LLC	\$42,668.56
Safety Products, Inc.	\$44,308.00

Motion carried unanimously.

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21. Motion made by Council member Keck, seconded by Council member Henderson to approve the proposed Legion Field Events Contract/Agreement as drafted by Community Development and legal with changes to include increasing deposit fee to match rental fee (\$5,000.00), and no ticketed events on Sundays.

Motion carried unanimously.

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22. Motion made by Council member Baggett, seconded by Council member Keck to approve the National Safety Council Training Center Agreement for Defensive Driving Course, expost facto.

Motion carried unanimously.

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23. Motion made by Council member Floyd, seconded by Council member Keck to approve the re-appointment of Cham Stone to the Parking Authority.

Motion carried unanimously.

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24. Motion made by Council member Davis, seconded by Council member Keck to approve the proposed 2023 City Council Meeting Calendar, with change removing July 3, 2023.

Motion carried unanimously.

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25. Motion made by Council member Baggett, seconded by Council member Keck to approve the GA Cities Revolving Fund Loan Application for Lucky Day Tacos, LLC amounting to \$250,000.00 in order to assist with a project amount totaling \$679,157.00, as requested by the Downtown Development Authority.

Motion carried unanimously.

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Comments from the City Manager:

-There will be approximately 10 pavers to be replaced on Pace Street and approximately 11 pavers to be installed around the Square this week.

Council member Floyd stated November 11, 2022 is Veteran's Day and a ceremony will be held on the Square at 11:00 AM hosted by the American Legion. Council member Floyd stated he would like a list of what entertainment companies pay to Covington Police Department for services, and he believes City "Holiday Luncheon" should be called "Christmas Luncheon".

Council member Davis asked for an update on the City of Covington time capsule, and on the Dinah Pace water situation.

Mayor Horton stated a location is needed for the time capsule, as well as what the Council would like to go in the capsule, by the end of 2022. Mayor Horton stated there will be a short presentation on December 12th for individuals on the honorary paver stones.

City Manager Tres Thomas stated a flushing monitor was installed a Dinah Pace as a temporary fix until some cross-connections can be resolved and small water mains upsized.



Mayor Horton mentioned the RFP that went out for a warming shelter in which there were no proposals, and Newton County may want a partnership with the City, along with Grace United Methodist Church, for the shelter. Mayor Horton stated Willing Helpers requested more obligations, such as an overflow location, insurance, and extra staffing, which was way beyond the approved budget. Mayor Horton stated City Manager Tres Thomas is to schedule meeting with the County Manager and Chairman regarding warming shelter funding. Mayor Horton stated the Tree Board needs appointments by the December 12, 2022 meeting, and the East Ward Council members need appointments for the Citizen's Review Board. Mayor Horton mentioned the need for a Called Council meeting on or before November 14, 2022 to discuss Project Jane.

Council member Keck suggested reaching out to Hope Atlanta for assistance with warming shelter.

Special Projects Coordinator for the City Manager's Office Bailey Dickinson stated the Department of Community Affairs may match funding for re-housing those in need during winter months, and he will research DCA along with Hope Atlanta.

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26. Motion made by Council member Davis, seconded by Council member Keck to enter into Executive Session at 8:58 PM for the purpose of discussing a personnel matter.

Motion carried unanimously.

City Manager Tres Thomas, City Clerk Audra M. Gutierrez, and Deputy Clerk Amanda Huggins asked to leave meeting. City Attorney Frank Turner, Jr. kept minutes of Executive Session.

27. Motion made by Council member Keck, seconded by Council member Henderson to enter back into Regular Session.

Motion carried unanimously.

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Being no further business meeting adjourned at 9:09 PM.

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Steve Horton, Mayor

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Audra M. Gutierrez, City Clerk