

**REGULAR MEETING, MAYOR AND COUNCIL, CITY OF COVINGTON,  
GEORGIA, COUNCIL ROOM, FEBRUARY 20, 2023, 6:30 PM.**

Mayor Steve Horton presided with Mayor Pro-tem Anthony Henderson, Council members: Susie Keck, 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.

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

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1. Motion made by Council member Morgan, seconded by Council member Henderson to approve the minutes from the Regular Council Meeting held on February 6, 2023.

Motion carried unanimously.

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Council member Floyd questioned the parking on the Square item not being on the February 20, 2023 agenda, and Mayor Horton explained it was removed and will be addressed by the Parking Authority at their next meeting.

2. Motion made by Council member Floyd, seconded by Council member Keck to approve the minutes from the Called Council Meeting held on February 13, 2023.

Motion carried unanimously.

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Ms. Thelma Nolley stated she was present to speak for Mr. Edward Durden of 3168 Lunsford Circle (present) and his mother (not present). Ms. Nolley stated Mr. Durden's mother has two homes, is 84 years old, and has dialysis treatments three times a week. Ms. Nolley stated there is stormwater flooding on both properties, and code enforcement has issued citations as other citizens are calling and complaining about properties. Ms. Nolley questioned City Attorney Frank Turner Jr. if ARPA funds were available to help citizens fix their houses. Mr. Turner stated City Solicitor Cheryl Freeman handles code violations, and Planning and Zoning Director Marc Beechuk knows more regarding the CDGB grant funding to help senior homeowners. Mr. Beechuk stated the City is currently working on the grant and, if awarded, the funds would not be available until June 2023. Mr. Turner stated ARPA funds are not available for disbursement to an individual. Council member Davis stated Mr. Durden's mother has been paying stormwater service fees to the City and she has no drainage. City

Manager Tres Thomas stated there is a stormwater plan in place with the Engineering Department to reroute water from the road right-of-way. Mr. Durden stated a discussion occurred with the Engineering Department who informed him some of the property would need to be taken, and code enforcement is being called out to his mother's property. Mr. Durden stated he does not want to give up any land to the City, and he has to come to court on Thursday February 23, 2023 for code citations. Mayor Horton asked Mr. Durden and Ms. Nolley to stay until after the meeting to address concerns.

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A public hearing was held at 6:55 PM regarding a SUP at 2119 Emory Street in the Town Center Mixed-use Zone allowing Recreational Goods Rental Use for operation of an online golf cart rental business. Planning and Zoning Director Marc Beechuk gave a detailed staff report. Mr. Jesse Gentes of 10156 Azalea Drive was present to speak in favor.

3. Motion made by Council member Keck, seconded by Council member Henderson to approve a SUP at 2119 Emory Street in the Town Center Mixed-use zone allowing for Recreational Goods Rental use in order to operate an online Golf Cart Rental operation, with conditions recommended by staff:

- A) All display must be done on an improved surface, no display in grass or landscaped areas
- B) Map to be displayed on golf carts be submitted and reviewed by Planning Staff prior to obtaining a business license
- C) Off-street pavement within 30 feet of stop sign on Usher Street to be removed and grassed

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

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A public hearing was held at 7:12 PM regarding a SUP at 5195 Hwy 278 in the Corridor Mixed-Use (CM) zone to allow for an Automotive Repair and Maintenance/Tire Shop. Planning and Zoning Director Marc Beechuk gave a detailed staff report. Mr. Brittain Hunt of 4163 Hospital Drive was present on behalf of Dr. Michael Pullium, owner of Christon Holdings, LLC to speak in favor.

4. Motion made by Council member Henderson, seconded by Council member Morgan to approve a SUP at 5195 Hwy 278 in the Corridor Mixed-Use (CM) zone to allow for an Automotive Repair and Maintenance/Tire Shop, with conditions recommended by staff:

- A) No outdoor storage

- B) Concrete in front of the door
- C) All maintenance operations to take place inside of the facility

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

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- 5. Motion made by Council member Keck, seconded by Council member Davis to approve participation in a National Opioid Settlement with Teva, Allergan, CVS, Walgreens, and Walmart.

Motion carried unanimously.

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- 6. Motion made by Council member Keck, seconded by Council member Floyd to approve correcting a grammatical error in Human Resources Policy 305 regarding Accruals for Annual Leave for the monthly leave calculation of "Fire".

Motion carried unanimously.

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- 7. Motion made by Council member Floyd, seconded by Council member Keck to approve the hiring of a Telecommunication Tech II position for the Telecommunications Department. This includes a budget amendment resolution increasing the Salary & Related Personnel Costs account by \$35,600.00 and decreasing the Infrastructure account by \$35,600.00 until the end of 2022-2023 fiscal year on June 30, 2023.

Motion carried unanimously.

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- 8. Motion made by Council member Morgan, seconded by Council member Davis to approve appointment of Pamela Maxwell to the Board of Adjustments and Appeals.

Motion carried unanimously.

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- 9. Motion made by Council member Henderson, seconded by Council member Davis to table the discussion of the Warming Shelter expenditures and closing date until after the Newton County Board of Commissioners decide intent on providing further financial assistance from March 1-31, 2023.

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

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Comments from the City Manager:

- Strategic Planning meeting with GMA will be held at Covington Municipal Airport on Wednesday February 22, 2023 from 9:00 AM – 4:00 PM

- Bicentennial time capsule ceremony re-scheduled to 11:00 AM on Friday February 24, 2023 located at flowerbed beside the City Hall building behind drive-thru.

- Appreciation Banquet for Boards and Committees members re-scheduled to Thursday April 13, 2023 from 6:00 PM- 8:00 PM at Legion Field

- Merchants Meeting scheduled for 9:00 AM Thursday March 9, 2023 at Wild Art on the Square

- Merchants Town Hall needs scheduling after March 9, 2023, Council to respond with preferred date and time

- A Work Session needs scheduling to discuss several issues, Council to respond with preferred date and time in either March or April

- Deputy City Manager John King celebrates 50<sup>th</sup> birthday this week

Council member Davis thanked Community Development and Covington Police Department for excellent job at the Legion Field drive-in showing of Selma, and stated she loves the signs along Cricket Frog Trail placed by ICMA Management Fellow displaying historical facts.

Council member Baggett stated she spent time in the woods over the weekend with homeless and stated there is a substantial amount of men in the City of Covington homeless community that arrived from Bibb County/City of Macon after release from prison, from her understanding. Council member Baggett further stated she would like to work together with the City in pulling an open records request with the Georgia Department of Community Affairs to get an understanding how such a large amount of homeless men in the City arrived from Macon and spent time at the Rainbow Homeless Shelter/Warming Shelter.

Mayor Horton announced he will not be running for Mayor during the 2023 election and thanked everyone for the trust instilled in him.

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10. Motion made by Council member Davis, seconded by Council member Morgan to enter into Executive Session at 7:55 PM for the purpose of discussing litigation and land.

Motion carried unanimously.

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11. Motion made by Council member Morgan, seconded by Council member Keck to enter into Regular Session at 8:21 PM.

Motion carried unanimously.

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12. Motion made by Council member Floyd, seconded by Council member Morgan to amend the agenda to add "Discussion of sewer plant capacity."

Motion carried unanimously.

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Water Resources Director Kevin Sorrow discussed the water resource providers in Newton County are partnering to develop a proactive approach to utilizing water resources within Newton County. Mr. Sorrow stated water withdrawal and wastewater discharges impact each other and with Newton County Water Resources Department (NCWR), Newton County Water and Sewerage Authority (NCWSA), and the City of Covington (City) all having different permits, the need to develop a comprehensive Water Resources Planning Document (WRPD) in a collaborative effort vital. Mr. Sorrow further stated GWES and Carter & Sloope will work collaboratively to evaluate water and wastewater system capacities and demands and to provide recommendations with schedules for future upgrades and expansions for planning and budgeting purposes. Mr. Sorrow stated the initial budget total is \$222,000.00, to be split three ways and asked that the City's portion, \$74,000.00, be spread out over two budgets cycles as reimbursement to the NCWSA.

13. Motion made by Council member Morgan, seconded by Council member Keck to approve the City of Covington entering into a Water and Sewer Infrastructure Agreement collaborative with Newton County Water Resources and the Newton County Water and Sewerage Authority to develop a Comprehensive Water Resources document to be prepared by GWES and Carter & Sloope in the amount of \$74,000.00, to be paid over the 2022-2023 and 2023-2024 budget cycles.

Motion carried unanimously.

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14. Motion made by Council member Morgan, seconded by Council member Floyd to amend the agenda to add "Discussion of a Sewer Easement Agreement regarding parcel 0080 060 and contingencies approval."

Motion carried unanimously.

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15. Motion made by Council member Morgan, seconded by Council member Keck to approve entering into Sewer Easement Agreement for parcel 0080 060, with the following contingencies:

- Place sod in disturbed areas
- If fire pit has to be relocated – relocate to suitable area to parcel owner
- Provide residential sewer tap and construction for tie in to house within 5 feet of structure
- Yard and driveway to be left in like condition after construction
- Compensation of \$103,766.00

Motion carried unanimously.

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16. Motion made by Council member Morgan, seconded by Council member Keck to amend the agenda to add "Discussion of sale of abandoned right-of-way on Sunset Dr."

Motion carried unanimously.

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17. Motion made by Council member Morgan, seconded by Council member Davis to approve the sale of abandoned right-of-way on Sunset Dr. as discussed by City Attorney Frank Turner Jr., obtain an updated appraisal of said property, and utilize the sealed bid process for purchase.

Motion carried unanimously.

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18. Motion made by Council member Morgan, seconded by Council member Henderson to amend the agenda to add "Discussion of request to purchase 0.93 acres of property, land parcel C025-7-6, located on 3165 Corley St."

Motion carried unanimously.

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19. Motion made by Council member Davis, seconded by Council member Morgan to approve the sale of 0.93 acres of property, land parcel C025-6-7, located on Corley St., obtain an updated appraisal of said property, and utilize the sealed bid process for purchase.

Motion carried unanimously.

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20. Motion made by Council member Henderson, seconded by Council member Morgan to amend the agenda to add "Discussion of execution of a law suit agreement with US Department of Justice and IRS regarding Case No. 1:23-cv-00158-LMM (N.D. Ga) United States v. James Clayton Newman, Jr. et al."

Motion carried unanimously.

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21. Motion made by Council member Floyd, seconded by Council member Henderson to execute a consent agreement with US Department of Justice and IRS regarding Case No. 1:23-cv-00158-LMM (N.D. Ga) United States v. James Clayton Newman, Jr. et al.

Motion carried unanimously.

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Being no further business meeting adjourned at 8:40 PM.

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Steve Horton, Mayor

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Audra M. Gutierrez, City Clerk