

REGULAR MEETING, MAYOR AND COUNCIL, CITY OF COVINGTON, GEORGIA, COUNCIL ROOM, APRIL 17, 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.

Mayor Horton read a proclamation acknowledging Dr. David Simons, and Mr. Maurice Carter was present to speak on Dr. Simons' contributions to medical science and climate change research. The proclamation is to be presented to Community Development for display at the Welcome Center Saturday April 22, 2023 along with the LIFE magazine featuring Dr. Simons on the cover.

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

Motion carried unanimously.

2. Motion made by Council member Floyd, seconded by Council member Keck to approve **final** reading of a proposed Charter amendment in Section 2.05 and Section 2.11 to provide that the Mayor and Council shall have the power, by ordinance or resolution, to authorize agents of the city to sign contracts, and for other purposes:

“AN ORDINANCE TO AMEND **SECTION 2.05 AND SECTION 2.11** OF THE CHARTER OF THE CITY OF COVINGTON; TO REPEAL ALL OTHER ACTS AND ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.”

Motion carried unanimously.

3. Motion made by Council member Henderson, seconded by Council member Baggett 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 13 OF THE SAID CODE OF ORDINANCES FOR THE PURPOSE OF **AMENDING SECTION 13.40.100 (STORMWATER UTILITY BILLS, PAYMENT, DELINQUENCY AND COLLECTION) OF CHAPTER 13.40 (STORMWATER SYSTEM) THEREOF**, TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”

Motion carried unanimously.

4. Motion made by Council member Keck, seconded by Council member Baggett 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 8 OF THE SAID CODE OF ORDINANCES FOR THE PURPOSE OF **AMENDING SECTION 8.20.040 (EXEMPTIONS) OF CHAPTER 8.20 (NOISE CONTROL) THERETO**, TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”

Motion carried unanimously.

5. Motion made by Council member Keck, 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 12 OF THE SAID CODE OF ORDINANCES FOR THE PURPOSE OF **AMENDING SECTION 12.04.010 (ENCROACHMENTS ON PUBLIC PROPERTY) AND DELETING SECTION 12.04.020 (OBSTRUCTION OF STREETS AND SIDEWALKS PROHIBITED) OF CHAPTER 12.04 (STREETS AND SIDEWALKS GENERALLY) THEREOF**, TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”

Motion carried unanimously.

6. Motion made by Council member Keck, seconded by Council member Henderson to approve **final** reading of an ordinance for the City of Covington, amending two-hour Downtown parking limit to six-hour parking limit:

“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 10 OF THE SAID CODE OF ORDINANCES FOR THE PURPOSE OF **AMENDING SECTION 10.08.020 (PARKING REGULATIONS) AS A PART OF CHAPTER 10.08 (PARKING AND THROUGH TRAFFIC) THEREOF**, TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”

Motion carried unanimously.

7. Motion made by Council member Baggett, seconded by Council member Davis to amend the agenda to add, “Discussion of honorary sidewalk tiles for members of Boards and Committees that serve 20 years or longer.”

Motion carried unanimously.

Ms. Thelma Nolley stated she appreciates the change to the sidewalk ordinance and not requiring a sidewalk by her home. Ms. Nolley stated she appreciates the change to the noise ordinance requiring construction noise to end by a certain time, but the construction going on beside her home is causing a lot of trash and debris all over her neighborhood.

Mr. Greg Shy of 7143 Laseter Street stated two weeks ago a situation in his neighborhood required a call to 911, and involved an unresponsive female. Mr. Shy stated 911 was sent to his house instead of the unresponsive female’s home due to GPS sending them to the wrong address. Mr. Shy stated street and number markings need placing to identify residences. Mr. Shy also stated he assisted public safety with a traffic accident on Hwy 36 recently and it took the ambulance 45 minutes to arrive to the scene. Mr. Shy stated when EMS arrived they did not have proper equipment and had to wait another 45 minutes for another ambulance to arrive. Mr. Shy stated we do not have enough public service workers to take care of the City’s increased population, and the City’s infrastructure is poor. Mr. Shy questioned the City’s emergency evacuation plan during a major catastrophe event on the Square. Mr. Shy requested a town hall meeting to address the City’s current problems. Council member Baggett urged everyone to go to the Newton County BOC, as the EMS contract is between Newton County and Piedmont Newton.

Ms. Joanne Murray of 6000 Clark Street stated she has written Congressman Hank Johnson, Senator Jon Ossoff, Margaret Kaplan (President of the Housing Justice Center), Sharon Henderson of the House of Representatives, and spoke with Council member Henderson regarding the increased rent of seniors at Covington Crossing Senior Living, owned by Dominion. Ms. Murray stated seniors need assistance to stop the rent increases. City Attorney Frank Turner, Jr. stated the DCA in Atlanta administers the rules for senior living facilities.

Council member Keck stated Ms. Murray should contact Senator Brian Strickland.

Mayor Horton instructed the Clerk's office to send Ms. Murray contact information for the Department of Community Affairs.

Mrs. Jennifer Hartman, owner of the Social Goat Tavern and Axe Town on the Square, stated she is in favor of the 90-day trial period for open container in the designated Downtown Entertainment District. Mrs. Hartman stated other nearby towns who allow open container are taking business from Covington. Mrs. Hartman stated her employees take a "TIPS" online course that helps them know how to handle intoxicated customers.

Mrs. Lisa Baker, owner of Woven, spoke in favor of the 90-day trial for open container. Mrs. Baker stated all business owners on the Square she has spoken with want the trial, and Covington can emulate other cities that make this work.

Mr. Wayne Robertson of 8157 Old Monticello Street stated he is opposed to the townhouse project at the Covington Bypass. Mr. Robertson stated there is too much traffic on Hwy 36, and the project will increase crime.

Mrs. Sasha Stone, owner of Lucky Day Tacos and City Pharmacy, stated she is in favor of the resolution regarding a 90-day trial for open container. Mrs. Stone stated her employees receive training on handling intoxicated customers, and believes patrons can handle alcohol consumption responsibly.

Mr. Jerry White stated the driveway in front of the proposed townhomes on the Covington Bypass comes directly in front of the bus barn, and wanted to voice opposition to the project, and gunshots can be heard in the area regularly. Mr. White stated we should want quality over quantity, and there are too many people packed into a small area.

Mayor Horton signed a Certificate of Reappointment for the reappointment of Landis Stephens to the Covington Housing Authority Board for a 5-year term to expire April 30, 2028, and for the Commissioner appointment of Dianna Fladger

to fill the unexpired term of Donald Barthell for 2 years, term expiring April 30, 2025, to the Covington Housing Authority Board. Ms. Fladger is also a resident of the Covington Housing Authority.

Mr. Bill Ross of ROSS + Associates was present and gave a PowerPoint briefing regarding the updates of the Impact Fee Program for the City of Covington.

A public hearing was held at 7:59 PM regarding a request for a SUP by 78 Development Partners, LLC for the 53-unit townhome development located at 10860 Covington Bypass Rd. City Planner Renee Criswell gave a detailed staff report. Mr. Danny Hermann spoke in favor of the SUP request. Mr. Jerry White, Mr. Greg Shy, Mr. Allen Hamilton of 7170 Hwy 36, Mr. Curtis Goss, and Ms. Mattie Goggins spoke against the SUP request.

8. Motion made by Council member Morgan, seconded by Council member Henderson to **table** a SUP request by 78 Development Partners, LLC for the 53-unit townhome development located at 10860 Covington Bypass Rd until the May 15, 2023 Council meeting when an updated traffic study is submitted by the developer.

Council members Floyd, Morgan, and Henderson voting in favor. Council members Davis, Baggett, and Keck voting against. Motion **carried** with Mayor Horton voting in favor, breaking 3-3 tie.

A public hearing was held at 8:47 PM regarding a request for a SUP for an automotive repair shop at 7159 Laseter St. City Planner Renee Criswell gave a detailed staff report. Mr. Greg Shy and Ms. Ashley Russell spoke in favor of the SUP request.

9. Motion made by Council member Morgan, seconded by Council member Henderson to approve a SUP request for an automotive repair shop at 7159 Laseter St, with conditions recommended by staff.

Motion carried unanimously.

10. Motion made by Council member Davis, seconded by Council member Keck to approve the low bid from Ardurra amounting to \$19,579.50 to assist with analysis and preliminary relocation design of utilities for the Hwy 278 CID Phase 1 project.

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| Ardurra | \$19,579.50 |
| Carter and Sloope | \$32,000 |
| GWES | \$49,000 |

Motion carried unanimously.

11. Motion made by Council member Keck, seconded by Council member Henderson to approve a Facility Encroachment Agreement with CSX Transportation Inc., including a \$8,600.00 payment to submit paperwork and obtain a permit in connection with the Eastside Sewerage Improvements.

Motion carried unanimously.

12. Motion made by Council member Keck, seconded by Council member Morgan to approve a MOU with the NCWSA for the joint water relocation GDOT project at Brown Bridge Road and the Yellow River, with a proposed cost of \$322,085.00.

Motion carried unanimously.

13. Motion made by Council member Keck, seconded by Council member Baggett to approve Plan A of the Salary Survey presented by Condrey and Associates, taking effect July 1, 2023.

Motion carried unanimously.

14. Motion made by Council member Floyd, seconded by Council member Keck to approve a Filming Fee Schedule presented by the Community Development Department, including a \$50.00 fee for every CPD vehicle used per day and \$50.00 fee per hour for fire fighters.

Motion carried unanimously.

15. Motion made by Council member Morgan, seconded by Council member Henderson to approve an IGA between Newton County and the City of Covington regarding the County's \$10,000.00 contribution to the Downtown Independence Day fireworks display.

Motion carried unanimously.

A discussion ensued regarding a resolution proposed by the Community Development Department for a 90-day trial period for open container in the designated Downtown Entertainment District. Community Development Director Ken Malcom explained guidelines of the trial including designated cups, signage, wristbands, and area mapping. Mr. Malcom stated the proposed 90-day trial period is May 4, 2023 through July 29, 2023 and only on Thursdays, Fridays, and Saturdays. Mr. Malcom stated a report would be prepared to present at the July 17, 2023 Council meeting to include positive and negative impacts on the community. Mr. Malcom stated he seeks approval of the resolution from the Newton County BOC on April 18, 2023 as the County controls the green space of the Square. Council member Baggett stated liability is a concern, and asked who was responsible if someone was injured. Mr. Malcom stated the merchants were asked if someone had sued in the past for overserving and they responded no one had sued. Mrs. Jennifer Hartman stated merchants are not concerned about liability as measures are in place to ensure safety and protection of establishments. Mayor Horton expressed concerns over the 90-day trial including the established ordinance, parking, days and times of trial, and the long-term impact. Mrs. Barbara Morgan, Chairman of the Downtown Development Authority, stated she is in favor of the 90-day trial and believes it will prove to enhance tourism. Mrs. Sasha Stone stated the establishments are responsible for over service of customers, and whether alcohol consumption is inside or outside is irrelevant. Mayor Horton suggested the trial include only two days of the week, excluding either Friday or Saturday. Council member Davis stated concern of safety measures. Council member Henderson stated he was in favor of the trial period. Ms. Thelma Nolley stated it is not fair to allow the public sidewalks of the Square to have open container but not all public sidewalks in the City. Mrs. Mary Horton stated concerns of lack of moderation with alcohol consumption and the negative effects that brings.

16. Motion made by Council member Keck, seconded by Council member Henderson to approve a resolution regarding a 90-day trial period for open container in the designated Downtown Entertainment District as presented by Community Development and keeping in terms with ordinance.

Motion carried unanimously.

17. Motion made by Council member Morgan, seconded by Council member Davis to approve a MOU between GDOT and City of Covington to include the City's water, sewer, and gas facilities into the Bridge Replacement Project on SR 81 at Dried Indian Creek.

Motion carried unanimously.

A discussion ensued regarding the Archer Aviation project. Mr. Steve Springer of 104 Greene Street, Oxford, GA 30054 spoke against it, stating lack of transparency regarding the manufacturing site and facility, and Ms. Dania Bernard with Archer Aviation reassured manufacturing of the planes by Archer Aviation will not disturb the community negatively, emphasizing noise control of the facility.

18. Motion made by Council member Keck, seconded by Council member Morgan to approve the removal of ALP parcels 14 and 15 (south of BRL) from the Airport Layout Plan.

Motion carried unanimously.

19. Motion made by Council member Morgan, seconded by Council member Davis to approve honorary sidewalk tiles for members of City Boards and Committees that serve 20 years or longer.

Motion carried unanimously.

Council member Keck stated she forwarded information to City Manager Tres Thomas, Police Chief Stacy Cotton, and Deputy City Manager John King regarding complaints of loud mufflers and music, along with drag racing, on Floyd Street.

Council member Davis stated she would like to know information on the developer building a house on Stone Mountain Street. Council member Davis stated she is getting complaints about the debris and mud in the street.

City Manager Tres Thomas stated the Engineering Department checked on the situation and the developer asked for 60 days to complete construction work.

Council member Floyd stated he wanted to thank the City staff that helped make the Boards and Committees Appreciation Banquet a success, and Frank Turner, Sr. was recognized for 53 years of service to the Library Board. Council member Floyd expressed disappointment in Council turnout for the two events, and everyone should watch who is calling you, as he received a strange phone call from someone impersonating his son.

Mayor Horton stated he received an email from Brian Lee of Georgia Trend magazine interested in doing an article called "Our State", and he will send out an update to Council on answers received by staff to review.

Being no further business meeting adjourned at 10:15 PM.

Steve Horton, Mayor

Audra M. Gutierrez, City Clerk