

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

Mayor Steve Horton presided with Mayor Pro-tem Anthony Henderson, Council members: Susie Keck, Charika Davis, Kenneth Morgan, Fleeta Baggett, 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 thanked all veterans who sacrificed of themselves to keep us free, and stated he appreciates their service.

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

Motion carried unanimously.

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2. Motion made by Council member Henderson, seconded by Council member Morgan to move "Public Comments" earlier on the agenda.

Motion carried unanimously.

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Thelma Nolley of 3163 Stone Mountain Street stated there are still two street lights out by the church on Stone Mountain Street and there is nothing for children to do in the City. Ms. Nolley further stated the outsourcing is not good. Ms. Nolley stated she had complaints about City personnel, and the City needs more black management in high paying positions.

Eric Liebendorfer of 3340 Peachtree Road with Crescent Communities stated he would like clarity on the impact fee ordinance and the effect date, as it could add a huge cost to a current project.

Mr. Bill Ross with Ross + Associates stated any building permit issued before the collection of impact fees is grandfathered in and the developer can continue development without paying any impact fees.

Sam Hay of 2141 Emory Street stated he has concerns over the proposed “maximum amount” impact fee schedule. Mr. Hay further stated this would hinder any nice restaurants that may want to come to the City and will eliminate any growth.

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Mr. Bill Ross with Ross + Associates stated the Capital Improvements Element is a precedence needed to adopt impact fees and amends the Comprehensive Plan, adding impact fee projects to the 5-year Short Term Work Program.

3. Motion made by Council member Morgan, seconded by Council member Keck to adopt the Capital Improvements Element, as per the requirements of the Development Impact Fee Compliance Requirements.

Motion carried unanimously.

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4. Motion made by Council member Keck, seconded by Council member Davis to approve **final** reading of an ordinance for the City of Covington, with a start date of January 1, 2024:

*“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 14 OF THE SAID CODE OF ORDINANCES FOR THE PURPOSE OF ADOPTING CHAPTER 14.36 (DEVELOPMENT IMPACT FEES); TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”*

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

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5. Motion made by Council member Davis, seconded by Council member Morgan to remove “Discussion of “CO” parcels outside of City limits” from the agenda.

Motion carried unanimously.

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6. Motion made by Council member Morgan, seconded by Council member Henderson to add “Discussion of the Drinking Water State Revolving Fund (DWSRF) loan” to the agenda.

Motion carried unanimously.

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7. Motion made by Council member Morgan, seconded by Council member Davis to approve a license to sell alcoholic beverages for **on-premises consumption** only for:

<b>Bradley's Bar-B-Que</b>	<b>1160 Church Street</b>
<b>Ichiban Ramen &amp; Sushi Bar</b>	<b>4152 Washington Street, SW</b>
<b>Jim Stalvey's Restaurant</b>	<b>3132 Hwy 278, NE</b>
<b>Tello's Mexican Grill</b>	<b>4139 Hwy 278 NW</b>
<b>Amici Italian Café</b>	<b>1116 College Ave SE</b>
<b>Applebee's Neighborhood Grill &amp; Bar</b>	<b>5176 Hwy 278</b>
<b>Penalties Bar &amp; Grill</b>	<b>10205 Access Rd, Ste A</b>
<b>Ashton Hills Golf Club dba The Village Grille</b>	<b>10400 Covington Bypass</b>
<b>City Pharmacy</b>	<b>1105 Church Street</b>
<b>Five O'Clock Sports Bar &amp; Grill</b>	<b>7191 Turner Lake Rd.</b>
<b>Lucky Day Tacos LLC dba Lucky Day</b>	<b>1113 Floyd Street</b>
<b>El Charro Mexican Restaurant #1 Inc.</b>	<b>3165 Elm Street, NE</b>
<b>El Charro Mexican Restaurant #5 Inc.</b>	<b>9148 DR. MLK JR. Ave.</b>
<b>Chili's Grill &amp; Bar</b>	<b>14480 Paras Drive</b>
<b>Jim N Nick's BBQ</b>	<b>11300 Town Center Dr.</b>

Motion carried unanimously.

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8. Motion made by Council member Morgan, seconded by Council member Davis to approve a license to sell alcoholic beverages for **off-premises consumption** only for:

<b>BP Food Mart</b>	<b>5224 Hwy 278</b>
<b>Covington Food Mart</b>	<b>9123 Hwy 278</b>
<b>Hazelbrand Store, LLC</b>	<b>9225 Hwy 142 N.</b>
<b>La Tampiquena</b>	<b>7134 Hwy 278 NE</b>
<b>Shell Food Mart</b>	<b>8109 Washington Street</b>
<b>Citgo Food Mart</b>	<b>3251 Hwy 278 NW</b>
<b>Food Mart</b>	<b>6155 Hwy 36</b>
<b>Bonds BP</b>	<b>8145 Washington Street</b>
<b>Emory Mart</b>	<b>2117 Emory Street</b>
<b>E-Z Covington Gas and Food Co</b>	<b>10125 Alcovy Road</b>
<b>Wal-Mart #459</b>	<b>10300 Industrial Blvd, NE</b>
<b>Newton Package Shop</b>	<b>9197 Hwy 278</b>
<b>Dollar General Store #7057</b>	<b>7118 Hwy 278 NE</b>
<b>Dollar General Store #85</b>	<b>6185 Hwy 278 NW</b>

**Dollar General Store #11417**

**10734 Hwy 36**

Motion carried unanimously.

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9. Motion made by Council member Morgan, seconded by Council member Davis to approve a license to sell alcoholic beverages for an **Art Shop to allow patrons to bring and consume Beer and/or Wine in limited quantities** only for:

**Wildart LLC**

**1105 Washington Street**

Motion carried unanimously.

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10. Motion made by Council member Morgan, seconded by Council member Davis to approve an application to obtain a license to sell alcoholic beverages for **on-premises ancillary tastings, off-premises consumption** only:

**Regal Beer & Wine Liquor Store  
Publix Super Markets, Inc. #1811**

**12651 Town Center Dr. Ste 109  
12701 Town Center Drive**

Motion carried unanimously.

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11. Motion made by Council member Morgan, seconded by Council member Davis to approve an application to obtain a license to sell alcoholic beverages for **on-premises consumption, ancillary tasting & off-premises consumption** only for:

**Bread and Butter**

**1124 Monticello Street**

Motion carried unanimously.

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12. Motion made by Council member Morgan, seconded by Council member Davis to approve a license to sell alcoholic beverages for **Beer and/or Wine Retail Amenity** only for

**Ridge Avenue**

**1120 Monticello Street, SW**

Motion carried unanimously.

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Planning and Zoning Director Judy Johnson gave a detailed report and recommendations from staff and Planning Commission regarding a rezoning

request at 1139 Usher Street from NR1 (Neighborhood Residential District 1) to TCM (Town Center Mixed-Use). A public hearing was held at 7:09 PM. Brandon Bowen of Jenkins, Bowen, & Walker, P.C. and Cody McNutt of First Baptist Church of Covington were present to speak in favor.

13. Motion made by Council member Morgan, seconded by Council member Henderson to approve a rezoning request at 1139 Usher St from NR1 (Neighborhood Residential District 1) to TCM (Town Center Mixed-Use) with all conditions recommended by staff and to also include restriction of the use of the property going forward to a place of worship and associated ancillary uses.

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

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Planning and Zoning Director Judy Johnson gave a detailed report and recommendations from staff and Planning Commission regarding a moratorium imposed with resolution approved at the September 18, 2023 Council meeting related to several tax parcels, and the possible rezoning/downzoning of said parcels. Ms. Johnson stated the parcels have been broken down to nine groups by staff and Planning Commission in order to be addressed more efficiently. A public hearing was held at 7:38 PM. Bill Norton of 8266 Plantation Trace was present to speak in favor of staff recommendations for parcels listed as "Group 7". Joshua Scoggins with Miles Hansford, LLC at 202 Tribble Gap Road Cumming, GA 30040 was present to speak against staff recommendations for parcels listed as "Group 5b".

14. Motion made by Council member Henderson, seconded by Council member Keck to approve recommendations from the November 14, 2023 Planning Commission meeting and presented by staff for the tax parcels listed as "Group 1" in regards to proposed zoning designations of said parcels.

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

15. Motion made by Council member Davis, seconded by Council member Keck to approve recommendations from the November 14, 2023 Planning Commission meeting and as presented by staff for the tax parcels listed as "Group 2" in regards to proposed zoning designations of said parcels.

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

16. Motion made by Council member Floyd, seconded by Council member Keck to approve recommendations from the November 14, 2023 Planning Commission meeting and as presented by staff for the tax parcels listed as "Group 3" in regards to proposed zoning designations of said parcels.

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

17. Motion made by Council member Keck, seconded by Council member Henderson to approve recommendations from the November 14, 2023 Planning Commission meeting and as presented by staff for the tax parcels listed as "Group 4" in regards to proposed zoning designations of said parcels.

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

18. Motion made by Council member Davis, seconded by Council member Keck to approve recommendations from the November 14, 2023 Planning Commission meeting and as presented by staff for the tax parcels listed as "Group 5a" in regards to proposed zoning designations of said parcels.

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

19. Motion made by Council member Floyd, seconded by Council member Keck to approve recommendations from the November 14, 2023 Planning Commission meeting and as presented by staff for the tax parcels listed as "Group 5b" in regards to proposed zoning designations of said parcels.

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

20. Motion made by Council member Keck, seconded by Council member Henderson to take no action regarding parcels listed as "Group 7" from the November 14, 2023 Planning Commission meeting and as presented by staff in regards to proposed zoning designations of said parcels.

Motion carried unanimously.

21. Motion made by Council member Keck, seconded by Council member Baggett to approve recommendations from the November 14, 2023 Planning Commission meeting and as presented by staff for the tax parcels listed as "Group 8" in regards to proposed zoning designations of said parcels.

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

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22. Motion made by Council member Morgan, seconded by Council member Keck to appoint Leigh A. Knight to the Historic Preservation Commission.

Motion carried unanimously.

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23. Motion made by Council member Davis, seconded by Council member Morgan to appoint LaKisha Clements to the Historic Preservation Commission.

Motion carried unanimously.

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24. Motion made by Council member Baggett, seconded by Council member Henderson to appoint Adam Holcombe to the Planning Commission to fill the unexpired term of Travis Moore, effective January 1, 2024.

Motion carried unanimously.

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25. Motion made by Council member Morgan, seconded by Council member Davis to approve the re-appointment of Callie Carter Whitworth to the Planning Commission.

Motion carried unanimously.

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26. Motion made by Council member Floyd, seconded by Council member Morgan to approve the re-appointment of James M. (Buddy) Adams to the Board of Appeals and Adjustments.

Motion carried unanimously.

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27. Motion made by Council member Keck, seconded by Council member Henderson to approve the lowest bid from ISE (Integrated Science & Engineering) amounting to \$48,050.00 for a Stormwater Fee Analysis and Rate Study.

<b>Stormwater Fee Analysis and Rate Development Cost Proposal Summary</b>			
<b>Firm</b>	<b>Project Cost</b>	<b>Optional Cost for Town Hall Meetings</b>	<b>Total Project Cost</b>
Ardurra	\$126,555.00	\$21,240.00	\$147,795.00
GWES	\$87,000.00	\$5,000.00	\$92,000.00
ISE	\$43,050.00	\$5,000.00	\$48,050.00
Keck + Wood	\$80,365.00	\$10,990.00	\$91,355.00
Raftelis	\$43,460.00	\$6,880.00	\$50,340.00
Willdan	\$49,325.00	\$6,000.00	\$55,325.00

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

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- 28. Motion made by Council member Davis, seconded by Council member Floyd to approve amending the current Eastside Sanitary Sewer Project Agreement with Carter and Sloope to include work through the Wright’s Creek watershed in the amount of \$1,185,700.00.

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

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- 29. Motion made by Council member Morgan, seconded by Council member Henderson to approve entering into an engineering services agreement with Benesch Engineering regarding the new bravo taxiway project at the Covington Municipal Airport. This includes a budget adjustment resolution amounting to \$113,292.00 increasing Airport Fund account 550-7563-52.1204 ENGINEERING SERV by \$113,292.00, and 550-7563-39-1201 OPERATING TRANSFERS IN by \$113,292.00; increasing General Fund account 100-1320-61.1000 TRANSFER OUT by \$113,292.00, and decreasing account 100-1320-51.1100 CONTINGENCIES by \$113,292.00

Motion carried unanimously.

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30. Motion made by Council member Davis, seconded by Council member Keck to approve an Intergovernmental Agreement (IGA) between the City of Covington and the Newton County Solid Waste Management Authority regarding a glass recycling pilot program.

Motion carried unanimously.

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31. Motion made by Council member Morgan, seconded by Council member Keck, to approve a loan agreement and associated documents from the Drinking Water State Revolving Fund (DWSRF) administered by Georgia Environmental Finance Authority (GEFA), in the amount not to exceed \$287,820.00, for lead and copper inventory of City's water system.

Motion carried unanimously.

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Comments from the City Manager:

-Newly elected Council members assume roles January 1, 2024, oath of office required by Mayor or a judge, can coordinate with Mayor for the December 11, 2023 Council meeting

Council member Keck stated she would like to know if we had to start the process regarding impact fees again, and what the next steps were to initiate them as the final reading of the ordinance did not pass.

Mayor Horton stated he is not against impact fees but wanted to make sure everyone understands the ordinance.

Council member Keck stated a special called meeting is needed and requested Council to meet Monday November 27, 2023 to discuss impact fees as well as consider voting on a first reading. Council member Keck further stated she has gotten multiple calls complimenting Planning and Zoning Director Judy Johnson, and wished everyone a Happy Thanksgiving.

Mayor Horton stated there are some Christmas decorations placed along Highway 278 that look festive and add to other parts of the City besides the Square. Mayor Horton wanted to thank the staff that placed the decorations. Mayor Horton stated staff is still working on a building for the warming shelter and Pastor Clara Lett of the homeless shelter stated she was not interested in assisting. Mayor Horton stated the Lighting of the Square went well.

Council member Keck stated Church of the Good Shepherd was highly considering assisting with the warming shelter.

Council member Floyd stated the Christmas tree on the Square looks awesome. Council member Floyd further stated the lights have been on at the Conyers Street gym for a week and asked if they could be turned off. Council member Floyd stated the pond at Academy Springs is stagnant and the Department of Natural Resources stated it needed cleaning out. Council member Floyd stated the dumpster at the American Legion was replaced with two large trashcans, and wanted to know if the trash service would empty them without members having to take them to the street.

Council member Henderson stated he would like to know why streetlights were removed in front of New Life Praise Center.

City Manager Tres Thomas stated the church wanted the lights removed to cut costs, as they were private lights. Mr. Thomas stated he and Electric Director Joel Smith, along with a CPD officer, have looked at the streetlights out at Stone Mountain Street and did not see an issue with poor lighting.

Council member Henderson stated there is an empty field that is very dark by Kingdom Connection on Stone Mountain Street that could be dangerous. Mayor Horton agreed and stated an area at Woodland and Old Monticello Street has poor lighting at night due to a streetlight being out.

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Being no further business meeting adjourned at 9:00 PM.

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Steve Horton, Mayor

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Audra M. Gutierrez, City Clerk