

REGULAR MEETING, MAYOR AND COUNCIL, CITY OF COVINGTON, GEORGIA, COUNCIL ROOM, FEBRUARY 19, 2024, 6:30 PM.

Mayor Fleeta Baggett presided, 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 Pro-tem Susie Keck was absent.

Retired Covington Police Captain and President of the Newton County Ministers Union Willie Davis gave the invocation.

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

1. Motion made by Council member Davis, seconded by Council member Moore to approve the minutes from the Regular Council Meeting held on February 5, 2024.

Motion carried unanimously.

2. Motion made by Council member Rutberg, seconded by Council member Henderson to approve a **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 PROVISIONS OF TITLE 15 OF THE SAID CODE OF ORDINANCES FOR THE PURPOSE OF ADOPTING CHAPTER 15.52 (DEVELOPMENT IMPACT FEES);** TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”

Motion carried with Council members Moore, Davis, Rutberg and Henderson voting in favor. Council member Johnson voting against.

3. Motion made by Council member Moore, seconded by Council member Henderson to approve a **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 6 OF THE SAID CODE OF ORDINANCES (ANIMAL CONTROL) FOR THE PURPOSE OF DELETING ALL CHAPTERS CURRENTLY WITHIN SUCH TITLE AND ADOPTING IN LIEU THEREOF CHAPTER 6.02 (GENERAL), CHAPTER 6.04 (ENFORCEMENT AND PENALTIES), CHAPTER 6.06 (WILD AND EXOTIC ANIMALS), CHAPTER 6.08 (DOMESTIC ANIMALS), CHAPTER 6.10 (VACCINATION), CHAPTER 6.11 (OWNER RESPONSIBILITIES; NUISANCE AND RESTRAINT), CHAPTER 6.12 (DANGEROUS AND VICIOUS DOG CONTROL), CHAPTER 6.14 (CRUELTY, WELFARE AND MANNER OF KEEPING), CHAPTER 6.16 (ANIMAL ESTABLISHMENTS), CHAPTER 6.18 (ANIMAL DRAWN VEHICLES), CHAPTER 6.20 (IMPOUNDMENT AND ADOPTION), CHAPTER 6.22 (QUARANTINE), AND CHAPTER 6.24 (PUBLIC THREAT ANIMALS), TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”

Motion carried unanimously.

4. Motion made by Council member Rutberg, seconded by Council member Henderson to approve a **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 AMEND SECTION 13.08.010 (APPLICATION FOR SERVICE – TERMS OF CONTRACT) OF ARTICLE 1 (GENERALLY) OF CHAPTER 13.08 (ELECTRIC SYSTEM) OF THE SAID CODE OF ORDINANCES**, TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES."

Motion carried unanimously.

A public hearing was held at 6:40 PM regarding Section 16.08.010, Section 16.28.025.E.2.b, Section 16.28.025.F.1.b, Section 16.28.025.F.1.c., Section 16.25.025.A., Section 16.16.020, Section 16.25.025.D., and Section 16.25.025.C as it relates to density definitions and allowable densities in zoning districts.

5. Motion made by Council member Moore, seconded by Council member Davis to approve a **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 PROVISIONS OF TITLE 16 OF THE SAID CODE OF ORDINANCES FOR THE PURPOSE OF AMENDING SECTION 16.08.010, SECTION 16.28.025.E.2.b, SECTION 16.28.025.F.1.b, SECTION 16.28.025.F.1.c., SECTION 16.25.025.A., SECTION 16.16.020, SECTION 16.25.025.D., AND SECTION 16.25.025.C AS IT RELATES TO DENSITY DEFINITIONS, ALLOWABLE DENSITIES IN ZONING DISTRICTS; TO REPEAL CONFLICTING ORDINANCES AND FOR OTHER PURPOSES.”

Motion carried unanimously.

- 6. Motion made by Council member Rutberg, seconded by Council member Henderson to approve changing of the wording of Item 10 on the agenda to state “Discussion of initiating a text amendment to Section 16.12.190, Event Permits which includes further defining what a special event is, increasing the submission timeline to request an event permit, and amending the submission process for all special event permits within the City limits to go to the Community/Tourism and Downtown Development Department excluding alcohol permits which will remain in the Planning Department.”

Motion carried unanimously.

- 7. Motion made by Council member Rutberg, seconded by Council member Henderson to approve changing of the wording of Item 11 on the agenda to state “Discussion of initiating a text amendment to Section 16.08.010 Definitions, Section 16.16.020 Permitted Uses, and Chapter 16.20 Supplemental Use Provisions regarding land uses and outdated code.”

Motion carried unanimously.

Planning and Zoning Director Judy Johnson gave a detailed report and recommendations from staff regarding a request for annexation from Newton County to the City of Covington at 10111 Old Atlanta Hwy of 3.4 acres of a 6.1 acre-tract, tax parcel C062 018, by Tammy Beatty with Metro RV LLC. The request consisted of rezoning to M1 (Light Industrial), and future land use (FLU) classification to IND (Industrial). A public hearing was held at 6:52 PM. Attorney Tommy Craig spoke in favor of the request, stating the RV Park will allow for short-term housing opportunities for transient workforce.

- 8. Motion made by Council member Henderson, seconded by Council member Moore to approve a **first reading for annexation from Newton County to the City of Covington at 10111 Old Atlanta Hwy of 3.4 acres of a 6.1 acre-tract, tax**

parcel C062 018, by Tammy Beatty with Metro RV LLC to include rezoning to M1 (Light Industrial) and a future land use (FLU) classification to IND (Industrial), with staff recommendations, and a variance to the acreage requirement of 16.20.610.C to allow the 6.1 acre tract to be utilized for RV parking.

Motion carried unanimously.

9. Motion made by Council member Rutberg, seconded by Council member Henderson to approve initiating a text amendment to Section 16.12.190 Event Permits. This includes further defining what a special event is, increasing the submission timeline to request an event permit, and amending the submission process for all special event permits within City limits to go through to Community/Tourism and Downtown Development Department (excluding alcohol permits, which will remain in the Planning Department).

Motion carried unanimously.

10. Motion made by Council member Moore, seconded by Council member Davis to approve initiating a text amendment to Section 16.08.010 Definitions, Section 16.16.020 Permitted Uses, and Chapter 16.20 Supplemental Use Provisions regarding land uses and outdated code.

Motion carried unanimously.

11. Motion made by Council member Henderson, seconded by Council member Rutberg to approve the designation of Judge Melanie Bell as Associate Municipal Judge, along with resolution.

Motion carried unanimously.

12. Motion made by Council member Moore, seconded by Council member Rutberg to approve a revision to the final plat in Ashford Park Subdivision for lots 178, 179, 180, and 181 in order to clean up lot lines. This includes a clause that requires owner, Starlight Homes of GA, LLC, to provide the accepted Quit Claim deed to the City prior to release of the revised final plat for recording.

Motion carried unanimously.

13. Motion made by Council member Henderson, seconded by Council member Moore to approve the Floyd Street and East Street Bulb-out Concept.

Motion carried unanimously.

14. Motion made by Council member Davis, seconded by Council member Moore to approve Old Atlanta Highway emergency road and water line protection work performed by Peach State Construction amounting to \$97,278.30, ex post facto.

Motion carried unanimously.

15. Motion made by Council member Davis, seconded by Council member Moore to approve the best bid for a Gibin Model Global 2024 M4 Street Sweeper amounting to \$315,543.00.

Gibin Model Global 2024 M4 Street Sweeper	\$315,543.00
Elgin Broom Bager 2025 Model	\$289,500.00

Motion carried unanimously.

16. Motion made by Council member Moore, seconded by Council member Rutberg, to approve contract agreement for the preliminary design phase of the Turner Lake Road Widening Project with Keck + Wood amounting to \$724,433.58

Motion carried unanimously.

17. Motion made by Council member Davis, seconded by Council member Henderson to approve lowest bid from A & S Paving amounting to \$316,100.00, as recommended by Georgia Water & Environmental Services (GWES), for the removal and replacement of the northern culvert on Brookwood Circle.

A & S Paving- \$316,100.00	Hidson Construction INC- \$649,793.70
Civil Construction and Utility, LLC- \$457,072.50	Lewallen Construction- \$547,834.89
F.S. Scarbrough Civil Contractor- \$454,887.79	Peach State Construction LLC- \$389,250.00
Garney Companies INC- \$647,006.00	Ryde Grading INC- \$570,839.00
Helix Grading and Utility LLC- \$497,550.00	JL Walker DBA SH Creel Contracting LLC- \$487,625.00

Motion carried unanimously.

- 18. Motion made by Council member Rutberg, seconded by Council member Henderson to approve an Amendment Number 1 to the Revocable License Agreement with Georgia Piedmont Technical College – Newton Campus for construction of underground sewer distribution lines.

Motion carried unanimously.

- 19. Motion made by Council member Rutberg, seconded by Council member Davis to approve an Intergovernmental Agreement (IGA) with the City of Oxford regarding their request to de-annex seven parcels (9121 Aaron Drive, 9141 Aaron Drive, 9101 Aaron Drive, 9131 Aaron Drive, 7135 Keegan Court, 7111 Keegan Court, and 7010 Keegan Court) and resolution with intent to construct a park.

Motion carried unanimously.

- 20. Motion made by Council member Davis, seconded by Council member Henderson to approve the nomination of the 2024-2025 GMA District 5 officers:

President- David Keener, Mayor, Social Circle
First Vice President- Eric Joyce, Councilmember, Madison
Second Vice President- Kurt Ward, Mayor, Braselton
Third Vice President- Amanda Willis, Councilmember, Carlton

Motion carried unanimously.

Julie Freeman, owner of @local Coffee House & Study Lounge at 1109 Church Street SE, stated the Historic Downtown Entertainment District open container ordinance has limited her in the selling of hot beverages containing alcohol, which are offered on her menu, allowing patrons to leave her establishment with the beverage. Mrs. Freeman stated the clear plastic cups provided by the City do not hold hot beverages as they begin to melt and bleach chemicals into heated beverages. Mrs. Freeman further stated if she could get a sticker to place on the insulated 16-ounce cups already used by her staff with the City approved logo on it that would help as her business is currently losing sales.

Maurice Carter of 3117 Floyd Street stated he wanted clarification on the final design of the Floyd Street and East Street Bulb out and if it included forcing the bike lanes into road traffic, as he thinks that is dangerous. Mr. Carter further stated visibility is poor at sunset and sunrise over the hill.

Paul Dalton Jr. of 10103 Allen Drive SW stated he just purchased his home and the previous landowner did not do right by the Section 8 criteria. Mr. Dalton further stated the residence is charged for two trashcans and he would like to know how to make the situation better regarding bad HUD property owners.

City Attorney Frank Turner Jr. stated the Georgia Department of Community Affairs is over HUD property owners.

Mayor Baggett stated she will have code enforcement look into this matter.

21. Motion made by Council member Rutberg, seconded by Council member Henderson, to add "Discussion of a **first** reading of an ordinance of the City of Covington to amend Section 5.12.310 allowing the use of City issued stickers on insulated cups for hot beverages to be provided by the Community Development Department" to the agenda.

Motion carried unanimously.

22. Motion made by Council member Rutberg, seconded by Council member Henderson, to approve a **first** reading of an ordinance of the City of Covington to amend Section 5.12.310 allowing the use of City issued stickers on insulated cups for hot beverages to be provided by the Community Development Department.

Motion carried unanimously.

Comments from the City Manager:

- City of Covington is a member of the Municipal Electric Authority of Georgia (MEAG) and Electric Cities of Georgia (ECG) and will offer a MEAG/ECG 101 class on Monday March 18, 2024 at the Covington Municipal Airport

Council member Johnson stated she would like to thank City Manager Tres Thomas in orchestrating the cleanup with the Street Department at the

watershed in Nelson Heights, and congratulated Chief Bradford and the Covington Police Department on the recent drug bust and stolen car recovery.

Council member Davis stated there is a vacant lot on Eberhardt Street that needs cleaning up due to limbs and bushes and would like the City to go and check out.

Council member Rutberg stated the construction fence in front of the burned buildings on the Square are placed far out in the street and he has gotten complaints about it. Council member further Rutberg stated he would like an update on letter to Georgia Department of Transportation (GDOT) regarding a traffic light at the STEM Academy/Covington Bypass intersection. Council member Rutberg stated he wanted an update on the getting the code violation warning blasted on social media to allow citizens to get in compliance.

Public Works Director Lee Harvey stated the Fire Marshall and others involved with the repairs had to get a right-of-way encroachment in order to discourage parking. Mr. Harvey further stated there was a time constraint placed and it is about to expire, and he has worked hard to improve the sight distance for safety purposes. Mr. Harvey stated he will revisit the issue.

City Manager Tres Thomas stated he was under the impression the letter would be sent by Council member Rutberg, and he will prepare immediately.

Mayor Baggett stated she is working on getting the code violation warning blasted on social media to allow citizens to get in compliance.

Council member Davis stated she would like an update on the request made by Mr. Paul Dalton Jr. regarding the two trashcans charged to his residence and the rodent problem.

Council member Moore stated keeping properties cleaned up would help with the rodent problem.

Mayor Baggett stated when the old Sharp Middle School was demolished, rodents relocated throughout the City, and the since the rodents cannot be poisoned, the City is working on trapping them.

Mayor Baggett stated she attended the Black History Month event at Legion Field on Friday, February 16, 2024 and viewed the art exhibit from very talented local students. Mayor Baggett stated she spent time with one of the 8th graders, Nicholas, from Indian Creek Middle School. Mayor Baggett further stated there is a Black History Month parade scheduled on Saturday February 24, 2024 to begin at 10:30 AM and will travel around the Square. Mayor Baggett stated the City celebrated its 32nd Arbor Day last week, and code enforcement will be working

vigilantly on both the east and west sides of the City to address code violations, she plans to attend City court this week at 9:00 AM to observe. Mayor Baggett encouraged all citizens to report all code violations immediately to the City.

Being no further business meeting adjourned at 7:52 PM.

Fleeta Baggett, Mayor

Audra M. Gutierrez, City Clerk