



Newnan City Council Meeting *January 10, 2017 - 2:30 P.M.* **A G E N D A**

CALL TO ORDER – Mayor Keith Brady

INVOCATION

READING OF MINUTES

- I Minutes from Special Called Meeting on December 13, 2016-Public Hearing FY 2017 Budget Tab A

- II Minutes from Regular Meeting on December 13, 2016 Tab B

ELECTION OF MAYOR PRO-TEM

APPOINTMENT OF CITY OFFICIALS

- I Appointments
 - Department Heads
 - City Attorney
 - Municipal Court Judge
 - Municipal Court Judge Pro Tem(s)

REPORTS OF BOARDS AND COMMISSION

- I 2 Appointments – Board of Zoning Appeals – 3 Year Terms – Expires 8/2019 and 8/2018

- II 1 Appointment – Newnan Urban Redevelopment Agency – 3 Year Term - Expires 4/2018

- III 1 Appointment – Housing Authority – 5 Year Term

- IV 3 Appointments – Parks Commission – 3 year Terms

- V 3 Appointments – Planning Commission – 3 Year Terms

- VI 2 Appointments – Tree Commission – 3 Year Terms

REPORTS ON OPERATIONS BY CITY MANAGER

- I Schedule City’s floating holiday for 2017

REPORTS AND COMMUNICATIONS FROM MAYOR

- I Retirement: Deputy Chief Rodney Riggs – Newnan Police Department

NEW BUSINESS

- I **Public Hearing** – Application for Alcohol Beverage License Transfer of Licensee & License Representative – FROM: Linda M. Cimbron TO: Melanie Luker / FROM: Rashawndra Gibson TO: Christopher Garrette – Retail OFF Premise (Package) Sales of Malt Beverages & Wine – Georgia CVS Pharmacy, LLC – 239 Temple Avenue – Reason: Personnel Change Tab C
- II **Public Hearing** – Application for Alcohol Beverage License Transfer of Licensee – FROM: Linda M. Cimbron TO: Melanie Luker – Retail OFF Premise (Package) Sales of Malt Beverages & Wine – Georgia CVS Pharmacy, LLC – 1085 Lower Fayetteville Road – Reason: Personnel Change Tab D
- III **Public Hearing** – Application for Alcohol Beverage License Transfer of Licensee & License Representative – FROM: Linda M. Cimbron TO: Melanie Luker / FROM: Darlene Stevens TO: Velma Garza – Retail OFF Premise (Package) Sales of Malt Beverages & Wine – Georgia CVS Pharmacy, LLC #8907 – 395 Jackson Street – Reason: Personnel Change Tab E
- IV **Public Hearing** – Application for Alcohol Beverage License – Retail OFF Premise (Package) Sales of Malt Beverages & Wine – Paramount Hospitality Management d/b/a Home2 Suites – 4051 McIntosh Parkway – Reason: New Business Tab F
- V **Public Hearing** – Application for Alcohol Beverage License Adding License Representative – Retail OFF Premise (Package) Sales of Malt Beverages & Wine – Paramount Hospitality Management d/b/a Townplace Suites – 4001 McIntosh Parkway – Reason: Personnel Change..... Tab G
- VI **Public Hearing** – Application for Transfer Alcohol Beverage License FROM: Tokyo Japanese Steak House TO: Hover Inc., d/b/a Tokyo Japanese Steak House – Retail ON Premise (Pouring) Sales of Distilled Spirits, Malt Beverages & Wine – 101 Newnan Crossing Bypass – Reason: New Owner..... Tab H
- VII An Ordinance to Provide for the Adoption of a Budget, its Execution and Effect for the Fiscal Year Beginning January 1, 2017 – December 31, 2017..... Tab I
- VIII Resolution to Adopt 2017 Pay Plan..... Tab J

- IX Resolution setting qualifying fees for the November 7, 2017 General Election Tab K

- X Memorandum of Agreement between Coweta County, Georgia and the City of Newnan, Georgia Regarding Local Watershed Planning and Management Tab L

- XI Award of Contract and Project Budget Approval – McIntosh Parkway Roadway Construction Project Tab M

- XII Options and Authorization to purchase Stream Mitigations Credits for McIntosh Parkway Roadway Construction Project Tab N

- XIII Change Order #2 to Howard Warner Redevelopment Project Tab O

- XIV Consideration of Resolution to Request the Enactment of Local Legislation by the General Assembly of the State of Georgia to Create a Community Improvement District Tab P

- XV Approval of a Supplemental Joint Ordinance / Newnan Utilities Private Placement Refunding Bond for Debt Service Savings Tab Q

UNFINISHED BUSINESS

- I 7 Upper Mann Street – Owner to request extension Tab R

- II 121 Pinson Street – Owner to request extension Tab S

- III 136 Ext Spring Street – Owner to request extension Tab T

- IV Status Reports – 29 Wilcoxon Street, 79 Spence Avenue and 286 W. Washington Street Tab U

VISITORS, PETITIONS, COMMUNICATIONS & COMPLAINTS

- I Request from Newnan High School to host their 3rd Annual NHS Student-Vet Connect 5K on the same route used in previous years Tab V

- II MainStreet Requests for street closures and to use sidewalks around the square for 2017 Events Tab W

EXECUTIVE SESSION – LEGAL, PERSONNEL AND REAL ESTATE

ADJOURNMENT

A special meeting of the City Council was held on Tuesday, December 13, 2016 at 6:00 p.m. in the Richard A. Bolin Council Chambers of City Hall with Mayor Keith Brady presiding.

CALL TO ORDER

Mayor Brady called the meeting to order and indicated that the purpose of the meeting was to hold a public hearing for the 2017 budget.

PRESENT

Mayor Keith Brady. Council members present: Ray DuBose; George Alexander; Rhodes Shell; Clayton Hicks; Dustin Koritko and Cynthia Jenkins. Also present were City Manager, Cleatus Phillips; City Clerk, Della Hill, and Assistant City Manager, Hasco Craver. City Attorney, Brad Sears.

PUBLIC HEARING – 2017 BUDGET

Mayor Brady opened a public hearing on the 2017 Budget and asked if anyone present would like to speak on the 2017 Budget to please come forward.

The City Manager presented highlights of some of the aspects of the 2017 Budget totaling \$33,569,654 based on no increase to the current millage rate of 4.05 mils. This document achieves many goals set by the City, it offers excellent levels of service to our citizens, provides our employees with the motivation and resources to excel in their responsibilities, utilizes a diverse revenue stream, and maintains our low tax rate.

Seeing no one come forward Mayor Brady closed the public hearing at 6:20 pm.

Della Hill, City Clerk

Keith Brady, Mayor

The regular meeting of the City Council of the City of Newnan, Georgia was held on Tuesday, December 13, 2016 at 6:30 p.m. in the Richard A. Bolin Council Chambers of City Hall with Mayor Keith Brady presiding.

CALL TO ORDER

Mayor Brady called the meeting to order and delivered the invocation.

PRESENT

Mayor Keith Brady: Council members present: Cynthia E. Jenkins; Ray DuBose; George Alexander; Clayton Hicks; Dustin Koritko and Rhodes Shell. Also present: City Manager, Cleatus Phillips; City Clerk, Della Hill; Planning Director, Tracy Dunnavant; Public Works Director, Michael Klahr; Code Enforcement Officer, Shane Pridgen; Assistant City Manager, Hasco Craver; City Attorney, Brad Sears and Police Chief, Douglas (Buster) Meadows.

MINUTES – REGULAR COUNCIL MEETING – NOVEMBER 22, 2016

Motion by Councilman DuBose, seconded by Councilman Koritko to dispense with the reading of the minutes of the Regular Council meeting for November 22, 2016 and adopt them as presented.

MOTION CARRIED. (7 – 0)

APPOINTMENTS –BOARD OF ZONING APPEALS

Mayor Brady asked the City Manager to place Councilman Hicks and Koritko's appointments on the agenda for the next meeting to the Board of Zoning Appeals.

APPOINTMENT – NEWNAN URBAN REDEVELOPMENT AUTHORITY

Mayor Brady asked the City Manager to place this appointment to the Newnan Urban Redevelopment Authority on the agenda for the next meeting.

APPOINTMENTS – NEWNAN HOUSING AUTHORITY – 5 YEAR TERMS – EXPIRE 01/2018

Mayor Brady nominated Antoine Martin to the Newnan Housing Authority term to expire January 2018 and Mellow Harris term to expire January, 2019.

NEWNAN URBAN REDEVELOPMENT AUTHORITY – PROPOSED HOUSING PROGRAM

The Planning Director informed Council the Newnan Urban Redevelopment Authority has been primarily focused on smaller projects such as paint days, partnering with the

University of West Georgia on the Chalk Level Plan and working with the Heritage School on the Paul Street playground. The Authority feels it is time to take a more active role in addressing housing needs within the community. The Authority would like to propose a program that would address both home ownership and substandard housing within its redevelopment area. The NURA would like to establish a program where they would take existing homes, contract for their renovation and then sell the home as a single-family residence. The proceeds would go into a revolving fund that would be used to purchase and rehab additional homes. To start up this program the Authority is asking the Council to consider loaning them \$75,000 (interest Free) and deeding them the house and property at 100 East Washington Street however there is a house at 67 Lovelace Street that would be a better option. This would allow them to focus on true housing issues while furthering the City's goals of promoting homeownership and addressing substandard housing.

Council was very much in favor of the project.

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Hicks to authorize staff to prepare a budget amendment for 2016 for \$75,000 for the housing program with the Newnan Redevelopment Authority.

MOTION CARRIED. (7 – 0)

PUBLIC HEARINGS – ALCOHOL BEVERAGE LICENSE – HOOTERS OF NEWNAN

Application for the transfer of License Representative - From: Melanee Ray To: Keith Kemmerer for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for HOA Restaurant Holders, LLC d/b/a Hooters of Newnan located at 1001 Bullsboro Drive.

A representative of applicant was present for the hearing.

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – JUNCTION LANES

Application to add License Representative and transfer owners - From: Candace Ciminnisi To: Ryan Huber for Retail On Premise (Pouring) Sales of Malt Beverages and Wine License for Junction Lanes located at 141 Newnan Station Drive.

A representative of applicant was present for the hearing.

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – LA HACIENDA #4 INC

Application for transfer of License Representative – From: Guillermo Pomares To: Jose Jesus Dominguez for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for La Hacienda #4 Inc. located at 941 Bullsboro Drive.

A representative of applicant was present for the hearing.

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – OLIVE GARDEN

Application for transfer of License Representative - From: Undraye Dantoni Fuller Blake To: David C. Wayne for Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for GMRI, Inc. d/b/a The Olive Garden Italian Restaurant #1658 located at 212 Newnan Crossing Bypass.

A representative of applicant was present for the hearing.

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – RED ROBIN

Application for transfer of License Representative – From: Jessica N. Johnson To: Jessica Chase and Licensee – From: Stuart B. Brown To: Terry D. Harryman for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for Red Robin America's Gourmet Burgers and Spirits located at 202 Newnan Crossing Bypass.

A representative of applicant was present for the hearing.

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – RUBY TUESDAY

Application for transfer of License Representative – From: Sonna Wood To: Julia Paz and Licensee – From: James Buettgen To: Rhonda Jean Parish for a Retail On Premise (Pouring) Sales of Distilled Spirits, Malt Beverages and Wine License for Ruby Tuesday located at 1120 Bullsboro Drive.

A representative of applicant was present for the hearing.

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – BJ'S MEMBERSHIP CLUB
#147

Application for the transfer of Licensee - From: Michael T. Wedge To: Kevin Ramminger and adding License Representative: Lorraine Truitt for Retail Off Premise (Package) Sales of Malt Beverages and Wine License for Natick GA Beverage Corp d/b/a BJ's Membership Club #147 located at 331 Newnan Crossing Bypass.

A representative of applicant was present for the hearing.

PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – PUBLIX SUPER MARKETS
INC. #1142 – LOWER FAYETTEVILLE ROAD

Application for the transfer of License Representative - From: David Komestat To: Patrick Jeremy Holloway for a Retail Off Premise (Package) Sales of Malt Beverages and Wine License for Publix Super Markets Inc. #1142 located at 1111 Lower Fayetteville Road.

A representative of applicant was present for the hearing.

**PUBLIC HEARING – ALCOHOL BEVERAGE LICENSE – PUBLIX SUPER MARKETS
INC #470 – 370 BULLSBORO DRIVE**

Application for the transfer of License Representative – From: William Blat To: Tasha Cox for a Retail Off Premise (Package) Sales of Malt Beverages and Wine License for Publix Super Markets Inc. #470 located at 370 Bullsboro Drive.

A representative of applicant was present for the hearing.

**PUBLIC HEARING – ALCOHOL BEVERAGE – TRANSFER OF LICENSE
REPRESENTATIVE – WAL-MART SUPERCENTER**

Application for the transfer of License Representative – From: Stephen Briscuso, Jr. To: Angela Horton for a Retail Off Premise (Package) Sales of Malt Beverages and Wine License for Wal-Mart Supercenter #494 located at 1025 Highway 34 East.

A representative of applicant was present for the hearing.

Mayor Brady opened public hearings on all of the above Alcohol Beverage License applications.

No one spoke for or against the applications. Mayor Brady closed the public hearings.

The City Clerk advised that all of the documentation on each of the above applications had been received and everything was in order.

Motion by Councilman Shell, seconded by Councilman Alexander to approve all of the locations mention above requesting changes on their Alcohol Beverages Licenses.

MOTION CARRIED. (7 – 0)

**INTERGOVERNMENTAL AGREEMENT BETWEEN COWETA COUNTY, GEORGIA
AND THE CITY OF NEWNAN, GEORGIA – RELATING TO SERVICES OF COWETA
COUNTY BOARD OF ELECTIONS**

Motion by Councilman Hicks, seconded by Councilman Alexander to approve the Intergovernmental Agreement between Coweta County, Georgia and the City of Newnan, Georgia relating to services of the Coweta County Board of Elections.

MOTION CARRIED. (7 – 0)

RESOLUTION – CHANGE AND CANCEL CERTAIN SCHEDULED COUNCIL MEETINGS FOR CALANDAR YEAR 2017

Motion by Councilman Hicks, seconded by Mayor Pro Tem Jenkins to adopt a Resolution to Change and Cancel Certain Scheduled Council Meetings for the Calendar Year 2017.

MOTION CARRIED. (7 – 0)

RENEWAL – MUTUAL ASSISTANCE AGREEMENT WITH PEACHTREE CITY POLICE DEPARTMENT – CHANGE IN CHIEF OF POLICE

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Hicks to approve the renewal of the Mutual Assistance Agreement with Peachtree City Police Department.

MOTION CARRIED. (7 – 0)

REQUEST – MAYOR TO SIGN PROPOSAL – PURCHASES TO UPGRADE BODY CAMERAS, REPLACE IN CAR CAMERAS AND REPLACE TASERS

Motion by Councilman Alexander, seconded by Councilman Hicks to approve the request authorizing Mayor Brady to sign the proposal to upgrade the Body Cameras and replace all Tasers and Car Cameras that will be covered by the maintenance plan that will repair or replace the items as needed for \$145,728 annually.

MOTION CARRIED. (7 – 0)

CONSIDER CONTRACT – FEASIBILITY REPORT AND MARKET STUDY - MULTI-SPORT AND RECREATION VENUE IN CITY OF NEWNAN – HUNDEN STRATEGIC PARTNERS

The Assistant City Manager advised Council as we look towards providing outstanding services to meet the desires of a 21st century citizenry, the consideration of a Multi-Sport and Recreation Venue is warranted. Utilizing the findings of a thorough Feasibility Report and Market Analysis will enable decision-makers to provide a thoughtful recommendation as to the likely success of a Multi-Sport and Recreation Venue within the City of Newnan. Staff is recommending that the Council award a contract to Hunden Strategic Partners in the amount of \$47,000 to perform a Feasibility Report and Market Analysis for a Multi-Sport and Recreation Venue.

Motion by Councilman DuBose, seconded by Councilman Alexander to award a contract to Hunden Strategic Partners in the amount of \$47,000 to perform a Feasibility Report and Market Analysis for a Multi-Sport and Recreation Venue.

MOTION CARRIED. (7 – 0)

REZONING REQUEST FROM DAVID EDWARDS ON BEHALF OF REO FUNDING SOLUTIONS III, LLC – REZONE 71.1± ACRES – OFF NEWNAN CROSSING BOULEVARD EAST – MIXTURE OF USES – INFORMATION ONLY

FLEXIBLE SPENDING ACCOUNT AGREEMENT WITH ADMINAMERICA – PROVIDE PLAN FOR EMPLOYEES BEGINNING JANUARY 1, 2017

The City Manager informed Council this is an agreement with AdminAmerica to provide a Medical Flexible Spending plan for employees beginning January 1, 2017. This will provide a way to offer employees a way to pay those expenses with pre-tax dollars.

Motion by Councilman Koritko, seconded by Councilman DuBose to approve the agreement with AdminAmerica to provide a Medical Flexible Spending plan for employees to help with medical expenses with pre-tax dollars through payroll deductions.

MOTION CARRIED. (7 – 0)

MEAG POWER – SALE OF EXCESS RESERVE CAPACITY TO CITY OF NEWNAN ON BEHALF OF THE CITY OF MARIETTA

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Koritko to approve the sale of excess reserve capacity by MEAG Power on behalf of Marietta to the City of Newnan.

MOTION CARRIED. (7 – 0)

INTERGOVERNMENTAL AGREEMENT BETWEEN THE CITY OF NEWNAN AND COWETA COUNTY FOR LINEAR TRAIL MASTER PLAN

The Assistant City Manager stated the Intergovernmental Agreement (IGA) between the City of Newnan and Coweta County for consideration is to amend the professional services agreement between the City of Newnan and PATH Foundation/Kaizen Collaborative to include Coweta County.

Motion by Councilman Alexander, seconded by Councilman Hicks to amend the Intergovernmental Agreement (IGA) between the City of Newnan and PATH Foundation/Kaizen for Development of Trail Master Plan for professional services to include Coweta County.

MOTION CARRIED. (7 – 0)

NEWNAN UTILITIES – ATLANTA GAS LIGHT PIPELINE PROJECT EASEMENTS (AGL) – CORRECTIVE EASEMENTS FOR 229 AND 232 AND NEW EASEMENT FOR 231

Motion by Councilman Hicks, seconded by Mayor Pro Tem Jenkins to approve two corrective easements (229,232) and one new easement (231) as part of the AGL pipeline project that was originally addressed in 2015. Payments should be directed to Newnan Utilities.

MOTION CARRIED. (7 – 0)

STATUS REPORT – 7 UPPER MANN, 29 WILCOXEN, 121 PINSON, 136 SPRING, 286 W WASHINGTON STREETS AND 79 SPENCE AVENUE

The Code Enforcement Officer indicated these properties have been before Council with public hearing.

<u>Property</u>	<u>Owner</u>	<u>Status</u>	<u>Resolution Deadline</u>
7 Upper Mann	Donald Smith	No Progress	01/15/2017
29 Wilcoxin	Wanda Beckom	Progress made	05/07/2017
79 Spence Ave	Andre Sparks	Progress made	01/30/2017
121 Pinson	Marcus Beasley	Progress made	01/15/2017
136 Spring	Willie Clay Estate	No Progress	01/15/2017
286 W. Washington	Irvin Jones Estate	No Progress	03/12/2017

This is for information only. No action is required.

REQUEST – FIRST BAPTIST CHURCH – CLOSE MADISON STREET TO THROUGH TRAFFIC FROM 7:00 AM TO 12:00 PM FOR DISTRIBUTION FROM MOBILE FOOD PANTRY ON JANUARY 27, FEBRUARY 24 AND MARCH 24, 2017

Motion by Mayor Pro Tem Jenkins, seconded by Councilman Hicks to approve the request by First Baptist Church to close Madison Street to through traffic from 7:00 am to 12:00 pm for distribution from Mobile Food Pantry on January 27, February 24 and March 24, 2017.

MOTION CARRIED. (7 – 0)

OFF AGENDA

Leah J. Aird, Summer Point Apartments, stated she has issues and concerns with some of the practices with the Housing Authority. She indicated she left a candle lit unattended on her porch. She has no problem with being told not to leave candles burning. Her problem is with maintenance being able to enter her apartment without her permission while she

APPLICATION FOR ALCOHOL BEVERAGE LICENSE TRANSFER OF LICENSEE & LICENSE REPRESENTATIVE

Name: **GEORGIA CVS PHARMACY, LLC**

Licensee: **From: LINDA M. CIMBRON**
To: MELANIE LUKER

License Representative: **From: RASHAWNDRA GIBSON**
TO: CHRISTOPHER GARRETTE

Type License: **Retail OFF Premise (Package) Sales of Malt Beverages & Wine**

Location: **239 TEMPLE AVENUE**

TO THE CITY COUNCIL: REASON – PERSONNEL CHANGE

(1) The above application with supporting documents and application fee has been filed in the City Clerk's office; reviewed by the appropriate departments of the City and appears to be (complete) (~~incomplete~~). (Sec 3-33)

If incomplete, reasons _____

(2) The citizenship requirements (have) (~~have not~~) been met. (Sec. 3-34)

If not, reasons _____

(3) Residency requirements (have) (~~have not~~) been met. (Sec. 3-35)

If not, reasons _____

(4) The location appears (to comply) (~~not to comply~~) with zoning requirements. (Sec 3-37)

If not, reasons _____

(5) The location of the proposed premises appears (to comply) (~~not to comply~~) with the distance requirements set forth in Sec. 3-39.

If not, reasons _____

(6) All taxes or other debts to the City (are) (~~are not~~) current. (Sec 3-38)

If not, reasons _____

(7) A publisher's affidavit (~~has~~) (has not) been filed showing the notice requirement (~~has~~) (has not) been complied with. (Sec 3-40 (a))

If not, reasons Advertised. Will file affidavit prior to hearing.

(8) An affidavit from the applicant certifying posting of the proposed premises (has) (has not) been filed. (Sec. 3-40(b))

If not, reasons N/A. Transfer

Respectfully submitted,



Della Hill
City Clerk

**APPLICATION FOR ALCOHOL BEVERAGE LICENSE
TRANSFER OF LICENSEE**

Name: **GEORGIA CVS PHARMACY, LLC**

Licensee: **From: LINDA M. CIMBRON
To: MELANIE LUKER**

License Representative: N/A

Type License: **Retail OFF Premise (Package) Sales of Malt Beverages & Wine**

Location: **1085 LOWER FAYETTEVILLE ROAD**

TO THE CITY COUNCIL: REASON – PERSONNEL CHANGE

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(8) An affidavit from the applicant certifying posting of the proposed premises (has) (has not) been filed. (Sec. 3-40(b))

If not, reasons N/A. Transfer

Respectfully submitted,



Della Hill
City Clerk

APPLICATION FOR ALCOHOL BEVERAGE LICENSE TRANSFER OF LICENSEE & LICENSE REPRESENTATIVE

Name: **GEORGIA CVS PHARMACY LLC #8907**

Licensee: **From: LINDA M CIMBRON
To: MELANIE K LUKER**

License Representative: **From: DARLENE STEVENS
To: VELMA GARZA**

Type License: **Retail OFF Premise (Package) Sales of Malt Beverages & Wine**

Location: **395 JACKSON STREET**

TO THE CITY COUNCIL: REASON – PERSONNEL CHANGE

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Application - Beverage License

Page 2

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If not, reasons Advertised. Will file affidavit prior to hearing.

(8) An affidavit from the applicant certifying posting of the proposed premises (has) (has not) been filed. (Sec. 3-40(b))

If not, reasons N/A. Transfer

Respectfully submitted,



Della Hill
City Clerk

APPLICATION FOR ALCOHOL BEVERAGE LICENSE

Name: **PARAMOUNT HOSPITALITY MANAGEMENT d/b/a HOME2 SUITES**

Licensee: **NICK LAKHA**

License Representative: **TONY VENTRY**

Type License: **Retail OFF Premise (Package) Sales of Malt Beverages & Wine**

Location: **4051 MCINTOSH PARKWAY**

TO THE CITY COUNCIL: REASON – NEW BUSINESS

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If not, reasons Advertised. Will file affidavit prior to hearing.

(8) An affidavit from the applicant certifying posting of the proposed premises (~~has~~) (has not) been filed. (Sec. 3-40(b))

If not, reasons _____

Respectfully submitted,



Della Hill
City Clerk

APPLICATION FOR ALCOHOL BEVERAGE LICENSE ADDING LICENSE REPRESENTATIVE

Name: **PARAMOUNT HOSPITALITY MANAGEMENT d/b/a TOWNEPLACE
SUITES**

Licensee: **NICK LAKHA**

License Representative: **KRISTY MALONE**

Type License: **Retail OFF Premise (Package) Sales of Malt Beverages & Wine**

Location: **4001 MCINTOSH PARKWAY**

TO THE CITY COUNCIL: REASON – PERSONNEL CHANGE

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If not, reasons Advertised. Will file affidavit prior to hearing.

(8) An affidavit from the applicant certifying posting of the proposed premises (has) (has not) been filed. (Sec. 3-40(b))

If not, reasons N/A. Transfer

Respectfully submitted,



Della Hill
City Clerk

APPLICATION FOR TRANSFER ALCOHOL BEVERAGE LICENSE

Name: **FROM; TOKYO JAPANESE STEAK HOUSE**
TO: HOVER INC d/b/a TOKYO JAPANESE STEAK HOUSE

Licensee: **XIANG YAN LIN**

License Representative (if required): **N/A**

Type License: **Retail ON Premise (Pouring) Sales of Distilled Spirits, Malt Beverages & Wine**

Location: **101 NEWNAN CROSSING BYPASS**

TO THE CITY COUNCIL: REASON: NEW OWNER

(1) The above application with supporting documents and application fee has been filed in the City Clerk's office; reviewed by the appropriate departments of the City and appears to be (complete) ~~(incomplete)~~. (Sec 3-33)

If incomplete, reasons

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(7) A publisher's affidavit (~~has~~) (has not) been filed showing the notice requirement (~~has~~) (has not) been complied with. (Sec 3-40 (a))

If not, reasons Advertised. Will file affidavit prior to hearing.

(8) An affidavit from the applicant certifying posting of the proposed premises (has) (has not) been filed. (Sec. 3-40(b))

If not, reasons N/A transfer does not apply

Respectfully submitted,


Della Hill
City Clerk

AN ORDINANCE TO PROVIDE FOR THE ADOPTION OF A BUDGET, ITS EXECUTION AND EFFECT FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2017 AND ENDING DECEMBER 31, 2017.

Section I. There is hereby adopted for the fiscal year January 1, 2017 through December 31, 2017, a budget for the City of Newnan, Georgia, based on the budget prepared by the City Manager, as amended by City Council.

Section II. General Fund (100). There is hereby established a General Fund for the City of Newnan with an appropriation of \$22,919,500 for the general operation and legal obligation in 2017.

General Fund revenues for the fiscal year are estimated as follows:

Property Taxes	\$	5,832,500
Sales Taxes		\$6,400,000
Excise (Franchise) Taxes		\$4,140,000
Occp Tax & Alcohol Licenses		\$2,955,000
Inspections & Permits		\$608,000
Service Charges		\$202,250
Fines & Forfeitures		\$542,000
Other Local Revenue		\$346,250
Intergovernmental		\$118,500
Water & Light Transfers		1,500,000
Other Financing Sources		275,000
Total Revenue:	\$	22,919,500

General Fund appropriations shall be disbursed from the following accounts:

General Government	\$	4,146,198
Public Safety		12,696,764
Public Works		3,269,413
Community Development		2,414,104
Other Services		393,021
Total Expenditures:	\$	22,919,500

Section III. Street Improvement Fund (200). There is hereby established a Street Improvement Fund for the City of Newnan with an appropriation of \$350,000 for street improvements.

Revenues for the Street Improvement Fund consist of the following sources:

Street Improvements	\$	35,000
Interest Earnings		1,250
Transfer From General Fund		225,000
Fund Balance Reserves		88,750
Total Revenue:	\$	<u>350,000</u>

The following disbursements are authorized for the fiscal year:

Major Streets Maintenance	\$	350,000
Total Expenditures:	\$	<u>350,000</u>

Section IV. LMIG Fund (201). There is hereby established an LMIG Fund for the City of Newnan with an appropriation of \$355,516 for street improvements.

Revenues for this fund consist of the following sources:

State DOT Contracts	\$	355,516
Interest Earnings		1,000
Fund Balance Reserves		(1,000)
Total Revenue:	\$	<u>355,516</u>

The following disbursements are authorized for the fiscal year:

Major Street Repairs	\$	355,516
Total Expenditures:	\$	<u>355,516</u>

Section V. Confiscated Assets Fund (210). There is hereby established a Confiscated Assets Fund for the City of Newnan with an appropriation of \$157,000 for Public Safety operations. This fund consists of confiscated and condemned funds released by the Superior Court for police department purchases.

Revenues for this fund consist of the following sources:

Court Condemnations	\$	105,000
Interest Earnings		530
Fund Balance Reserves		51,470
Total Revenue:	\$	157,000

The following disbursements are authorized for the fiscal year:

Other Seizures Expenditures	\$	7,000
Dept. of Justice Expenditures		35,000
Dept. of Treasury Expenditures		115,000
Total Expenditures:	\$	157,000

Section VI. NSP1 Grant Fund (221). There is hereby established a NSP1 Grant Fund for the City of Newnan with an appropriation of \$82,040. This fund is utilized to account for a Neighborhood Stabilization Program grant received by the City from the Georgia Department of Community Affairs to purchase and rehabilitate housing for low income recipients who meet the eligibility guidelines for assistance. Newnan Housing Authority (HAN) and Newnan-Coweta Habitat for Humanity (NCHFH) are the sub-recipients of the grant.

Revenues for this fund consist of the following sources:

Program Income	\$	80,000
Grant Funds		2,000
Interest Earnings		40
Total Revenue:	\$	82,040

The following disbursements are authorized for the fiscal year:

Program Expenses	\$	82,040
Total Expenditures:	\$	82,040

Section VII. NSP3 Grant Fund (222). There is hereby established a NSP3 Grant Fund for the City of Newnan with an appropriation of \$90,000. This fund is utilized to account for a Neighborhood Stabilization Program grant received by the City from the Georgia Department of Community Affairs to purchase and rehabilitate housing for low income recipients who meet the eligibility guidelines for assistance. Newnan Housing Authority (HAN) is the sub-recipient of the grant.

Revenues for this fund consist of the following sources:

Program Income	\$	90,000
Total Revenue:	\$	90,000

The following disbursements are authorized for the fiscal year:

Program Expenses	\$	90,000
Total Expenditures:	\$	90,000

Section VIII. Miscellaneous Grants Fund (240). There is hereby established a Miscellaneous Grants Fund for the City of Newnan with an appropriation of \$77,500. This fund is utilized for grants received by the city from local vendors, DCA and other agencies to fund specific expenditures as required.

Revenues for this fund consist of the following sources:

Grant Funds	\$	77,500
Total Revenue:	\$	77,500

The following disbursements are authorized for the fiscal year:

Materials and Supplies	\$	1,000
Protective Equipment		1,500
Professional Services		75,000
Total Expenditures:	\$	77,500

Section IX. Hotel/Motel Tourism Fund (275). There is hereby established a Hotel/Motel Tourism Fund for the City of Newnan with an appropriation of \$502,800 for Tourism Enhancement activities.

Revenues for this fund consist of the following sources:

Hotel/Motel Tax	\$	500,000
Interest Earnings		600
Fund Balance Reserves		2,200
Total Revenue:	\$	502,800

The following disbursements from the Hotel/Motel Tourism Fund are authorized for the fiscal year:

Natural Gas	\$ 2,800
Transfer to General Fund	250,000
Transfer to Newnan Centre	250,000
Total Expenditures:	<u>\$ 502,800</u>

Section X. Motor Vehicle Rental Excise Tax Fund (280). There is hereby established a Motor Vehicle Rental Excise Tax Fund for the City of Newnan with an appropriation of \$85,000 for Convention Center activities.

Revenues for this fund consist of the following sources:

Excise Tax	\$ 85,000
Interest Earnings	150
Fund Balance Reserves	(150)
Total Revenue:	<u>\$ 85,000</u>

The following disbursements are authorized for the fiscal year:

Transfer to Newnan Centre	\$ 85,000
Total Expenditures:	<u>\$ 85,000</u>

Section XI. Special Purpose Local Option Sales Tax Funds (322 and 323). There is hereby established two Special Purpose Local Option Sales Tax Funds for the City of Newnan.

The first fund, **SPLOST 2007**, was established in 2007 and expired at the end of 2012. This year's budget includes an appropriation of \$2,633,443 for capital projects.

Revenues for this fund consist of the following sources:

Fund Balance Reserves	\$ 2,628,943
Interest Earnings	4,500
Total Revenue:	<u>\$ 2,633,443</u>

The following disbursements are authorized for the fiscal year:

Streets	\$ 2,533,443
Building Maintenance/Structure	100,000
Total Expenditures:	<u>\$ 2,633,443</u>

The second fund, **SPLOST 2013**, was established in 2013 and will expire in 2018. This year's budget includes an appropriation of \$4,613,313 for capital projects, transfer to Water and Light Commission.

Revenues for this fund consist of the following sources:

SPLOST 2013 Receipts	\$	5,500,000
Interest Earnings		6,500
Fund Balance Reserves		(893,187)
Total Revenue:	\$	4,613,313

The following disbursements are authorized for the fiscal year:

Network Improvements	\$	53,179
Parks and Recreation		1,269,710
Streets, Drainage & Sidewalks		2,274,000
Sign Upgrades		25,000
Public Works Equipment		111,424
Transfer to W & L		880,000
Total Expenditures:	\$	4,613,313

Section XII. Impact Fees (375). There is hereby established an Impact Fees Fund for the City of Newnan with an appropriation of \$1,203,800. In 2004, the City established an impact fee program with funds to be paid into the fund for four major areas of development: Roads and bridges, Fire, Police and Parks.

Revenues for this fund consist of the following sources:

Roads/Streets/Bridges	\$	95,000
Fire Services		120,000
Parks/Recreation		250,000
Interest Earnings		4,763
Fund Balance Reserves		734,037
Total Revenue:	\$	1,203,800

The following disbursements are authorized for the fiscal year:

Roads/Streets/Bridges	\$	200,000
Fire Services		0
Parks/Recreation		1,000,000
Police		3,800
Total Expenditures:	\$	1,203,800

Section XIII. Sanitation Fund (540). There is hereby established a Sanitation Fund for the City of Newnan with an appropriation of \$499,742. In 2004, the City privatized its sanitation services. During the renewal of the Sanitation Agreement in 2013, Council voted to resume handling the brush and bulk portion of the services for City residents. Waste Industries will continue to handle trash and recycling.

Revenues for this fund consist of the following sources:

Yard Debris & Bulk Collections	\$	550,000
Interest Earnings		1,750
Fund Balance Reserves		(52,008)
Total Revenue:	\$	<u>499,742</u>

The following disbursements are authorized for the fiscal year:

Wages & Benefits	\$	277,018
Operations		222,724
Capital		0
Total Expenditures:	\$	<u>499,742</u>

Section XIV. All revenue received by the City of Newnan from sources not restricted by law to expenditure for specified purposes may be used in meeting disbursements in Section II. Should the revenue received from such sources exceed the amount estimated, such excess shall be allocated to the General Fund subject to further action by City Council. The total disbursements in any fund shall not exceed the amount appropriated for that fund, including any available fund balances.

Done Ratified, and Passed by the City Council of the City of Newnan, Georgia, in regular session assembled this tenth (10) day of January 2017.

Attest:

Della Hill, City Clerk

L. Keith Brady, Mayor

Reviewed:

Cynthia E. Jenkins, Mayor Pro Tem

C. Bradford Sears, Jr., City Attorney

Ray F. Dubose, Council Member

Clayton W. Hicks, Council Member

Cleatus W. Phillips, City Manager

George M. Alexander, Council Member

Rhodes H. Shell, Council Member

Dustin K. Koritko, Council Member

RESOLUTION TO ADOPT 2017 PAY PLAN

WHEREAS, the City of Newnan has a formal classification and compensation plan to provide an equitable basis for assigning pay rates for all employees; and

WHEREAS, the *Classification and Compensation Plan* is annually reviewed and updated to reflect changes in classifications and pay grade assignments; and

WHEREAS, the *Classification and Compensation Plan* has been drafted to adjust all pay grades by 2% and also provide for a pay increase of 3% to current employees; and

WHEREAS, funds have been provided in the 2017 budget for the *Classification and Compensation Plan* as presented;

NOW, THEREFORE, BE IT RESOLVED, that the 2017 *Pay Plan* which is attached hereto is adopted by the City Council this 10th day of January 2017 and is effective beginning January 12, 2017.

DONE, RATIFIED AND PASSED by the City Council of the City of Newnan, Georgia, this 10th day of January 2017 in regular session assembled.

Attest:

Della Hill, City Clerk

Keith Brady, Mayor

Cynthia E. Jenkins, Mayor Pro Tem

Witness:

George M. Alexander, Councilman

C. Bradford Sears, Jr., City Attorney

Rhodes H. Shell, Councilman

Cleatus W. Phillips, City Manager

Ray DuBose, Councilman

Clayton W. Hicks, Councilman

Dustin Koritko, Councilman

**CITY OF NEWNAN, GEORGIA
GENERAL EMPLOYEES
2017 SALARY RANGES BASED ON GRADE
Effective January 12, 2017**

Grade	Classification Code	Classification Title	Exempt (E) Non-exempt (N)	Minimum	Maximum
1				\$ 18,394.52	\$ 28,514.30
2				\$ 19,490.49	\$ 30,232.80
3				\$ 20,675.32	\$ 32,036.16
4				\$ 21,919.39	\$ 33,966.82
5	4024 9005	Police Recruit Reference Assistant	N N	\$ 23,222.71	\$ 36,003.55
6	4018 2303	Crossing Guard Park Attendant	N N	\$ 24,614.88	\$ 38,167.58
7	6102 9002 6904 6805 6003	Beautification Worker Carnegie Asst - Reference Cemetery Maintenance Worker Mechanic Assistant Street Maintenance Worker	N N N N N	\$ 26,095.92	\$ 40,458.91
8	9003 9004	Sr. Carnegie Asst - Adult Programs Sr. Carnegie Asst - Youth Programs	N N	\$ 27,665.83	\$ 42,877.54
9	5010 7003 4016 6703 1401	Administrative Assistant - Fire Administrative Assistant - Plan & Zoning Administrative Assistant - Police Administrative Assistant - Public Wks Municipal Court Clerk	N N N N N	\$ 29,324.59	\$ 45,465.89
10	1306 6103 6903 4014 7107 6502 6002 6004	Accounting Technician Beautification Crew Leader Cemetery Equipment Operator Inmate Crew Supervisor Permit Technician Sanitation Equipment Operator Senior Street Maintenance Worker Street Maintenance/Concrete Finisher	N N N N N N N N	\$ 31,072.22	\$ 48,181.54

**CITY OF NEWNAN, GEORGIA
GENERAL EMPLOYEES
2017 SALARY RANGES BASED ON GRADE
Effective January 12, 2017**

Grade	Classification Code	Classification Title	Exempt (E) Non-exempt (N)	Minimum	Maximum
11	4022	Animal Control Officer	N	\$ 32,938.33	\$ 51,066.91
	4015	Communications Operator	N		
	6804	Fleet Coordinator	N		
	4017	Parking Enforcement Officer	N		
	2002	Personnel Specialist	N		
	8001	Spec Event Coord	N		
12	6803	Automotive Mechanic	N	\$ 34,922.92	\$ 54,143.23
	2203	Erosion Control Inspector	N		
	2302	Facilities Maintenance Technician	N		
	5009	Firefighter	N		
	4013	Police Officer	N		
	4023	School Resource Officer	N		
	1305	Sr. Accounting Technician	N		
	5008	Firefighter/EMT	N		
	8005	KNB Director	N		
	4023	Community Resource Officer	N		
13	4012	Crime Scent Investigation Tech	N	\$ 37,026.00	\$ 57,389.28
	4019	Master Police Officer	N		
14	1304	Accounting Specialist	N	\$ 39,247.56	\$ 60,826.27
	7106	Building Inspector	N		
	7105	Code Enforcement Officer	N		
	4025	Community Resource Corporal	N		
	4011	Investigator	N		
	4009	Police Accred Coordinator	N		
	4008	Police Corporal	N		
	4020	School Resource Corporal	N		
15	6902	Cemetery Maint Supervisor	N	\$ 41,587.60	\$ 64,475.42
	4010	Communications Sergeant	N		
	4026	Community Crime Prevention Coordinator	N		
	1103	Executive Admin Assist to the City Manager	N		
	2102	Information Tech Systems Analyst	N		
	6802	Lead Mechanic	N		
	6501	Sanitation Supervisor	N		
	6001	Street Maint Supervisor	N		

**CITY OF NEWNAN, GEORGIA
GENERAL EMPLOYEES
2017 SALARY RANGES BASED ON GRADE
Effective January 12, 2017**

Grade	Classification Code	Classification Title	Exempt (E) Non-exempt (N)	Minimum	Maximum
16	1303	Accountant	N	\$ 44,105.37	\$ 68,357.95
	4007	Detective	N		
	2202	Engineering Field Inspector	N		
	2304	Senior Facilities Maint Technician	N		
	5006	Fire Lieutenant	N		
	4006	Police Sergeant	N		
	4021	School Resources Sergeant	N		
	7104	Senior Building Inspector	N		
17	2103	IT Senior Systems Analyst	N	\$ 46,741.62	\$ 72,452.64
	7103	Plans Examiner	N		
	8002	Main Street Manager	N		
18	6104	Beautification Supervisor	N	\$ 49,555.60	\$ 76,801.92
	6901	Cemetery Superintendent	E		
	1102	City Clerk	E		
	4004	Detective Lieutenant	N		
	7002	Planner	E		
	4005	Police Lieutenant	N		
	4003	Police Training Lieutenant	N		
	1105	Public Information Officer	E		
19	5005	Fire Captain	N	\$ 52,517.68	\$ 81,405.79
	5004	Fire Marshal	N		
	5003	Fire Training Captain	N		
	7004	GIS Analyst II	N		
20	9001	Carnegie Director	E	\$ 55,657.48	\$ 86,285.47
	7102	Deputy Building Official	N		
	6702	Deputy Public Works Director	E		
	2301	Facilities Maintenance Director	E		
21	1302	Assistant Finance Director	E	\$ 59,004.63	\$ 91,462.18
	2201	Civil Engineer	E		
	5002	Fire Battalion Chief	N		
	1104	Program Manager	E		

**CITY OF NEWNAN, GEORGIA
GENERAL EMPLOYEES
2017 SALARY RANGES BASED ON GRADE**
Effective January 12, 2017

Grade	Classification Code	Classification Title	Exempt (E) Non-exempt (N)	Minimum	Maximum
22	8003	Business Development Director	E	\$ 62,559.13	\$ 96,957.12
	4002	Deputy Chief of Police	E		
	6101	Landscape Architect	E		
23	7101	Chief Building Official	E	\$ 66,291.35	\$ 102,770.30
	2101	Information Technology Director	E		
	2001	Human Resources Director	E		
	7001	Planning and Zoning Director	E		
24				\$ 70,290.16	\$ 108,944.16
25	4001	Chief of Police	E	\$ 74,496.31	\$ 115,478.69
	5001	Fire Chief	E		
	1301	Finance Director	E		
	6701	Public Works Director	E	\$ 78,969.05	\$ 122,395.10
26					
27	1106	Assistant City Manager		\$ 83,708.38	\$ 129,757.06
28				\$ 88,743.92	\$ 137,543.33
29				\$ 94,046.04	\$ 145,775.14
30				\$97,748.64	\$151,507.20

*Annual Salary Based on 2,080 Hours Per Year (2904 Hours for Fire)

**RESOLUTION SETTING QUALIFYING FEES FOR
THE NOVEMBER 7, 2017 GENERAL ELECTION**

WHEREAS, the Charter of the City of Newnan provides for a General Election to be held on the first Tuesday following the first Monday in November, 2017, to elect a Mayor for the City of Newnan and to elect Councilmembers for election district Two Post A and election district Two Post B for the City of Newnan, said date being November 7, 2017; and

WHEREAS, Section 21-2-131 of the Official Code of Georgia Annotated provides for the governing authority to set the qualifying fees for candidates for said offices before February 1, 2017.

THEREFORE, BE IT RESOLVED that the fee for qualifying for election for the Mayor shall be Three Hundred Dollars (\$300.00) and Councilmembers for election district Two Post A for a two year term and election district Two Post B for a four year term for the City of Newnan shall be One Hundred Sixty Five Dollars (\$165.00).

IT IS SO RESOLVED this 10th day of January, 2017.

ATTEST:

Della Hill, City Clerk

Reviewed:

C. Bradford Sears, Jr., City Attorney

Cleatus Phillips, City Manager

L. Keith Brady, Mayor

Cynthia E. Jenkins, Mayor Pro-Tem

George M. Alexander, Councilmember

Rhodes Shell, Councilmember

Ray DuBose, Councilmember

Clayton Hicks, Councilmember

Dustin Koritko, Councilmember



COWETA COUNTY
BOARD OF COMMISSIONERS

Chairman Tim Lassetter, District 2
Paul Poole, District 1
Bob Blackburn, District 3
Rodney Brooks, District 4
Al Smith, District 5
Michael D. Fouts, County Administrator

Mayor Keith Brady
City Manager Cleatus Phillips
City of Newnan
P.O. Box 1193
Newnan, Georgia 30264

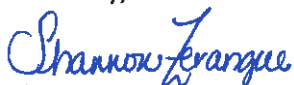
Re: MOA Regarding Watershed Planning and Management

Gentlemen:

As you are aware, the existing Memorandum of Agreement Regarding Local Watershed Planning and Management expires on December 31, 2016. Although the terms of the agreement allow for automatic renewal for an additional four (4) years, several of the local jurisdictions previously executed the same agreement with no provision for automatic renewal. In an effort to ensure that all of these agreements contain the same expiration dates and renewal provisions, the Board voted to renew the MOAs at their meeting held on December 20, 2016. I have enclosed two (2) originals for your approval and signature. Upon completion, please retain one (1) for your records and return one (1) fully executed original to my attention.

If you should have any questions, please do not hesitate to contact our office at 770.254.2601.

Sincerely,


Shannon Zerangue
County Clerk

**STATE OF GEORGIA
COUNTY OF COWETA**

**MEMORANDUM OF AGREEMENT
BETWEEN COWETA COUNTY, GEORGIA AND
THE CITY OF NEWNAN, GEORGIA REGARDING LOCAL
WATERSHED PLANNING AND MANAGEMENT**

WHEREAS, effective local watershed planning and management cannot take place without full participation of government entities and other entities and stakeholders within and surrounding Coweta County; and

WHEREAS, Coweta County, Georgia and the City of Newnan, Georgia are committed to responsible watershed planning and management within and around Coweta County; and

WHEREAS, the State of Georgia mandates that local governments enter into memorandums of agreement for watershed planning and management purposes.

NOW, THEREFORE, in consideration of the mutual promises and benefits flowing from one to the other pursuant to this Agreement, the Coweta County, Georgia (“County”) and the City of Newnan, Georgia (“City”), referred to individually as “Party” or collectively as “Parties, hereby agree as follows:

I. PURPOSE.

The purposes of this memorandum are to promote and improve local government cooperation, facilitate increased communication, and establish an efficient and effective process for meeting the requirements and reporting of findings to the Georgia Environmental Protection Division (GAEPD) and the Metropolitan North Georgia Water Planning District (MNGWPD), as it pertains to local watershed planning and management.

This agreement provides for reciprocal rights for exchange of information between the County and the City of data, assessments, studies, analyses, and other resources and capabilities which impact or influences development, design, manufacture, test, and deployment of the respective Party’s assets as well as organizational performance.

The County and the City have specific, unique, and mutually beneficial resources that can be shared to further their individual program efforts and further the program efforts of neighboring communities.

Accordingly, this Memorandum of Agreement (“MOA”) establishes:

- a) Participant responsibilities for information exchange and coordination of activities,

- b) Level of participation for the participating Parties, and
- c) Liaison points of contact for each Party.

II. AUTHORITY.

The County and the City have authority to enter into this MOA pursuant to powers vested to each Party by the General Assembly of the State of Georgia and the Constitution of the State of Georgia, including by not limited to, Article 9, § 3, ¶ 1.

III. GOVERNMENTS' SCOPE OF WORK & RESPONSIBILITIES

A. Duties of County within the jurisdictional boundaries of Coweta County:

The County agrees to perform the following duties in accordance with this MOA:

- (1) Act as the Lead Agency for the purposes of convening the local governments concerning this MOA and any/all data taken or developed in support of this MOA, and administering the County aerial photography and digital topography data.
- (2) Provide the applicable data warehousing, data management and annual or as needed report production on all efforts undertaken in support of this MOA to all participating organizations.
- (3) Provide technical and in-filed support and assistance to all participating organizations in support of this MOA.
- (4) Assume responsibility for one long-term ambient trend monitoring station per guidelines stated in the District Standards and Methodologies for Surface Water Quality Monitoring handbook (March 2007).
- (5) Conduct monitoring for TMDL implementation and delisting based on the prioritized list developed by Coweta County Development and Engineering Department per guidelines stated in the District Standards and Methodologies for Surface Water Quality Monitoring handbook (March 2007).
- (6) Conduct biological/habitat sampling on 3 HUC-12 watersheds annually per guidelines stated in the District Standards and Methodologies for Surface Water Quality Monitoring handbook (March 2007).

B. Duties of City within the jurisdictional boundaries of the City:

The City agrees to perform the following duties in accordance with this MOA:

- (1) Assume responsibility for one long-term ambient trend monitoring station per guidelines stated in the District Standards and Methodologies for Surface Water Quality Monitoring handbook (March 2007).
- (2) Conduct monitoring for TMDL implementation and delisting based on the prioritized list of streams developed by Coweta County Development and Engineering Department per guidelines stated in the District Standards and Methodologies for Surface Water Quality Monitoring handbook (March 2007).
- (3) Conduct biological/habitat sampling on at least 1 of the following HUC-12 watersheds annually: 031300020403, 031300050301, 031300050302, 031300020503, 031300020502 per guidelines stated in the District Standards and Methodologies for Surface Water Quality Monitoring handbook (March 2007).
- (4) All data should be provided to the Coweta County Development and Engineering Department in an agreed-upon format.

IV. ANNUAL REVIEW

Each year a review of this Memorandum of Agreement will be conducted between the Parties. The Parties intend these reviews to take place one quarter prior to the beginning of the new fiscal year. The purposes of the review will be to:

- a) Reaffirm organizational commitment to this Memorandum of Agreement
- b) Review the previous year's actual participation and share any mutually agreed upon and accepted revisions.

V. TERM

This agreement shall commence upon execution by both Parties and shall terminate December 31, 2020, but shall be automatically renewed for four (4) additional one year terms unless terminated by either Party by written notice given on or before December 31 of the preceding year.

VI. MODIFICATION

This Memorandum of Agreement may be modified or amended only by subsequent written document, signed by representatives of all signatories, expressly stating the intention to amend this Memorandum of Agreement.

VII. ACKNOWLEDGEMENT OF LEGAL RIGHTS AND INTERESTS.

The process and programs described in this Memorandum of Agreement are intended to result in the cooperative planning and management of watersheds on a local scale. The Parties agree that participation in the planning and management of any local watersheds shall not abrogate the legal rights or reserved interests of any member, except where an obligation has been accepted in writing pursuant to this Memorandum of Agreement or any other previously signed Agreement(s).

VIII. GENERAL PROVISIONS.

a) The validity, interpretation and performance of this agreement and each of the promises and covenants set forth herein shall be governed by and interpreted and constructed in all respects under the laws of the State of Georgia.

b) This agreement may be amended or modified only by written instruments signed by authorized representatives of each party hereto.

c) This agreement constitutes, the full and complete agreement between the parties hereto as to the subject matter hereof. All promises, representations, terms, conditions, agreements or other understandings, either verbal or written, related to the subjects addressed in this agreement are hereby merged into and are set forth in this agreement.

d) If any of this agreement is held to be unenforceable by any court for any reason, the balance of this agreement shall continue in full force and effect and bind the parties hereto.

IX. EFFECTIVE DATE

This Memorandum of Agreement shall become effective and commence upon execution of the Memorandum of Agreement by the initiating Government Parties.

IN WITNESS WHEREOF, the parties hereto have made and entered this agreement the dated and year first above written.

CITY OF NEWNAN, GEORGIA

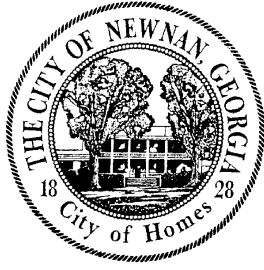
COWETA COUNTY, GEORGIA

By: _____
Mayor

By: Jim Lassiter
Chairman

Attest: _____
Clerk

Attest: Shannon Lerangue
Clerk



City of Newnan, Georgia - Mayor and Council

Date: January 10, 2017

Agenda Item: Award of Contract and Project Budget Approval-
McIntosh Parkway Roadway Construction Project

Prepared by: Michael Klahr, Public Works Director/ City Engineer

Purpose: To present the evaluation of bids received for the above referenced project and to consider a contract award for construction

Background: Separate sealed bids for the construction of the *McIntosh Parkway Roadway Construction Project* were received by the City of Newnan at the Office of the City Manager, December 16, 2016, and then at said office publically opened and read aloud.

This project consists of the construction of a connector roadway from East Washington Street to McIntosh Parkway. The proposed roadway is to be a two-lane road from Farmers Street to Greison Trail and a four-lane road from Greison Trail to the east terminus. The intersection with Greison Trail is to be a roundabout.

The project consists of approximately 0.4 miles of existing roadway widening/reconstruction and one mile new roadway construction.

Utility construction is included and will be managed by the City under this contract. It is proposed that Newnan Utilities will reimburse the City for any and all expenses associated with utility construction and an inter-governmental agreement will be forthcoming.

Time for Performance: substantial completion, 640 days (workdays) from *Notice to Proceed*.

The Engineer's opinion on the cost of construction, including utilities, is \$8,255,579.00.

Six (6) bids were received. The low bid submitted by Southeastern Site Development, Inc., \$6,145,998.18, was found to be responsive.

In addition to reviewing the contract for the construction of the McIntosh Parkway Roadway Project, City staff is presenting a project budget for review and consideration.

The following table represents the original estimated project budget as included in the Georgia Transportation Infrastructure Bank (GTIB) Agreement, which was submitted and approved in August 2014:

<u>Estimated Project Cost</u>	
Engineering	\$713,000.00
Right of Way Acquisition	\$706,000.00
ROW Contingency	\$106,000.00
Construction	\$4,755,000.00
Construction Contingency	\$713,000.00
Total Project Estimate	\$6,993,000.00

The following table represents the proposed total project budget, including actual figures collected from the competitive bid proposal discussed herein, and anticipated project management, acquisition and contingency items as well as project funding sources:

<u>Project Budget</u>	
Engineering	\$300,000.00
Construction Management	\$200,000.00
ROW Acquisition	\$1,150,000.00
Construction	\$6,145,998.18
Construction Contingency	\$530,000.00
Owner Contingency	\$300,000.00
Total Project Cost	\$8,625,998.18
<u>Project Funding Sources</u>	
SPLOST 2007	\$2,800,000.00
SPLOST 2013	\$2,105,741.73
Impact Fees	\$1,120,000.00
TGIB Grant	\$1,754,000.00
Newnan Utilities Reimbursements	\$846,256.45
Total	\$ 8,625,998.18

- Options:**
1. Award a Contract to Southeastern Site Development, Inc. for a base bid of \$6,145,998.18. The contract is quantity based. Approve Project Budget and Project Funding Sources as submitted.
 2. Other action as directed by City Council

Recommendation: Option 1

Funding: SPLOST 2007, 2013, Impact Fees, GTIB Grant

Attachments: Letter of Recommendation- Columbia Engineering

December 22, 2016

William M. Klahr, P.E.
Public Works Director/ City Engineer
City of Newnan
25 LaGrange Street
Newnan, GA 30263

Re: Recommendation of Award for McIntosh Parkway Roadway Construction Project

Dear Mr. Klahr:

Columbia has reviewed the bid information submitted by the six different contractors on December 16, 2016 to the City of Newnan for the McIntosh Parkway Roadway Construction Project. After evaluating all of the bids, Columbia Engineering recommends award to Southeastern Site Development for the amount of \$6,145,998.18.

The base bid amounts submitted were as follows:

Baldwin Paving	\$7,379,704.32
CMES	\$6,746,894.00
CW Matthews	\$6,970,191.06
ER Snell	\$6,222,850.75
McCoy Grading	\$6,680,087.55
Southeastern Site Development	\$6,133,482.18

This base bid includes the utility portion of the project as well. Excluding the utility work, the amounts are as follows:

Baldwin Paving	\$6,376,686.18
CMES	\$5,847,897.00
CW Matthews	\$6,181,021.06
ER Snell	\$5,393,427.00
McCoy Grading	\$5,833,828.05
Southeastern Site Development	\$5,287,225.73

In both instances, Southeastern Site Development was the low bidder.

Columbia has followed up with the references provided. All references confirmed Southeastern Site Development's qualifications for completing the work.

There was one inconsistency with the bid schedule. The price provided for mulch was given as \$2. It was apparent that the bidder bid the item in square yards rather than tons. After discussion with the contractor, this item is to be amended to be \$300/ton which modifies the base bid amount by

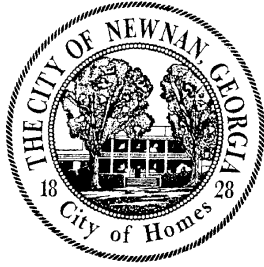
\$12,516.00 to \$6,145,998.18. At this revised base bid, Southeastern Site Development remains the low bidder for the project. All other items requested in the request for proposals were included with the bid package and appeared in good order.

If you have any questions or would like to discuss further, please feel to contact me at 770-925-0357 or via email at rstrunk@columbia-engineering.com.

Regards,

Randy W. Strunk

Randall Strunk, P.E., CFM
Project Manager



City of Newnan, Georgia - Mayor and Council

Date: January 10, 2017

Agenda Item: Stream Mitigation Credits
McIntosh Parkway Roadway Construction Project

Prepared by: Michael Klahr, Public Works Director/ City Engineer

Purpose: To present options and obtain authorization to purchase stream mitigation credits for the McIntosh Parkway Roadway Construction Project

Background: Activities in waters of the United States, including wetlands, are regulated under Section 404 of the Clean Water Act (CWA). Section 404 requires a permit from the Corp of Engineers before dredged or fill material may be discharged into waters of the U.S.

For this project, the permit requirement is for 3,289 credits in the same watershed (Middle Chattahoochee) as the project.

Three proposals were obtained for consideration:

- | | |
|-------------------------------------|-------------|
| 1. Pine Mountain Mitigation Bank | \$49,335.00 |
| 2. Wehadkee Farms Mitigation Bank | \$65,780.00 |
| 3. Carrollton Mills Mitigation Bank | \$75,647.00 |

Options:

1. Authorize the purchase of 3,289 credits from **Pine Mountain Mitigation Bank** for **\$49,335.00**
2. Other action as directed by City Council

Recommendation: Option 1

Funding: SPLOST 2007, 2013

Attachments: Proposals

Carrollton Mills Mitigation Bank

**Whooping Creek Meadows, LLC
1305 Lakes Parkway, Suite 110
Lawrenceville, Georgia 30043**

Purchaser: City of Newnan
Attn: Michael Klahr
Public Works Director/City Engineer
25 LaGrange Street
Newnan, Georgia 30263

Project Name: Roadway Project

USACE Permit No.: TBD
GA EPD BV No.: N/A

Project County: Coweta
Project HUC: 03130002 Middle Chattahoochee-Lake Harding
Service Area (P/S): Primary

Mitigation Bank: Carrollton Mills Mitigation Bank

Transaction 1:
Mitigation Type: Stream

# Credits:	3,289.000
Price Per Credit:	\$23.00
Transaction 1 Price:	\$75,647.00

Transaction 2:
Mitigation Type:

# Credits:	0.00
Price Per Credit:	\$0.00
Transaction 2 Price:	\$0.00

Total Price:

\$75,647.00

Sale Terms: 1) Price valid for 15 days

Bank Contact: Greg Smith, Corblu Ecology Group, LLC
Office: 770-682-9731
Mobile: 770-653-5668
Email: gsmith@corblu.com

Authorized By: Greg Smith, Authorized Agent and Representative for Whooping Creek Meadows, LLC

Signature: 

Date: 12/29/2016

INVOICE

Date	Invoice #
12/29/2016	0068

Bill To
City of Newnan Attn: Michael Klahr Public Works Director/City Engineer 25 LaGrange Street Newnan, Georgia 30263

Payable To
Whooping Creek Meadows, LLC 1305 Lakes Parkway, Suite 110 Lawrenceville, GA 30043

Project/PO No.:	Terms	Bank
TBD	See Quotation for Sales Terms	Carrollton Mills Mitigation Bank

Line Item	Description	Quantity	Unit Price	Amount
01	Stream Mitigation Credits	3,289.00	\$23.00	\$75,647.00
Total Due Now				\$75,647.00

Notes: Thank you for your business. If you have any questions or require any additional information please contact Greg Smith at 770-682-9731 or email gsmith@corblu.com.

PINE MOUNTAIN MITIGATION BANK

7337 Standing Boy Rd.
Columbus, Ga. 31904

Beth (706) 888-4227
Tom (706) 587-7428
Fax (706) 221-4009
E-mail: desportes@knology.net

December 29, 2016

William M. Klahr, P.E., CFM
Public Works Director/ City Engineer
City of Newnan
25 LaGrange St
Newnan, GA 30263

Dear Sir,

Mulberry Creek, LLC submits the following bid to satisfy the requirements of any valid USACE permit, pending USACE approval, in HUC 03130002:

<u>Credits</u>	<u>Price per Credit</u>	<u>Total Price</u>
3,289 stream	\$15.00	\$49,335.00

These credits would be supplied from our Pine Mountain Mitigation Bank, in Harris County, Ga.

This bid is valid until April 1, 2017

Please let us know if you need more information or if we can be of help in any way.

Thank you,
Elizabeth Dreelin, Owner



4850 Golden Parkway
Suite B367
Buford, GA 30518

City of Newnan
25 La Grange St
Newnan, Georgia 30263

CC:

Estimate Date: Dec 9, 2016
Primary Service Area: Middle Chattahoochee
USACE File Number:
Mitigation Bank(s): Wehadkee Farms Barnett Farms

Subject: Farmer Street Mitigation Credit Estimate

Description	Quantity	Cost per Credit	Total
Stream Mitigation Credits	3289.00	\$20.00	\$65,780.00
Wetland Mitigation Credits	0.00	\$	\$
		TOTAL	\$65,780.00
		10% Optional Reservation Pmt	\$6,578.00

Terms

We will honor the pricing of this estimate for 30 days. Credits will not be reserved until a reservation payment has been made or a contract has been signed. In order to finalize a credit purchase, the USACE permit must be reviewed to confirm that the proposed credit purchase is consistent with current USACE requirements. Additionally, this estimate does not authorize the listing of our banks in a USACE permit without written consent. When you are ready to purchase mitigation credits, please contact us for an Invoice with final payment details. Please contact us if you have any questions or concerns about this estimate.

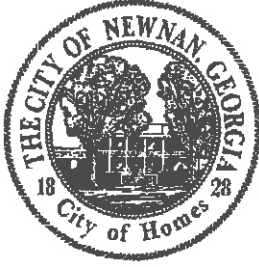
Thanks,

A handwritten signature in blue ink that reads "Matt Peevy".

Matt Peevy
matt@mitigationcredits.com
(404) 376-4698

A handwritten signature in blue ink that reads "Trey Evans".

Trey Evans
trey@mitigationcredits.com
(404) 308-0662



City of Newnan, Georgia - Mayor and Council

Date: January 3, 2017

Agenda Item: Howard Warner Redevelopment Project – Change Order

Prepared by: Hasco Craver, Assistant City Manager

Purpose: Newnan City Council shall consider a construction contract change order to allow for the installation of painted high impact drywall to cover vinyl faced building insulation on all gymnasium walls above existing material.

Background: In addition to creating a community-focused youth development/recreation facility that benefits Newnan's citizenry, providing a durable, enduring and aesthetically appealing facility has been an ever-present objective of the Howard Warner Redevelopment Project.

While completing the construction of the new gymnasium, the project team grew concerned about the durability and long term appearance of the interior walls. According to the agreed upon project scope, the areas above the finished eight foot section of painted plywood were to remain an exposed vinyl faced building insulation product.

It is anticipated that the future uses of the gymnasium will include competitive team sports, which may result in the damage of the proposed finished product (exposed vinyl faced building insulation).

In addition, it is the opinion of the project team that the appearance of the proposed finished product is less complete than those materials seen throughout the entire project/facility.

Therefore, City staff requested that the contractor, architect and program manager present a potential solution.

A painted high impact dry wall product was presented as a solution to City staff.

The proposed solution takes into account the City staff's desire to provide a durable and more refined project/facility.

Funding: SPLOST 2013

Recommendation: In an effort to provide a more completed project that will benefit the users of the gymnasium, it is the recommendation of City staff that the proposed change order be approved as submitted.

Attachments: Change Order Breakdown (provided by Garbutt Construction, project contractor)

Previous Discussions with Council: None



Request for Change

212 S. Calhoun Street
Dublin, GA 31021

Change Request Number: 8

PROJECT: Howard Warner Building and Recreation Center

DATE: 12/25/2016

RE: Finish Gym Walls and Paint

TO: The City of Newnan
25 LaGrange Street
Newnan, GA 30263

PROJECT NO.: 1517

DESCRIPTION OF CHANGE

Furr out Gym Walls that are exposed insulation and install high impact gypsum wall board. Then paint walls and columns.

Item	Description	Quantity	Units	Unit Price	Net Amount
1	Furr out Exterior Gym Walls and Install High Impact Gypsum Wall Board	1	LS	\$9,835.90	\$29,455.77
2	Paint New Gym Walls	1	LS	\$3,700.00	\$3,700.00

Sub - Total	\$33,155.77
Fee on sub (5.5)	\$1,823.57
Fee on Self-perform (20%)	
Total:	\$34,979.34

The Original Contract Sum was	\$3,131,055.00
Net Change by Previously Authorized Requests and Changes	\$62,060.38
The Contract Sum Prior to This Change Order was	\$3,193,115.38
The Contract Sum Will be increased by this Change Order by	\$34,979.34
The New Contract Sum Including This Change Order	\$3,228,094.72

The Contract Time will be Changed by 0
The Date of Material Completion as of this Change Order Therefore is

The Owner and/or Architect hereby direct Garbutt Construction Company to proceed with the performance of the work as described above and/or in any additional documents referenced herein. It is understood that the amount of this Request will be included in the next Owner Change Order. In addition, all costs included herein may be included in the next payment application as if they had been included in an Owner Change Order or Construction Change Directive.

Accepted by Design Professional:

By: _____

Date: _____

Authorized by Owner:

By: _____

Date: _____

Submitted by Contractor:
Garbutt Construction Company

By: _____

Date: _____

Astro Interior Contracting, Inc.
 5517 Oakdale Road Suite C, Mableton, GA 30126
 Phone: 404-699-0301 Fax: 404-699-5599

Change Breakdown

CR011, Add High Impact GWB at Gym

Howard Warner Gym

Add 7/8" 20 gauge furring over horizontal steel purlins, then hang high impact drywall with level 4 finish to cover vinyl faced building insulation on all gym walls as requested above plywood. Steel columns are to remain exposed steel. Also, plywood below is to remain as is.

Bid Material	Quantity	Unit Cost	Total Cost
7/8" Furring Channel 20ga, 9'	3,547.34 LF	0.55	1,951.04
1-1/2 x1-1/2 20ga angle, 10'	700.00 LF	0.50	350.00
1-1/4" Drywall Screw,	5,008.01 EA	0.02	75.12
Lift,	1.00 LS	1,200.00	1,200.00
3/4" Concrete TrackFast Pin/Load,	1,199.84 EA	0.06	65.99
Corner Bead, 12'	350.00 LF	0.20	68.25
Tape & Finish, 1' x 1'	4,799.35 SF	0.11	527.93
5/8 GoldBond High Impact Wallboard, 4' x 8'	4,590.68 SF	0.75	3,420.06
5/8" Tearaway Bead, 10'	950.00 LF	0.20	185.25
	Net Bid Material Total:		7,843.63

Lab. Cost Code	Quantity	Unit Cost	Total Cost
Hang GWB (9250-HL)	4,173.34 SF	0.65	2,712.67
Set Int Mtl Studs (9251-FMW)	700.00 LF	1.00	700.00
Furr Interior Walls (9251-FURW)	3,547.34 LF	0.75	2,660.51
Tape & Float (9252-FTF)	4,173.34 SF	0.60	2,504.01
Install Drywall Trim (9252-T)	950.00 LF	1.00	950.00
Install Drywall Trim (9252-T)	350.00 LF	1.00	350.00
	Net Labor Total:		9,877.19

	Material	Labor	Equipment	Other	Total
Net Totals	7,843.63	9,877.19	0.00	0.00	17,720.82

Deliver, Stock & Clean		1,185.26	0.00%		0.00	0.00%	1,185.26	
Tax/Burden	7.00%	549.05	34.00%	3,761.23	0.00%	0.00	0.00%	4,310.29
PerDiem		--		0.00		--		0.00
Sub Total		8,392.69		14,823.68		0.00		23,216.37
Overhead	25.00%	2,098.17	25.00%	3,705.92	0.00%	0.00	0.00%	5,804.09
Profit	0.00%	0.00	0.00%	0.00	0.00%	0.00	0.00%	0.00
Bid total		10,490.86		18,529.60		0.00		29,020.46

+ Bond
Grand Total: \$29,455.77



City of Newnan, Georgia - Mayor and Council

Date: January 3, 2017

Agenda Item: Consideration of Resolution to Request the Enactment of Local Legislation by the General Assembly of the State of Georgia to Create a Community Improvement District

Prepared by: Hasco Craver, Assistant City Manager

Purpose: Newnan City Council shall consider a Resolution to Request the Enactment of Local Legislation by the General Assembly of the State of Georgia to Create a Community Improvement District.

It is important to note that the approval for the proposed Resolution does not specifically define projects or activities, nor delineate a particular area for the location of a Community Improvement District.

Simply stated, the proposed Resolution will allow a potential collection of commercial property owners the opportunity to petition the City of Newnan to use a Community Improvement District as an economic development instrument at a future time.

Background: Community Improvement Districts (CIDs) have become an increasingly popular mechanism for local jurisdictions to promote economic development. There are currently twenty five (25) active CIDs in Georgia, most of which are located in the Atlanta Metropolitan Statistical Area (MSA). The General Assembly has passed enabling acts for twenty one (21) counties and thirteen (13) municipalities. Of those jurisdictions with enabling acts, more than half have never had an active CID. The potential need for a creative funding mechanism necessitated the jurisdictions' interest in petitioning the General Assembly for action.

In example, as metropolitan Atlanta grew geographically, funding mechanisms for certain public facilities were required to meet the needs of commercial development. In 1988, Georgia's first Community Improvement District, the Cumberland CID, was incorporated in Cobb County for the purposes of providing transportation and infrastructure, beautification and planning services. According to the Cumberland CID's promotional materials, the area continues to realize the success of CID funding: expanding four times to encompass 6.5 square miles, doubling commercial values since 1990 and leveraging \$130M in assessments to \$500M in projects.

The Georgia Constitution authorizes CIDs in the state and enumerates their powers in Article IX, Section VII.

The purpose of CIDs is to provide one or more of the following:

- Street and road construction and maintenance, including curbs, sidewalks, streetlights and devices to control the flow of traffic on streets and roads
- Parks and recreational areas and facilities
- Storm water and sewage collection and disposal systems
- Development, storage, treatment, purification and distribution of water
- Public transportation
- Terminal and dock facilities and parking facilities
- Such other services and facilities as may be provided for by general law

*above-listed services can only be provided within CID boundaries.

CIDs are created through a two tiered process. The first tier is at the State level. The second tier takes place at the local level.

The Georgia Constitution allows CIDs to be created in both incorporated (municipal) and unincorporated (county) areas. The process is the same for both municipalities and counties.

Once passed by the General Assembly, CIDs are more specifically created through the enactment of a local government resolution, coupled with consent of the area commercial property owners, agreement on CID boundaries, certifications from the local tax commissioner and adoption by the local governing authority.

As an example, a group of commercial property owners may identify a need for additional services such as roadway construction or water/sewer infrastructure. Thereafter, a certain boundary is set, and property owners begin compiling signed consent forms from nonresidential, commercial property owners that constitute a majority of owners and at least 75 percent of property value within the proposed boundary. The consent forms and the boundary map are then submitted to the tax commissioner; if the forms meet the property owner consent requirements, the tax commissioner will issue a certification. The proposed CID then submits the consent forms, map and certification to each governing authority that its proposed territory would overlap. The governing authorities must each separately adopt a resolution approving creation of the CID.

CIDs are administered by a local Board of Directors. The composition of the board is detailed in the local legislation/resolution. There are elected and appointed board members.

Funding: N/A

Recommendation: In an effort to provide an economic development tool for current and/or future commercial property owners, City staff is recommending that the Resolution to Request the Enactment of Local Legislation by the General Assembly of the State of Georgia to Create a Community Improvement District be approved as submitted.

Attachments: 1. Proposed Resolution Requesting the Enactment of Local Legislation by the General Assembly of the State of Georgia to Create a Community Improvement District

Previous Discussions with Council: None

**RESOLUTION
BY
THE CITY COUNCIL OF THE CITY OF NEWNAN, GEORGIA
REQUESTING THE ENACTMENT OF LOCAL LEGISLATION BY
THE GENERAL ASSEMBLY OF THE STATE OF GEORGIA**

WHEREAS, the General Assembly of the State of Georgia is granted the authority pursuant to Article IX, Section VII of the Constitution of this state to enact legislation to allow counties and cities to create one or more community improvement districts: and

WHEREAS, the City Council of the City of Newnan, Georgia recognizes the need to create community improvement districts within its jurisdictional boundaries to foster economic development and employment opportunities.

BE IT FURTHER RESOLVED that the City Council of the City of Newnan, Georgia respectfully requests that local legislation be adopted by the General Assembly of the State of Georgia to authorize the City of Newnan to create community improvement districts as provided in Article IX, Section VII of the Constitution of the State of Georgia.

DONE, RATIFIED AND PASSED in regular session assembled, this the ____ day of _____, 2017.

ATTEST:

Della Hill, City Clerk

REVIEWED:

Cleatus Phillips, City Manager

Brad Sears, City Attorney

Keith Brady, Mayor

Cynthia E. Jenkins, Mayor Pro Tem

Dustin Koritko, Councilman

George Alexander, Councilman

Rhodes Shell, Councilman

Ray DuBose, Councilman

Clayton Hicks, Councilman

A SUPPLEMENTAL JOINT ORDINANCE TO PROVIDE FOR (I) THE REFUNDING OF THE OUTSTANDING CITY OF NEWNAN, GEORGIA WATER, SEWERAGE AND LIGHT COMMISSION PUBLIC UTILITIES REFUNDING REVENUE BONDS, SERIES 2006A (THE "SERIES 2006 BONDS"), ORIGINALLY ISSUED PURSUANT TO A JOINT ORDINANCE OF THE CITY OF NEWNAN, GEORGIA (THE "CITY") AND RESOLUTION OF THE BOARD OF WATER, SEWERAGE AND LIGHT COMMISSIONERS OF THE CITY OF NEWNAN (THE "COMMISSION"), ADOPTED ON MAY 6, 1998, AS AMENDED (THE "JOINT ORDINANCE"), INCLUDING AS AMENDED AND SUPPLEMENTED BY A SUPPLEMENTAL JOINT ORDINANCE OF THE CITY AND RESOLUTION OF THE COMMISSION, ADOPTED ON NOVEMBER 22, 2006 BY THE COMMISSION AND ON NOVEMBER 28, 2006 BY THE CITY (THE "2006 SUPPLEMENTAL ORDINANCE"); (II) THE ISSUANCE OF \$9,421,000 IN AGGREGATE PRINCIPAL AMOUNT OF CITY OF NEWNAN, GEORGIA WATER, SEWERAGE AND LIGHT COMMISSION PUBLIC UTILITIES REFUNDING REVENUE BONDS, SERIES 2017A AS ADDITIONAL PARITY BONDS UNDER THE JOINT ORDINANCE TO PROVIDE FUNDS TO (A) REFUND A PORTION OF THE OUTSTANDING SERIES 2006A BONDS, (B) REFINANCE A PORTION OF A GEORGIA ENVIRONMENTAL FINANCE AUTHORITY LOAN, (C) PAY A PORTION OF THE PREMIUM FOR A DEBT SERVICE RESERVE SURETY BOND IN SATISFACTION OF THE RESERVE REQUIREMENT RESPECTING THE SERIES 2017A BONDS, AND (D) PAY THE COSTS OF ISSUANCE OF THE SERIES 2017A BONDS; (III) THE ISSUANCE OF \$4,090,000 IN AGGREGATE PRINCIPAL AMOUNT OF CITY OF NEWNAN, GEORGIA WATER, SEWERAGE AND LIGHT COMMISSION PUBLIC UTILITIES REFUNDING REVENUE BONDS, TAXABLE SERIES 2017B (THE "SERIES 2017B BONDS," AND TOGETHER WITH THE SERIES 2017A BONDS, THE "2017 BONDS") AS ADDITIONAL PARITY BONDS UNDER THE JOINT ORDINANCE TO PROVIDE FUNDS TO (A) REFUND A PORTION OF THE OUTSTANDING SERIES 2006A BONDS, (B) REFINANCE A PORTION OF A GEORGIA ENVIRONMENTAL FINANCE AUTHORITY LOAN, (C) PAY A PORTION OF THE PREMIUM FOR A DEBT SERVICE RESERVE SURETY BOND IN SATISFACTION OF THE RESERVE REQUIREMENT RESPECTING THE SERIES 2017B BONDS, AND (D) PAY THE COSTS OF ISSUANCE OF THE SERIES 2017B BONDS; (IV) THE PROVISION FOR THE CREATION AND MAINTENANCE OF CERTAIN FUNDS; (V) THE PROVISION OF REMEDIES FOR THE OWNERS OF SAID 2017 BONDS; (VI) THE AUTHORIZATION OF AN INSURANCE AGREEMENT AND SURETY COMMITMENT AND THE VALIDATION OF SAID 2017 BONDS; AND (VII) OTHER PURPOSES:

Adopted on January 10, 2017 by the City and on January 9, 2017 by the Commission.

Prepared by:
Peter K. Floyd, Esq.
ALSTON & BIRD LLP
Telephone: (404) 881-4510
Email: peter.floyd@alston.com

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EXHIBIT A: Accountant’s Parity Certificate	

WHEREAS, the City of Newnan, Georgia (the “City”) is a municipal corporation of the State of Georgia, duly created and existing under the Constitution and laws of the State of Georgia; and

WHEREAS, pursuant to the provisions of an amendment to the Constitution of the State of Georgia (Ga. Laws 1972, p. 1410, *et seq.*; as amended by Ga. Laws 1974, p. 1700, *et seq.*, Ga. Laws 1978, p. 2347, *et seq.* and Ga. Laws 1998, p. 4757, *et seq.*; and as continued by Ga. laws 1987, p. 3608, *et seq.*, Ga. Laws 1985, p. 4258, *et seq.* and Ga. Laws 1985, p. 4260, *et seq.*) (collectively, the “Amendment”), the Board of Water, Sewerage and Light Commissioners of the City of Newnan (the “Commission”), was, among other duties, delegated “...complete and sole control and management of the water, sewerage and light works of the City of Newnan,” and “the power and authority to charge the citizens of Newnan, and all persons, firms or corporations, such sums as they may deem just and proper for the use of said utilities”; and

WHEREAS, the Commission has been in existence since its creation and has, for and on behalf of the City, pursuant to the authority granted pursuant to the Amendment, managed, operated, maintained, extended and improved the combined water and sewerage and electric distribution system of the City, recognizing, however, that although the Commission is a separate body from the City Council of the City of Newnan, nevertheless the combined, water and sewerage and electric distribution system, as so managed, operated and maintained, belongs to and constitutes property of said City pursuant to the terms of the Amendment; and

WHEREAS, under and by virtue of the authority of the Revenue Bond Law of the State of Georgia (O.C.G.A. Section 36-82-60 through 36-82-85 (1993)), as amended, (the “Revenue Bond Law”), the City is authorized (i) to make additions, extensions and improvements to its present combined water and sewerage and electric distribution system, (ii) to operate and maintain said combined water and sewerage and electric distribution system as from time to time added to, extended and improved (the “System”), for its own use and for the use of the public, (iii) to prescribe and revise rates, and to collect fees and charges for the services and facilities furnished by the System, (iv) in anticipation of the collection of revenues from the System, and without the requirement of the referendum applicable to financing improvements to its electric distribution system, to issue revenue bonds to finance or refinance, in whole or in part, the cost of additions, extensions and improvements to the water and sewerage portion of the System, to refund all or any portion of such outstanding revenue bonds, and to pay all expenses necessary to accomplish the foregoing; and (v) to issue revenue bonds at any time to refund or refinance, in whole or in part, all outstanding revenue bonds; and

WHEREAS, pursuant to a Joint Ordinance of the City and Resolution of the Commission, adopted on May 6, 1998 (the “1998 Joint Ordinance”), the City and the Commission have issued and delivered \$8,900,000 in aggregate principal amount of City of Newnan, Georgia Water, Sewerage and Light Commission Public Utilities Revenue Bonds, Series 1998 (the “Series 1998 Bonds”), which Series 1998 Bonds are no longer outstanding; and

WHEREAS, pursuant to the 1998 Joint Ordinance, as amended (the “Joint Ordinance”), including as amended and supplemented by a Supplemental Joint Ordinance of the City and Resolution of the Commission, adopted on December 5, 2001, as amended and restated on December 20, 2001 (the “2001 Supplemental Ordinance”), the City and the Commission have

issued and delivered \$14,835,000 in aggregate principal amount of City of Newnan, Georgia Water, Sewerage and Light Commission Public Utilities Revenue Bonds, Series 2001 (the “Series 2001 Bonds”), which Series 2001 Bonds are no longer outstanding; and

WHEREAS, pursuant to the 1998 Joint Ordinance, as amended, including as amended and supplemented by a Supplemental Joint Ordinance of the City and Resolution of the Commission, adopted on November 22, 2006 by the Commission and on November 28, 2006 by the City (the “2006 Supplemental Ordinance”), the City and the Commission have issued and delivered \$28,080,000 in aggregate principal amount of City of Newnan, Georgia Water, Sewerage and Light Commission Public Utilities Refunding Revenue Bonds, Series 2006A (the “Series 2006A Bonds”) and Revenue Bonds, Series 2006B (the “Series 2006B Bonds,” and together with the Series 2006A Bonds, the “Series 2006 Bonds”), which Series 2006 Bonds are currently outstanding in the aggregate principal amount of \$_____ and are secured by a first lien on the net revenues of the System and (a) which Series 2006A Bonds are first subject to optional redemption at a 100% redemption premium not earlier than January 1, 2017 for Series 2006A Bonds maturing on January 1st in 2018, 2019, 2020, 2021 and 2023 and (b) which Series 2006A Bonds are first subject to optional redemption at a 100% redemption premium not earlier than January 1, 2017; and

WHEREAS, pursuant to the 1998 Joint Ordinance, as amended, including as amended and supplemented by a Supplemental Joint Ordinance of the City and Resolution of the Commission, adopted on March 24, 2015 by the City on March 25, 2015 by the Commission (the “2015 Supplemental Ordinance”), the City and the Commission have issued and delivered \$7,050,000 in aggregate principal amount of City of Newnan, Georgia Water, Sewerage and Light Commission Public Utilities Refunding Revenue Bonds, Series 2015A (the “Series 2015A Bonds”) and \$3,860,000 in aggregate principal amount of Revenue Bonds, Taxable Series 2015B (the “Series 2015B Bonds,” and together with the Series 2015A Bonds, the “Series 2015 Bonds”), which Series 2015 Bonds are currently outstanding in the aggregate principal amount of \$_____ and are secured by a first lien on the net revenues of the System, and a portion of the proceeds of which were used to defease and refund the Series 2006A Bonds maturing January 1, 2020 and January 1 2021 and all of the outstanding Series 2006B Bonds; and

WHEREAS, after conferring with its fiscal advisors, the City and the Commission have determined that it is in their best interest to refund and defease the outstanding Series 2006A Bonds maturing January 1, 2018, January 1, 2019 and January 1 2023 (the “Refunded Bonds”) and refinance the Commission’s outstanding loan with the Georgia Environmental Finance Authority (“GEFA Loan”); and

WHEREAS, the City and the Commission have determined that it is necessary to issue \$9,421,000 in aggregate principal amount of City of Newnan, Georgia Water, Sewerage and Light Commission Public Utilities Refunding Revenue Bonds, Series 2017A (the “Series 2017A Bonds”), the proceeds of which, together with other moneys available or to be made available to the City and the Commission, will be applied to (i) refund a portion the Refunded Bonds, (ii) refinance a portion of the GEFA Loan, (iii) pay a portion of the premium for a debt service reserve surety bond to be deposited into the Reserve Account of the Sinking Fund (as defined in the Joint Ordinance) in satisfaction of the Reserve Requirement (as defined in the Joint Ordinance) respecting the Series 2017A Bonds, and (iv) pay the costs of issuance of the Series 2017A Bonds; and

WHEREAS, the City and the Commission have also determined that it is necessary to issue \$4,090,000 in aggregate principal amount of City of Newnan, Georgia Water, Sewerage and Light Commission Public Utilities Refunding Revenue Bonds, Taxable Series 2017B (the "Series 2017B Bonds," and together with the Series 2017A Bonds, the "2017 Bonds"), the proceeds of which, together with other moneys available or to be made available to the City and the Commission, will be applied to (i) refund a portion the Refunded Bonds, (ii) refinance a portion of the GEFA Loan, (iii) pay a portion of the premium for a debt service reserve surety bond to be deposited into the Reserve Account of the Sinking Fund (as defined in the Joint Ordinance) in satisfaction of the Reserve Requirement (as defined in the Joint Ordinance) respecting the Series 2017B Bonds, and (iv) pay the costs of issuance of the Series 2017B Bonds; and

WHEREAS, it was provided in Section 508 of the Joint Ordinance that additional public utilities revenue bonds might be issued ranking on a parity as to lien and net revenues of the System with the portions of the outstanding Bonds not being refunded from the proceeds of the 2017 Bonds (the "Unrefunded Bonds") under certain conditions which are, as follows:

"(a) The payments covenanted to be made into the Sinking Fund, as the same may have been enlarged in any proceeding theretofore taken authorizing the issuance of Additional Parity Bonds, are being timely made in the full amounts required and the Sinking Fund must be at its proper balance and the City and the Commission are otherwise in compliance with all the other terms and conditions contained in the Joint Resolution and any supplements thereto pursuant to which Additional Parity Bonds shall have been issued;

(b) The Net Earnings of the System for (i) a period of twelve (12) consecutive months out of the eighteen (18) months immediately preceding the issuance of such proposed Additional Parity Bonds, or (ii) the most recent fiscal year for which audited financial statements are available, are certified by an independent certified public accountant (or firm thereof) employed by the Commission to have been equal to at least 1.25 times the sum of (i) the highest annual Principal and Interest Requirement on Bonds then outstanding, including the Bonds proposed to be issued and (ii) any amounts drawn down and not repaid, or in lieu of the foregoing formula, if a new schedule of rates, fees and charges for the services, facilities and commodities furnished by the System shall have been adopted, or if an operating water and sewerage system is to be acquired from the proceeds of such bonds, or both, and the Engineering Consultant (or firm thereof) shall certify that had such new rate schedule been in effect or had such water and sewerage system been a part of the System during the applicable period, the Net Earnings of the System would have at least equaled 1.25 times the highest annual Principal and Interest Requirement in any succeeding Sinking Fund Year on all Bonds then outstanding and the Bonds proposed to be issued;

(c) For each of the five fiscal years following the later of the date of delivery of such proposed Additional Parity Bonds, or the period (if any) for which interest is funded from the proceeds of such Additional Parity Bonds, the net earnings of the System, as shall have been forecasted by the Engineering Consultant, will be not less than 125% of the average annual principal and interest requirements on all Bonds then proposed to be Outstanding in each of such five fiscal years;

(d) An independent certified public accountant (or firm thereof) shall certify in triplicate to the Commission that the requirements as set forth in subparagraphs (a) and (b), above, have been complied with;

(e) Except where Bonds are to be issued solely for the purpose of refunding other parity bonds relating to the System, an Engineering Consultant shall prepare an engineering report recommending the additions, extensions and improvements to be made to the System designating in reasonable detail the work and installations proposed to be done and the estimated cost of accomplishing such undertaking. Such engineering report shall set forth the projected Net Earnings for each succeeding Sinking Fund Year after such additions, extensions and improvements have been completed, and shall show the coverage of annual Principal and Interest Requirements for the Bonds and the Bonds proposed to be issued for each such succeeding Sinking Fund Year;

(f) The City and the Commission shall pass proper proceedings reciting that all of the above requirements have been met and authorizing the issuance of such Additional Parity Bonds, which proceedings shall, among other provisions, provide for the date, the rate or rates of interest, maturity dates, and redemption provisions of such Additional Parity Bonds, and the interest shall fall due on January 1 and July 1 of each year and the principal shall mature in installments on January 1 (but not necessarily in each year, or in equal installments), and provided further, that any proceeding or proceedings shall restate and reaffirm by reference all of the applicable terms, conditions and provisions of this Joint Resolution. Any such proceeding or proceedings shall require the additional Reserve Requirement to be fully funded upon the issuance of such Additional Parity Bonds and shall require an increase in the monthly payments then being made into the Sinking Fund to the extent necessary to pay the principal of, and the interest on, all Bonds then outstanding and on the Additional Parity Bonds proposed to be issued, and to maintain a reserve in the Reserve Account equal to the highest combined Principal and Interest Requirements in any succeeding Sinking Fund Year on the outstanding Bonds and the Additional Parity Bonds proposed to be issued, and to maintain said reserve in the required amount;

(g) The proceeds of any Additional Parity Bonds authorized to be issued must be used only for the purpose of adding to, extending and improving the System and its related properties (including, but not limited to, the acquisition, construction and equipping of such building or buildings and structures and appurtenances pertaining thereto as may be deemed necessary to afford more adequate, useful and convenient facilities for the proper control and administration of the functions of the System) or to redeem or refund any one or more series of Bonds previously issued under this Joint Resolution, or other debt relating to the System, and paying the usual and necessary expenses incurred and to be incurred incident to accomplishing any of the foregoing, including, without limitation, the costs of lands, rights-of-way, contract rights, franchises and easements;

(h) Such Additional Parity Bonds and all proceedings relative thereto and the security therefor, shall be validated as prescribed by law; and

(i) No Event of Default (or any event which, once all notice or grace periods have passed would constitute an Event of Default) has occurred and is continuing at the time of such issuance"; and

WHEREAS, as required by the terms of the Joint Ordinance set forth in the preceding paragraph, as amended and supplemented hereby, an independent certified public accountant (or firm thereof) having a favorable reputation for skill and experience in the design, management and operation of public utility systems will certify to the City and the Commission that the City and the Commission have complied and are complying with the requirements of Section 508 of the Joint

Ordinance, which certificate will be in substantially the form attached hereto as Exhibit A (“Accountant Certificate”), and an independent firm of consulting engineers will deliver a forecast satisfying the requirements of Section 508(c) of the Joint Ordinance (“Engineer’s Forecast”), and all the requirements of Section 508 of the Joint Ordinance, as amended hereby, regarding the issuance of Additional Parity Bonds thereunder will then have been met; and

WHEREAS, Stifel, Nicolaus & Company, Incorporated has recommended to the City and the Commission that a debt service reserve surety bond (the “Surety Bond”) be deposited into the Reserve Account of the Sinking Fund in satisfaction of the Reserve Requirement respecting the 2017 Bonds, such Surety Bond to be issued by Assured Guaranty Municipal Corp. (the “Surety Bond Provider”);

NOW, THEREFORE, BE IT ORDAINED by the City Council of the City of Newnan, Georgia, and IT IS HEREBY ORDAINED by authority of the same; and

BE IT RESOLVED by the Board of Water, Sewerage and Light Commissioners of the City of Newnan, and IT IS HEREBY RESOLVED by authority of the same, as follows:

ARTICLE I.

THE BONDS

Section 101. Parity Requirements Met; Authorization of 2017 Bonds. All of the terms, provisions and conditions contained in Section 508 of the Joint Ordinance having been met and complied with after delivery of the Accountant Certificate and Engineer Forecast, pursuant to and in conformity with the Joint Ordinance and the Revenue Bond Law, there are hereby authorized to be issued (a) \$9,421,000 in aggregate principal amount of City of Newnan, Georgia Water, Sewerage and Light Commission Public Utilities Refunding Revenue Bonds, Series 2017A (the “Series 2017A Bonds”), the proceeds of which, together with other moneys available or to be made available to the City and the Commission, will be applied to (i) refund a portion of the Refunded Bonds, (ii) refinance a portion of the GEFA Loan, (iii) pay a portion of the premium for the Surety Bond, and (iv) pay the costs of issuance of the Series 2017A Bonds, and (b) \$4,090,000 in aggregate principal amount of City of Newnan, Georgia Water, Sewerage and Light Commission Public Utilities Refunding Revenue Bonds, Taxable Series 2017B (the “Series 2017B Bonds,” and together with the Series 2017A Bonds, the “2017 Bonds”), the proceeds of which, together with other moneys available or to be made available to the City and the Commission, will be applied to (i) refund a portion of the Refunded Bonds, (ii) refinance a portion of the GEFA Loan, (iii) pay a portion of the premium for the Surety Bond, and (iv) pay the costs of issuance of the Series 2017B Bonds. All of the covenants, agreements, conditions and provisions of this Supplemental Joint Ordinance hereinafter set forth are hereby authorized to be for the equal and proportionate benefit and security of all holders of the Unrefunded Bonds and the 2017 Bonds to be issued pursuant to this Supplemental Joint Ordinance.

Section 102. Particulars of 2017 Bonds.

(a) The Series 2017A Bonds shall be designated “City of Newnan, Georgia Water, Sewerage and Light Commission Public Utilities Refunding Revenue Bonds, Series 2017A.” The

Series 2017A Bonds shall bear interest at the rates set out below (computed on the basis of a 360-day year of twelve consecutive 30-day months), payable July 1, 2017, and semiannually thereafter on the first days of January and July in each year and maturing as to principal on January 1 in each of the years and in the principal amounts as follows:

<u>Year</u>	<u>Principal</u>	<u>Interest Rate</u>
2020	\$ 431,216.80	2.350%
2021	440,944.97	2.350%
2022	2,316,397.86	2.350%
2023	2,371,430.35	2.350%
2024	500,873.54	2.350%
2025	512,644.07	2.350%
2026	524,691.19	2.350%
2027	537,021.43	2.350%
2028	549,641.43	2.350%
2029	562,558.05	2.350%
2030	575,778.14	2.350%
2031	97,802.17	2.350%

(b) The Series 2017B Bonds shall be designated “City of Newnan, Georgia Water, Sewerage and Light Commission Public Utilities Refunding Revenue Bonds, Taxable Series 2017B.” The Series 2017B Bonds shall bear interest at the rates set out below (computed on the basis of a 360-day year of twelve consecutive 30-day months), payable July 1, 2017, and semiannually thereafter on the first days of January and July in each year and maturing as to principal on January 1 in each of the years and in the principal amounts as follows:

<u>Year</u>	<u>Principal</u>	<u>Interest Rate</u>
2018	2,015,468.88	1.740%
2019	2,074,531.12	1.740%

(c) The 2017 Bonds as originally issued shall be dated the authentication date thereof (“Authentication Date”) and in the form of a single, fully registered Book-Entry Bond for the entire principal amount of each maturity and interest rate of 2017 Bonds and shall be registered in the name of Cede & Co. for the account of the Beneficial Owners thereof. Each 2017 Bond issued in exchange for a 2017 Bond as originally issued or upon registration of transfer thereof shall be dated the date of its authentication by the Authenticating Agent.

The 2017 Bonds shall be lettered and numbered from R-1 upwards in order of issuance according to the records maintained by the Bond Registrar. The 2017 Bonds shall, except as otherwise provided in this Section, bear interest from the Authentication Date.

The person in whose name any 2017 Bond is registered at the close of business on any Record Date (as hereinafter defined) with respect to any Interest Payment Date shall be entitled to receive the interest payable on such Interest Payment Date notwithstanding any registration of transfer or exchange subsequent to such Record Date and prior to such Interest Payment Date. The term “Record Date” as used in this Section with respect to any Interest Payment Date shall mean the fifteenth day of the calendar month next preceding such Interest Payment Date.

The principal of and interest on and redemption premium, if any, on the 2017 Bonds shall be payable in any coin or currency of the United States of America that at the time of payment is legal tender for the payment of public and private debts. The principal of the 2017 Bonds shall be payable upon the presentation and surrender of the 2017 Bonds at the principal corporate trust office of the Bond Register and Paying Agent. The interest on the 2017 Bonds shall be paid by check or draft mailed by the Paying Agent by first-class mail to the respective owners of the 2017 Bonds at their addresses as they appear on the bond register kept by the Bond Registrar.

(d) The 2017 Bonds shall be issued as fully registered bonds in the denomination of \$100,000 or any integral multiple of \$5,000 above such amount, and shall be substantially in the form set forth hereinafter with such variations, omissions, substitutions and insertions as are therein required or permitted.

(e) The 2017 Bonds shall be redeemable prior to their respective maturities upon the terms set forth in Article II of this Supplemental Ordinance.

(f) The net proceeds of the Series 2017A Bonds, including the sinking funds on hand allocable to the Refunded Bonds, shall be applied approximately as follows:

(i) \$4,542,168.29 shall be wired directly to the Georgia Environmental Finance Authority (“GEFA”) for the payment of a portion of the outstanding amounts owed on the GEFA Loan;

(ii) \$20,726.20 shall be wired directly to the Surety Bond Provider for the payment of a portion of the premium on the Surety Bond;

(iii) \$114,099.97 shall be deposited in the Costs of Issuance Account established in this Supplemental Joint Ordinance for the purpose of paying costs of issuing the Series 2017A Bonds; and

(iv) All remaining amounts shall be deposited into the Sinking Fund for the payment of the Refunded Bonds.

(g) The net proceeds of the Series 2017B Bonds, including the sinking funds on hand allocable to the Refunded Bonds, shall be applied approximately as follows:

(i) \$1,971,843.01 shall be wired directly to the Georgia Environmental Finance Authority (“GEFA”) for the payment of a portion of the outstanding amounts owed on the GEFA Loan;

(ii) \$8,998.00 shall be wired directly to the Surety Bond Provider for the payment of a portion of the premium on the Surety Bond;

(iii) \$49,694.53 shall be deposited in the Costs of Issuance Account established in this Supplemental Joint Ordinance for the purpose of paying costs of issuing the Series 2017A Bonds; and

(iv) All remaining amounts shall be deposited into the Sinking Fund for the payment of the Refunded Bonds.

(h) The Series 2017A Bonds are being sold to Branch Banking and Trust Company ("Bank") on the basis that the interest payable on the Series 2017A Bonds is excludable from the gross income of the Bank for federal income tax purposes and that the Bank may deduct at least 80% of its interest costs allocable to the Series 2017A Bonds pursuant to Section 265(b)(3) and Section 291(e)(1)(B) of the hereinafter defined Code.

(i) Following the occurrence of an Event of Taxability: (i) Commission shall pay to the Bank within thirty (30) days of billing a sum equal to (A) the increase in interest on the Series 2017A Bonds when computed at the After-Tax Rate for the period from the effective date of the Event of Taxability to the effective date of the modification described in (ii) below, and (B) all interest, penalties and other similar charges payable by the Bank to the Internal Revenue Service as a result of the Event of Taxability; and (ii) the interest on the Series 2017A Bonds shall be modified for all future periods to reflect the After-Tax Rate.

(j) In order to enable Bank to purchase the Series 2017A Bonds, the City and Commission represent and warrant that (taken together with the entities with which it must be aggregated pursuant to Section 265(b)(3)(E) of the Code) they have not issued, nor do they reasonably expect to issue (taking into account the Series 2017A Bonds) more than \$10 million of tax-exempt obligations (other than obligations not taken into account in determining status as a qualified small issuer pursuant to Section 265(b)(3)(C)(ii) of the Code) for calendar year 2017. Should the City or Commission at any time not meet this condition, it will immediately notify the Bank in writing. The City and the Commission hereby specifically designates the Series 2017A Bonds as a "qualified tax-exempt obligation" as provided by Code Section 265(b)(3)(B) (a "Qualified Obligation"). Upon determination by bond counsel acceptable to the City, Commission and Bank that the Series 2017A Bonds are not a Qualified Obligation, interest on the shall be adjusted to preserve the Bank's after-tax economic yield with respect to interest, taking into account the interest expense deduction unavailable for that reason, which adjusted debt service the City and Commission will thereafter pay, and the Bank will invoice the City and Commission for the amount necessary to preserve the Bank's after-tax economic yield with respect to the interest on the Series 2017A Bonds previously paid, taking into account the interest expense deduction unavailable for that reason, which amount the City and Commission will pay within ten days. The City and Commission will take no action that will directly or indirectly affect the deductibility of that portion of the Bank's interest expense allocable to the Series 2017A Bonds.

(k) The following terms are defined as follows for the purposes of this Section:

"After-Tax Rate" means that rate of interest that must be applied to the sum of the pertinent debt service so as to preserve the same after-tax economic yield with respect to the corresponding interest that the City and Commission would have had if such interest had been excludable from gross income for federal income tax purposes and if 80% of the Bank's interest expense allocable to the Series 2017A Bonds had been deductible from gross income and, in any event, not less than the Prime-Based Rate.

"Bank's Prime Rate" means that rate announced by Bank from time to time as its prime rate and is one of several interest rate bases used by Bank. Bank lends at rates both above and below

Bank's Prime Rate, and the City and Commission acknowledge that Bank's Prime Rate is not represented or intended to be the lowest or most favorable rate of interest offered by Bank.

"Prime-Based Rate" means Bank's Prime Rate plus 2%, as that rate may change from time to time with changes to occur on the date Bank's Prime Rate changes. The Prime-Based Rate shall be adjusted, effective as of the date of each change in Bank's Prime Rate.

"Event of Taxability" means a conclusive determination by the Internal Revenue Service, any court of competent jurisdiction, or bond counsel acceptable to the City and Commission, that interest on the Series 2017A Bonds must be included in gross income for federal income tax purposes.

Section 103. Form of Series 2017 Bonds. The 2017 Bonds, the assignment, the authentication certificate and the certificate of validation to be endorsed upon the 2017 Bonds shall be, respectively, in substantially the following forms with such variations, omissions and insertions as are required or permitted by this Supplemental Joint Ordinance:

(FORM OF BOND OF INITIAL SERIES)

THIS BOND HAS BEEN ISSUED PURSUANT TO AN EXCEPTION TO RULE 15c2-12 OF THE SECURITIES AND EXCHANGE COMMISSION TO REQUIREMENTS REGARDING CONTINUING DISCLOSURE OF THE CITY. THE BONDHOLDER HEREOF, BY PURCHASING THIS BOND, AGREES FOR THE BENEFIT OF THE CITY THAT THIS BOND MAY NOT BE RESOLD, PLEDGED OR OTHERWISE TRANSFERRED TO A PURCHASER THAT DOES NOT FIT WITHIN SUCH EXCEPTION UNLESS THE CITY UNDERTAKES A CONTINUING DISCLOSURE OBLIGATION IN COMPLIANCE WITH RULE 15c2-12. THE BONDHOLDER HEREOF FURTHER AGREES FOR THE BENEFIT OF THE CITY THAT IT WILL NOTIFY ANY PURCHASER HEREOF OF THE RESALE RESTRICTIONS REFERRED TO ABOVE. ANY BONDHOLDER HOLDING THIS BOND AGREES THAT IT WILL NOTIFY THE CITY OF ANY TRANSFER BY IT OF THIS SECURITY AND THAT IT WILL FURNISH TO THE CITY SUCH CERTIFICATES AND OTHER INFORMATION AS IT MAY REASONABLY REQUIRE TO CONFIRM THAT ANY TRANSFER BY IT OF THIS SECURITY COMPLIES WITH THE EXCEPTIONS TO RULE 15c2-12.

UNITED STATES OF AMERICA

STATE OF GEORGIA

CITY OF NEWNAN, GEORGIA
WATER, SEWERAGE AND LIGHT COMMISSION PUBLIC UTILITIES
REFUNDING REVENUE BOND
SERIES 2017A

No. R- _____

CUSIP: _____

Maturity Date: January 1, _____

Bond Date: February 7, 2017

Interest Rate: _____% Per Annum

Principal Amount: \$ _____

FOR VALUE RECEIVED, the City of Newnan, Georgia, a municipal corporation of the State of Georgia (the "City"), and the Board of Water, Sewerage and Light Commissioners of the City of Newnan, a quasi-governmental body of the State of Georgia (the "Commission"), hereby promise to pay solely from the special fund provided therefor, as hereinafter set forth, to BRANCH BANKING AND TRUST COMPANY the principal sum specified above on the maturity date specified above unless redeemed prior thereto as hereinafter provided, upon the presentation and surrender hereof at the principal corporate trust office of U.S. Bank National Association, Atlanta, Georgia, as Paying Agent (the "Paying Agent") for the bonds (hereinafter defined), and to pay, solely from such special fund, to the registered owner hereof by check or draft mailed by first class mail to such owner at his address as it shall appear on the bond register kept by U.S. Bank National Association, Atlanta, Georgia, as Bond Registrar for said bonds (the "Bond Registrar"), interest on

such principal sum, at the interest rate per annum specified above (computed on the basis of a 360-day year of twelve 30-day months), payable on July 1, 2017, and semiannually thereafter on the first day of January and the first day of July of each year, from the authentication date hereof, or any January 1 or July 1 thereafter to which interest has been paid, until payment of such principal sum in full.

The interest so payable on any such January 1 or July 1 (each an “interest payment date”) will be paid to the person in whose name this bond is registered at the close of business on the fifteenth day of the calendar month preceding such interest payment date (the “record date”). The principal of, and the redemption premium (if any) and interest on, this bond are payable in any coin or currency of the United States of America which at the time of payment is legal tender for the payment of public and private debts.

This bond is one of a duly authorized series of like tenor and effect except as to numbers, denominations, dates, maturities, interest rates and redemption provisions aggregating in principal amount the sum of [\$9,421,000, known as “City of Newnan, Georgia Water, Sewerage and Light Commission Public Utilities Refunding Revenue Bonds, Series 2017A” (the “bonds”), issued by the City and the Commission for the purpose of financing the cost of (i) refunding a portion of the Series 2006A Bonds, (ii) refinancing a portion of the GEFA Loan, (iii) pay a portion of the premium for a debt service reserve surety bond to be deposited into the Reserve Account of the Sinking Fund (as defined in the Joint Ordinance) in satisfaction of the Reserve Requirement (as defined in the Joint Ordinance) respecting the bonds, and (iv) pay the costs of issuance of the bonds. Simultaneously with the issuance of the bonds, the City and the Commission will be issuing \$4,090,000 in aggregate principal amount of City of Newnan, Georgia Water, Sewerage and Light Commission Public Utilities Refunding Revenue Bonds, Taxable Series 2017B (the “Series 2017B Bonds,” and together with the bonds, the “2017 Bonds”).

The bonds are issued under the authority of the Constitution of the State of Georgia and the Revenue Bond Law of the State of Georgia (O.C.G.A. Sections 36-82-60 through 36-82-85), as amended (the “Revenue Bond Law”), and are duly authorized by a Joint Ordinance of the City adopted May 6, 1998 and Resolution of the Commission adopted May 6, 1998 (the “Original Joint Ordinance”), as amended, including by a Supplemental Joint Resolution of the Commission and Ordinance of the City adopted January 9, 2017 and January 10, 2017, respectively (the “Supplemental Joint Ordinance”; the Original Joint Ordinance as so amended and restated, the “Joint Ordinance”). In addition to the Series 2006 Bonds (as defined in the Joint Ordinance), the Series 2017B Bonds, and the bonds, the City and the Commission may, upon meeting certain conditions as provided in the Joint Ordinance, issue additional Public Utilities Revenue Bonds payable from the net revenues of the combined water and sewerage and electric distribution system of the City, as it now exists and as it may hereafter be added to, extended or improved (the “System”) and ranking on a parity with the outstanding Bonds not being refunded from the proceeds of the bonds (the “Unrefunded Bonds”) and the 2017 Bonds as to said net revenues and secured by the same pledge thereto and lien thereon. Reference to the Joint Ordinance is hereby made for a description of the funds charged with and pledged to the payment of the principal of, and redemption premium, if any, and interest on, the bonds, the nature and extent of the security for the payment of the bonds, a statement of the rights, duties and obligations of the City and the Commission, the rights of the owners of the bonds, and the terms and conditions under which Additional Parity Bonds may be issued, to all the provisions of which Joint Ordinance the owner

hereof, by the acceptance of this bond, assents. Capitalized words used herein, but not defined, have the meaning set forth in the Joint Ordinance.

The Joint Ordinance provides, among other things, for prescribing and revising rates and collecting fees and charges for the services, facilities and commodities furnished by the System sufficient to produce revenues to pay the reasonable and necessary costs of operating, repairing and maintaining the System, and to provide for the payment into the special fund designated "City of Newnan Water, Sewerage and Light Commission Public Utility System Sinking Fund" (the "Sinking Fund") of amounts required to provide for the payment of the principal of and interest on the Unrefunded Bonds, the 2017 Bonds and any other bonds hereafter issued on a parity therewith as the same become due and payable and to create and maintain a reserve therein for that purpose.

This Bond shall not be deemed to constitute a debt of the State of Georgia or any political subdivision thereof, including the City and the Commission, within the meaning of any constitutional or statutory limitation on indebtedness nor a pledge of the faith and credit of the State of Georgia or any political subdivision thereof, including the City and the Commission, nor shall the State of Georgia or any political subdivision thereof, including the City and the Commission, be subject to any pecuniary liability thereon. This Bond shall not be payable from or a charge upon any funds other than the revenues pledged to the payment thereof, and is payable solely from the sinking fund provided therefor from the revenues of the system, including all future additions, extensions and improvements thereto. No owner of this bond shall ever have the right to compel the exercise of any taxing power of the State of Georgia or any political subdivision thereof, including the City of Newnan to pay the same or the interest thereon, nor to enforce payment thereof against any other property of the State of Georgia or any political subdivision thereof, including the city and the commission, nor shall this bond constitute a charge, lien or encumbrance, legal or equitable, upon any other property of the State of Georgia or any political subdivision thereof, including the City and the Commission.

The bonds are subject to redemption as provided in the Supplemental Joint Ordinance.

The person in whose name this bond is registered shall be deemed and regarded as the absolute owner hereof for all purposes, and payment of or on account of either principal or interest made to such owner shall be valid and effectual to satisfy and discharge the liability upon this bond to the extent of the sum or sums so paid. This bond is registrable as transferred by the owner hereof in person or by his attorney duly authorized in writing at the principal corporate trust office of the Bond Registrar in Atlanta, Georgia, all subject to the terms and conditions of the Joint Ordinance.

The bonds are issuable as fully registered bonds in denominations of \$100,000 and any integral multiple of \$5,000 in excess thereof. Subject to the limitations provided in the Joint Ordinance, bonds may be exchanged at the principal corporate trust office of the Bond Registrar in Atlanta, Georgia, for a like principal amount of bonds of the same maturity and of other authorized denominations.

Notwithstanding anything herein to the contrary, unless a successor securities depository has been selected or the use thereof has been discontinued this Bond is subject to a book-entry system maintained by The Depository Trust Company ("DTC"), and the payment of principal, premium, if

any, and interest, the providing of notices and other matters will be made as described in the Letter of Representations from the City, the Commission and the Paying Agent to DTC.

This bond is issued with the intent that the laws of the State of Georgia shall govern its construction. Upon the occurrence of an event of default (as defined in the Joint Ordinance), the owner of this bond shall be entitled to the remedies provided by the Joint Ordinance and the Revenue Bond Law.

It is hereby recited and certified that all acts, conditions and things required to exist, happen and be performed precedent to and in the issuance of this bond do exist, have happened and have been performed in due time, form and manner as required by law.

This bond shall not be entitled to any benefit under the Joint Ordinance and shall not become valid or obligatory for any purpose until it shall have been authenticated by execution by U.S. Bank National Association, Atlanta, Georgia, as Authenticating Agent, by manual signature of the certificate hereon endorsed.

IN WITNESS WHEREOF, the City and the Commission have, respectively, caused this bond to be executed by the facsimile signatures of the Mayor of the City and the Chairman of the Commission and have caused their respective corporate seals to be printed or impressed hereon and attested by the facsimile signature of the Clerk of the City and the Secretary of the Commission, as applicable, all as of the bond date specified above.

CITY OF NEWNAN, GEORGIA

BOARD OF WATER, SEWERAGE
AND LIGHT COMMISSIONERS OF
THE CITY OF NEWNAN

(facsimile)
Mayor

(facsimile)
Chairman

(SEAL)

(SEAL)

Attest:

Attest:

(facsimile)
Clerk

(facsimile)
Secretary

AUTHENTICATION CERTIFICATE

The above bond is one of the bonds described in the within-mentioned Joint Ordinance adopted by the City Council and the Commission on May 6, 1998, as amended and supplemented, including as amended and supplemented by the within-mentioned Supplemental Joint Ordinance adopted by the Commission and the City on January 10, 2017 and January 9, 2017 , respectively, and is hereby authenticated as of the date of authentication set forth below.

U.S. BANK NATIONAL ASSOCIATION
as Authenticating Agent

By: _____
Authorized Signatory

Date of Authentication:

February 7, 2017

VALIDATION CERTIFICATE

STATE OF GEORGIA)
)
COUNTY OF COWETA)

The undersigned Clerk of the Superior Court of Coweta County, State of Georgia, keeper of the records and seal thereof, DOES HEREBY CERTIFY that this bond was validated and confirmed by judgment of the Superior Court of Coweta County, Georgia, on the ___ day of January, 2017, that no intervention or objection was filed opposing the validation of said bond and that no appeal of said judgment of validation has been taken.

WITNESS a facsimile of my signature and the official facsimile of the seal of the Superior Court of Coweta County, Georgia.

Clerk, Superior Court, Coweta County, Georgia
(SEAL)

ASSIGNMENT

FOR VALUE RECEIVED, the undersigned hereby sells, assigns and transfers unto

INSERT SOCIAL SECURITY OR TAXPAYER
IDENTIFICATION NUMBER OF ASSIGNEE

the within bond, and all rights thereunder and hereby does irrevocably constitute and appoint
_____ Attorney to transfer the within bond on the books kept for
registration thereof, with full power of substitution in the premises.

Dated: _____

Signature guaranty:

Authorized Officer
(Signature must be guaranteed by an
an institution which is a participant in the
Securities Transfer Agent Medallion
Program (STAMP) or similar program.

NOTE: The signature to this assignment
must correspond with the name as it appears
upon the face of the within bond in every
particular, without alteration or enlargement
or any change whatever.

* * * * *

ARTICLE II.

REDEMPTION OF BONDS BEFORE MATURITY

Section 201. Optional Redemption.

The 2017 Bonds maturing on or after January 1, 2026 may be redeemed prior to their respective maturities at the option of the Commission, either in whole or in part, on any date not earlier than July 1, 2025, from any moneys deposited with the Paying Agent and available for such purpose, in such order of maturity as shall be selected and specified by the Commission. Such redemption shall be made upon payment of 100% of the principal amount of each 2017 Bond to be redeemed, plus accrued interest to the date fixed for redemption.

If less than all of the 2017 Bonds of a maturity are to be redeemed, the actual 2017 Bonds of such maturity to be redeemed shall be selected by lot in such manner as may be designated by the Paying Agent. The 2017 Bonds are subject to redemption only in principal amounts of \$5,000 or any integral multiple thereof.

ARTICLE III.

REVENUES AND FUNDS

Section 301. Revenues and Funds. The City and the Commission have heretofore established, pursuant to Section 502(2)(a) of the Joint Ordinance, a special fund designated "City of Newnan Water, Sewerage and Light Commission Public Utilities Sinking Fund," into which Sinking Fund there was required to be paid from the Revenue Fund certain monthly sums as stipulated in Section 502(2) (a) and (b) of the Joint Ordinance, until funds were accumulated in the Sinking Fund sufficient to pay all principal and interest on the Series 2006 Bonds at their respective maturities and to create a reserve for that purpose. The Sinking Fund shall continue to be maintained in all respects as created in the Joint Ordinance; provided that the purpose for the creation and obligation to maintain the Sinking Fund be and is hereby broadened and extended to include the payments hereinafter covenanted to be made therein (which include the payments heretofore stipulated in said Section 502(2)(a) and (b) of the Joint Ordinance) for the payment of the principal of, premium, if any, and the interest on the Unrefunded Bonds and the 2017 Bonds issued hereunder. The City and the Commission covenant to continue making the Sinking Fund payments as required in the Joint Ordinance, as amended and supplemented, and also to maintain a reserve therein in an amount equal to the Reserve Requirement, taking into account the issuance of the 2017 Bonds. If, in any month, for any reason, the full amounts required hereunder shall not be paid into the Sinking Fund, any deficiency shall be added to the amount required to be paid into the Sinking Fund in the next succeeding month.

Section 302. Creation of Costs of Issuance Account. There are hereby created and established within the Construction Fund created in Section 401 of the Joint Ordinance two new accounts: The "Series 2017A Costs of Issuance Account" and the "Series 2017B Costs of Issuance Account." The proceeds of the 2017 Bonds as set forth in Article II hereof shall be deposited into such accounts. Amounts in the Series 2017A Costs of Issuance Account and the Series 2017B Costs

of Issuance Account shall be disbursed by the Construction Fund Custodian in accordance with Section 406 of the Joint Ordinance.

ARTICLE IV.

[RESERVED]

ARTICLE V.

MISCELLANEOUS PROVISIONS

Section 501. Validation. The 2017 Bonds shall be validated in the manner provided in the Revenue Bond Law, as amended, and to that end notice of the adoption of this Supplemental Joint Ordinance and a certified copy thereof shall be immediately served on the District Attorney of the Coweta Judicial Circuit in order that proceedings for the confirmation and validation of the 2017 Bonds by the Superior Court of Coweta County may be instituted by said District Attorney.

Section 502. Severability. In case any one or more of the provisions of this Supplemental Joint Ordinance, or the 2017 Bonds, shall for any reason be held to be illegal or invalid, such illegality or invalidity shall not affect any other provision of this Supplemental Joint Ordinance, or the 2017 Bonds, but this Supplemental Joint Ordinance and the Bonds shall be construed and enforced as if such illegal or invalid provisions had not been contained therein.

Section 503. Series 1998 Ordinance. All the definitions, terms, conditions and provisions of Article I, Article II, Section 303, 304 and 305 of Article III, Article IV, Article V, Article VI, Article VII, Article VIII, Article IX, Article X, and Section 1102, 1103, 1106, 1108, 1109, and 1110 of Article XI and each Section and covenant thereof of the Joint Ordinance are hereby ratified and reaffirmed and are hereby adopted as being applicable, and shall for all purposes apply to the 2017 Bonds as if the 2017 Bonds had been originally issued under authority of the Joint Ordinance.

Section 504. Ordinance; In General. The City hereby amends the Joint Ordinance in its entirety to the extent necessary to effect and accomplish the issuance of the 2017 Bonds on a parity basis with the Unrefunded Bonds as though the 2017 Bonds had been originally issued, sold and delivered simultaneously with the Series 1998 Bonds.

Section 505. Supplemental Joint Ordinance; In General. The provisions, terms and conditions of this Supplemental Joint Ordinance shall constitute a contract by and among the City, the Commission and the owners of the bonds authorized to be issued hereunder and the holders of the Unrefunded Bonds authorized by the Joint Ordinance, as amended and supplemented, and after the issuance of the 2017 Bonds, this Supplemental Joint Ordinance will not be repealed, or amended, in any respect that will adversely affect the rights and interests of the holders of any of the Unrefunded Bonds or the 2017 Bonds, nor shall the governing body of the City or the Commission pass any ordinance or resolution in any way adversely affecting the rights of such holders or owners, so long as any of the Unrefunded Bonds and the 2017 Bonds, or the interest thereon, shall remain unpaid.

Any subsequent proceeding or proceedings authorizing the issuance of additional parity bonds provided for under Section 508 of the Joint Ordinance shall in no way conflict with the terms and conditions of the Joint Ordinance or of this Supplemental Ordinance, but shall for all legal purposes contain all the covenants, agreements and provisions of the Joint Ordinance and this Supplemental Ordinance for the equal protection and benefit of all bondholders.

Section 506. Tax Covenants and Representations. The Series 2017A Bonds are being issued by the City and the Commission in compliance with the conditions necessary for the interest on the Series 2017A Bonds to be excluded from gross income for Federal income tax purposes pursuant to the provisions of Section 103(a) of the Internal Revenue Code of 1986, as amended (the “Code”), relating to obligations of the State or political subdivisions thereof. It is the intention of the City and the Commission that the interest on the Series 2017A Bonds be and remain excluded from gross income for Federal income tax purposes, and, to that end, the City and the Commission hereby covenant with the holders of any Series 2017A Bonds as follows:

(a) That neither the City nor the Commission will take any action, or fail to take any action, if such action or failure to take action would adversely affect the tax-exempt status of the interest on the the Series 2006 Bonds or the Series 2017A Bonds under Section 103 of the Code.

(b) That neither the City nor the Commission will directly or indirectly use or permit the use of any proceeds of the Series 2017A Bonds or any other funds of the City or the Commission or take or omit to take any action in a way that would cause the Series 2017A Bonds to be (i) “private activity bonds” within the meaning of Section 141 of the Code or (ii) obligations which are “federally guaranteed” within the meaning of Section 149(b) of the Code. Neither the City nor the Commission will allow 10% or more of the proceeds of the Series 2017A Bonds to be used in the trade or business of any private business and will not loan 5% or more of the proceeds of the Series 2017A Bonds to any non-governmental unit.

(c) That neither the City nor the Commission will directly or indirectly use or permit the use of any proceeds of the Series 2006 Bonds and the Series 2017A Bonds or any other funds of the City or the Commission or take or omit to take any action that would cause the Series 2006 Bonds or the Series 2017A Bonds to be “arbitrage bonds” within the meaning of Section 148 of the Code. To that end, the City and the Commission will comply with all requirements of Section 148 of the Code, including but not limited to provisions requiring payment of rebate to the United States of America, to the extent applicable to the Series 2017A Bonds. In the event that at any time the City or the Commission is of the opinion that for purposes of this Section it is necessary to restrict or limit the yield on the investment of any moneys held under this Supplemental Ordinance, or the Joint Ordinance, the City and the Commission shall take such action as may be necessary.

(d) The City and Commission hereby designate the Series 2017A Bonds as “qualified tax exempt obligations” within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986, as amended (the “Code”), and, in the case of certain financial institutions (within the meaning of Code Section 265(b)(5)), a deduction is allowed for 80% of that portion of such financial institutions’ interest expense allocable to interest on the Bonds.

Section 507. Definitions. In addition to the words and terms defined in this Supplemental Ordinance, including the Preambles, words and terms defined in the Joint Ordinance shall have the same meanings when used herein, unless the context shall clearly indicate another or different

meaning or intent. The terms “bond” and “obligation”, whether used in the singular or plural in this Supplemental Ordinance, shall be construed to mean in every case the revenue bonds or obligations contemplated by the Revenue Bond Law, as amended.

Section 508. Approval of Actions of City and the Commission. All actions taken by the City and the Commission relating to the authorization and issuance of the 2017 Bonds be and the same are hereby ratified, approved and confirmed.

Section 509. Purchase of Surety Bond. The purchase of a Surety Bond guaranteeing certain payments into the Reserve Account of the Sinking Fund (as defined in the Joint Ordinance) with respect to the 2017 Bonds when due from Surety Provider is hereby authorized and approved, and the Mayor, the Mayor Pro Tem, the Clerk and any Assistant Clerk of the City, or any of them, and the Chairman, the Vice Chairman, the Secretary and any Assistant Secretary of the Commission, or any of them, are hereby authorized to execute, attest and impress the seal of the City and the Commission, as applicable, on any necessary agreements or certificates, including any guaranty agreement, insurance agreement or commitment, in connection with such purchase. Any action heretofore taken by any persons so authorized is hereby ratified and approved. Further, the Mayor or Mayor Pro Tem of the City and the Chairman or Vice Chairman of the Commission and other officers of the City and Commission are hereby authorized to execute, deliver and perform any other agreement or document necessary or convenient to completing the transaction contemplated by this Joint Ordinance and the issuance of the 2017 Bonds with advice of counsel.

Section 510. Provisions Respecting the Surety Bond.

In the event that the provisions described below conflict with other provisions of the Joint Ordinance, the provisions described below will control. The provisions described below will remain in effect as long as Surety Bond Provider is honoring its obligations under the Surety Bond.

(a) The City and Commission (the “Issuer”) shall repay any draws under the Surety Bond and pay all related reasonable expenses incurred by Surety Bond Provider and shall pay interest thereon from the date of payment by Surety Bond Provider at the Late Payment Rate. “Late Payment Rate” means the lesser of (x) the greater of (i) the per annum rate of interest, publicly announced from time to time by JPMorgan Chase Bank at its principal office in the City of New York, as its prime or base lending rate (“Prime Rate”) (any change in such Prime Rate to be effective on the date such change is announced by JPMorgan Chase Bank) plus 5%, and (ii) the then applicable highest rate of interest on the 2017 Bonds and (y) the maximum rate permissible under applicable usury or similar laws limiting interest rates. The Late Payment Rate shall be computed on the basis of the actual number of days elapsed over a year of 360 days. In the event JPMorgan Chase Bank ceases to announce its Prime Rate publicly, Prime Rate shall be the publicly announced prime or base lending rate of such national bank as Surety Bond Provider shall specify. If the interest provisions of this subparagraph (a) shall result in an effective rate of interest which, for any period, exceeds the limit of the usury or any other laws applicable to the indebtedness created herein, then all sums in excess of those lawfully collectible as interest for the period in question shall, without further agreement or notice between or by any party hereto, be applied as additional interest for any later periods of time when amounts are outstanding hereunder to the extent that interest otherwise due hereunder for such periods plus such additional interest would not exceed the limit of the usury or such other laws, and any excess shall be applied upon principal immediately upon receipt of such moneys by Surety Bond Provider, with the same force and effect as if the issuer had specifically designated such extra sums to be so applied and Surety Bond Provider had agreed to accept such extra payment(s) as additional

interest for such later periods. In no event shall any agreed-to or actual exaction as consideration for the indebtedness created herein exceed the limits imposed or provided by the law applicable to this transaction for the use or detention of money or for forbearance in seeking its collection.

Repayment of draws and payment of expenses and accrued interest thereon at the Late Payment Rate (collectively, "Policy Costs") shall commence in the first month following each draw, and each such monthly payment shall be in an amount at least equal to 1/12 of the aggregate of Policy Costs related to such draw.

Amounts in respect of Policy Costs paid to Surety Bond Provider shall be credited first to interest due, then to the expenses due and then to principal due. As and to the extent that payments are made to the Surety Bond Provider on account of principal due, the coverage under the Surety Bond will be increased by a like amount, subject to the terms of the Surety Bond. The obligation to pay Policy Costs shall be secured by a valid lien on all revenues and other collateral pledged as security for the 2017 Bonds (subject only to the priority of payment provisions set forth under the Joint Ordinance).

All cash and investments in the debt service reserve account established for the 2017 Bonds (the "Reserve Fund") shall be transferred to the debt service fund for payment of debt service on Bonds before any drawing may be made on the Surety Bond or any other credit facility credited to the Reserve Fund in lieu of cash ("Credit Facility"). Payment of any Policy Costs shall be made prior to replenishment of any such cash amounts. Draws on all Credit Facilities (including the Surety Bond) on which there is available coverage shall be made on a pro-rata basis (calculated by reference to the coverage then available thereunder) after applying all available cash and investments in the Reserve Fund. Payment of Policy Costs and reimbursement of amounts with respect to other Credit Facilities shall be made on a pro-rata basis prior to replenishment of any cash drawn from the Reserve Fund. For the avoidance of doubt, "available coverage" means the coverage then available for disbursement pursuant to the terms of the applicable alternative credit instrument without regard to the legal or financial ability or willingness of the provider of such instrument to honor a claim or draw thereon or the failure of such provider to honor any such claim or draw.

(b) If the Issuer shall fail to pay any Policy Costs in accordance with the requirements of subparagraph (a) hereof, Surety Bond Provider shall be entitled to exercise any and all legal and equitable remedies available to it, including those provided under the Joint Ordinance other than (i) acceleration of the maturity of the 2017 Bonds or (ii) remedies which would adversely affect owners of the 2017 Bonds.

(c) The Joint Ordinance shall not be discharged until all Policy Costs owing to Surety Bond Provider shall have been paid in full. The Issuer's obligation to pay such amounts shall expressly survive payment in full of the 2017 Bonds.

(d) The Issuer shall include any Policy Costs then due and owing Surety Bond Provider in the calculation of the additional bonds test and the rate covenant in the Joint Ordinance.

(e) The Joint Ordinance requires the Paying Agent to ascertain the necessity for a claim upon the Surety Bond in accordance with the provisions of subparagraph (a) hereof and to provide notice to Surety Bond Provider in accordance with the terms of the Surety Bond at least five business days prior to each date upon which interest or principal is due on the 2017 Bonds. Where deposits are required to be made by the Issuer with the Paying Agent to the debt service fund for the 2017 Bonds more often than semi-annually, the Paying Agent shall be instructed to give notice to Surety Bond Provider of any failure of the Issuer to make timely payment in full of such deposits within two business days of receipt.

(f) Any amendment, supplement, modification to, or waiver of, the Joint Ordinance or any other transaction document, including any underlying security agreement (each a "Related Document"), that requires the consent of Bondowners or adversely affects the rights and interests of the Surety Bond Provider shall be subject to the prior written consent of the Surety Bond Provider.

(g) There is hereby created in the Reserve Fund a "Reserve Fund 2017 Account," in which the Surety Bond will be held and such Surety Bond shall only be available respecting the 2017 Bonds.

(h) The prior written consent of Surety Bond Provider shall be a condition precedent to the deposit of any credit facility (a "Credit Facility") credited to the debt service reserve fund established for the Bonds (the "Reserve Fund") in lieu of a cash deposit into the Reserve Fund. Amounts drawn under the Reserve Policy shall be available only for the payment of scheduled principal and interest on the 2017 Bonds when due.

(i) The Issuer will pay or reimburse Surety Bond Provider any and all charges, fees, costs, losses, liabilities and expenses which Surety Bond Provider may pay or incur, including, but not limited to, fees and expenses of attorneys, accountants, consultants and auditors and reasonable costs of investigations, in connection with (i) any accounts established to facilitate payments under the Reserve Policy, (ii) the administration, enforcement, defense or preservation of any rights in respect of the Joint Ordinance or any document executed in connection with the 2017 Bonds (the "Related Documents"), including defending, monitoring or participating in any litigation or proceeding (including any bankruptcy proceeding in respect of the Issuer) relating to Joint Ordinance or any other Related Document, any party to the Joint Ordinance or any other Related Document or the transactions contemplated by the Related Documents, (iii) the foreclosure against, sale or other disposition of any collateral securing any obligations under the Joint Ordinance or any other Related Document, if any, or the pursuit of any remedies under the Joint Ordinance or any other Related Document, to the extent such costs and expenses are not recovered from such foreclosure, sale or other disposition, (iv) any amendment, waiver or other action with respect to, or related to the Joint Ordinance, the Reserve Policy or any other Related Document whether or not executed or completed, or (v) any action taken by Surety Bond Provider to cure a default or termination or similar event (or to mitigate the effect thereof) under the Joint Ordinance or any other Related Document; costs and expenses shall include a reasonable allocation of compensation and overhead attributable to time of employees of Surety Bond Provider spent in connection with the actions described in clauses (ii) through (v) above. Surety Bond Provider reserves the right to charge a reasonable fee as a condition to executing any amendment, waiver or consent proposed in respect of the Joint Ordinance or any other Related Document. Amounts payable by the Issuer hereunder shall bear interest at the Late Payment Rate from the date such amount is paid or incurred by Surety Bond Provider until the date Surety Bond Provider is paid in full.

(j) The obligation of the Issuer to pay all amounts due to Surety Bond Provider shall be an absolute and unconditional obligation of the Issuer and will be paid or performed strictly in accordance with the provisions of this Section, irrespective of (i) any lack of validity or enforceability of or any amendment or other modifications of, or waiver with respect to the 2017 Bonds, the Joint Ordinance or any other Related Document, or (ii) any amendment or other modification of, or waiver with respect to the Reserve Policy; (iii) any exchange, release or non-perfection of any security interest in property securing the 2017 Bonds, the Joint Ordinance or any other Related Documents; (iv) whether or not such Bonds are contingent or matured, disputed or undisputed, liquidated or unliquidated; (v) any amendment, modification or waiver of or any consent to departure from the Reserve Policy, the Joint Ordinance or all or any of the other Related Documents; (vi) the existence of any claim, setoff, defense (other than the defense of payment in full), reduction, abatement or other right which the Issuer may have at any time against the Trustee

or any other person or entity other than the Insurer, whether in connection with the transactions contemplated herein or in any other Related Documents or any unrelated transactions; (vii) any statement or any other document presented under or in connection with the Reserve Policy proving in any and all respects invalid, inaccurate, insufficient, fraudulent or forged or any statement therein being untrue or inaccurate in any respect; or (viii) any payment by the Insurer under the Reserve Policy against presentation of a certificate or other document which does not strictly comply with the terms of the Reserve Policy.

(k) The Issuer shall fully observe, perform, and fulfill each of the provisions (as each of those provisions may be amended, supplemented, modified or waived with the prior written consent of the Insurer) of the Joint Ordinance applicable to it, each of the provisions thereof being expressly incorporated into this Section by reference solely for the benefit of Surety Bond Provider as if set forth directly herein. No provision of the Joint Ordinance or any other Related Document shall be amended, supplemented, modified or waived, without the prior written consent of Surety Bond Provider, in any material respect or otherwise in a manner that could adversely affect the payment obligations of the Issuer hereunder or the priority accorded to the reimbursement of Policy Costs under the Joint Ordinance. The Insurer is hereby expressly made a third party beneficiary of the Joint Ordinance and each other Related Document

(l) The Issuer covenants to provide to Surety Bond Provider, promptly upon request, any information regarding the 2017 Bonds or the financial condition and operations of the Issuer as reasonably requested by Surety Bond Provider. The Issuer will permit Surety Bond Provider to discuss the affairs, finances and accounts of the Issuer or any information Surety Bond Provider may reasonably request regarding the security for the 2017 Bonds with appropriate officers of the Issuer and will use commercially reasonable efforts to enable Surety Bond Provider to have access to the facilities, books and records of the Issuer on any business day upon reasonable prior notice.

(m) Notices and other information to Surety Bond Provider shall be sent to the following address (or such other address as Surety Bond Provider may designate in writing): Assured Guaranty Municipal Corp., 31 West 52nd Street, New York, New York 10019, Attention: Managing Director — Surveillance, Re: Policy No. _____.

Section 510. Waiver of Performance Audit and Performance Review. The City and the Commission hereby waive the provisions of the O.C.G.A. Section 36-82-100 requiring that a performance audit or performance review be conducted with respect to the 2017 Bonds. The notice of the hearing to validate the 2017 Bonds shall contain a specific waiver expressly stating that no performance audit or performance review shall be conducted with respect to the 2017 Bonds.

Section 511. Repeal of Conflicting Ordinances. Any and all ordinances, or parts of ordinances, or any other prior proceedings in conflict with this Supplemental Ordinance this day passed be and are hereby repealed, and this Supplemental Ordinance shall be in full force and effect from and after its adoption, the welfare of the City and the Commission requiring it.

ADOPTED AND APPROVED by the CITY OF NEWNAN, GEORGIA, this 10th day of January, 2017.

APPROVED:

Mayor, City of Newnan, Georgia

(SEAL)

ATTEST:

Clerk, City of Newnan, Georgia

ADOPTED AND APPROVED by the BOARD OF WATER, SEWERAGE AND LIGHT COMMISSIONERS OF THE CITY OF NEWNAN, GEORGIA, this 9th day of January, 2017.

APPROVED:

Chairman, Board of Water, Sewerage and
Light Commissioners of the City of Newnan

(SEAL)

ATTEST:

Secretary, Board of Water, Sewerage and
Light Commissioners of the City of Newnan

EXHIBIT A

CERTIFICATE OF ACCOUNTANT WITH RESPECT TO PARITY TEST

[I, _____, of [Frost Cummings Tidwell Group LLC], certified public accountants to the Board of Water, Sewerage and Light Commissioners of the City of Newnan (the “Commission”) in connection with the joint issuance by the City of Newnan, Georgia and the Commission of their \$9,421,000 in aggregate principal amount of their Public Utilities Refunding Revenue Bonds, Series 2017A (the “Series 2017A Bonds”) and \$4,090,000 in aggregate principal amount of their Public Utilities Refunding Revenue Bonds, Taxable Series 2017B (the “Series 2017B Bonds,” and together with the Series 2017A Bonds, the “2017 Bonds”), DO HEREBY CERTIFY as follows:

1. The 2017 Bonds are being issued pursuant to a Joint Ordinance of the City and Resolution of the Commission adopted May 6, 1998 (the “Original Joint Ordinance”), as amended and supplemented, particularly as amended and supplemented by a Supplemental Joint Resolution of the Commission and Ordinance of the City adopted January __, 2017 and January __, 2017, respectively (the “2017 Supplemental Joint Ordinance”; the Original Joint Ordinance, as supplemented and amended, the “Joint Ordinance”). Capitalized terms used herein have the meanings assigned to them in the Joint Ordinance.

2. This Certificate is being provided in response to Section 508(d) of the Original Joint Ordinance. Pursuant to the Joint Ordinance, as amended and supplemented by a Supplemental Joint Ordinance of the City and Resolution of the Commission, adopted on November 22, 2006 and November 28, 2006, respectively (the “2006 Supplemental Ordinance”), the City and the Commission have issued and delivered their City of Newnan Water, Sewerage and Light Commission Public Utilities Refunding Revenue Bonds, Series 2006A (the “Series 2006A Bonds”) and their City of Newnan Water, Sewerage and Light Commission Public Utilities Revenue Bonds, Series 2006A (the “Series 2006A Bonds,” and together with the Series 2006A Bonds, the “Series 2006 Bonds”), which Series 2006 Bonds are secured by a lien on the Net Revenues of the System. The Series 2017A Bonds are being issued for the purpose of, among other things, providing funds to refund and defease all outstanding Series 2006A Bonds and Series 2017B Bonds are being issued for the purpose of, among other things, providing funds to refund and defease the portion of the outstanding Series 2006A Bonds maturing January 1, 2020 and January 1, 2021.

3. The payments covenanted to be made into the Sinking Fund are being timely made in the full amounts required and the Sinking Fund is at its proper balance, and the City and the Commission are in compliance with all other terms and conditions contained in the Joint Ordinance.

4. The Net Earnings of the System for the most recent fiscal year for which audited financial statements are available have been equal to at least 1.25 x the sum of (i) the highest annual Principal and Interest Requirement on Bonds then outstanding, including the 2017 Bonds proposed to be issued, and (ii) any amounts drawn down from the Reserve Account of the Sinking Fund and not repaid.

5. The 2017 Bonds will be issued as additional parity bonds ranking as to lien on the Net Revenues on a parity with the Series 2006 Bonds not being refunded from the proceeds of the 2017 Bonds.

6. We have examined the statements of net assets of the Commission as of December 31, 2012 and December 31, 2013 and the related statements of revenues, expenses, and changes in net assets and cash flows for the years then ended and have issued our reports thereon dated May 10, 2013 and May 8, 2014.

IN WITNESS WHEREOF, I have hereunto set my hand this 21st of April, 2015.

FROST CUMMINGS TIDWELL GROUP LLC

By: _____
R.Edwin Wetherington, Jr., CPA]

CLERK'S CERTIFICATE

GEORGIA, COWETA COUNTY

I, the undersigned Clerk of the City of Newnan, Georgia, DO HEREBY CERTIFY that the foregoing pages constitute a true and correct copy of the supplemental ordinance adopted by the Council of the City of Newnan at an open public meeting lawfully assembled on the 10th day of January, 2017, authorizing the issuance of \$9,421,000 in aggregate principal amount of City of Newnan Water, Sewerage and Light Commission Public Utilities Refunding Revenue Bonds, Series 2017A and \$4,090,000 in aggregate principal amount of City of Newnan Water, Sewerage and Light Commission Public Utilities Refunding Revenue Bonds, Taxable Series 2017B, the original of said ordinance being duly recorded in the Minute Book of said body, which Minute Book is in my custody and control.

I further certify that the meeting was held in conformity with the requirements of Title 50, Chapter 14 of the Georgia Code.

WITNESS my hand and the official seal of the City of Newnan, Georgia, this 10th day of January, 2017.

Clerk

(SEAL)

SECRETARY'S CERTIFICATE

GEORGIA, COWETA COUNTY

I, the undersigned Secretary of the Board of Water, Sewerage and Light Commissioners of the City of Newnan, Georgia, DO HEREBY CERTIFY that the foregoing pages constitute a true and correct copy of a resolution adopted by said Commission at a meeting duly called and lawfully assembled in compliance with O.C.G.A. Section 50-14-1, on the 9th day of January, 2017, in connection with the issuance of \$9,421,000 in aggregate principal amount of City of Newnan Water, Sewerage and Light Commission Public Utilities Refunding Revenue Bonds, Series 2017A and \$4,090,000 in aggregate principal amount of City of Newnan Water, Sewerage and Light Commission Public Utilities Refunding Revenue Bonds, Taxable Series 2017B, the original of said resolution being duly recorded in the permanent records of said Commission which records are in my custody and control.

WITNESS my hand and the official seal of the Water, Sewerage and Light Commission of the City of Newnan, Georgia this 9th day of January, 2017.

Secretary

(SEAL)



City of Newnan, Georgia - Mayor and Council

Date: January 10, 2017
Agenda Item: 7 Upper Mann Street
Prepared and Presented by: Shane Pridgen, Code Enforcement Officer
Submitted by: Bill Stephenson, Chief Building Official

Purpose: Owner's 180 day extension expires on January 15, 2017. Owner to request extension.

Background: Owner: Jessie Mae Turner Estate
C/O Donald Smith
Permits: None
Date Sub-Standard housing file was opened: February 19, 2013

Options:
1. Execute the Resolution.
2. Other direction from Council.

Funding: Not applicable.

Recommendation: Staff is requesting Council's approval for Option 1.

Previous Discussion with Council:
February 27, 2013 - Information Only
March 14, 2013 - Public Hearing Request
April 23, 2013 - Public Hearing
May 14, 2013 - Schedule of Repairs Presented
June 11, 2013 - Status Report – No Progress
July 9, 2013 - Status Report – No Progress
August 13, 2013 - Status Report – No Progress
September 10, 2013 - Status Report – Progress
October 8, 2013 - Status Report – Progress
November 12, 2013 - Status Report – No Progress
December 23, 2013 - Status Report – No Progress - Owner Requests 180 Day Extension
February 11, 2014 - Status Report – No Progress
March 13, 2014 - Status Report – No Progress
April 3, 2014 - Status Report – Progress
May 13, 2014 - Status Report – Progress

June 19, 2014 - Status Report – No Progress - Owner Requests 180 Day Extension

August 12, 2014 - Status Report – No Progress

September 9, 2014 - Status Report – No Progress

October 14, 2014 - Status Report – No Progress

November 11, 2014 - Status Report – No Progress

December 16, 2014 - Status Report – No Progress – Council Requests Owner Attend Next Scheduled Meeting Before Approving 180 Day Extension

January 27, 2015 - Council granted a 60 day extension to work on schedule and cost of repairs

April 14, 2015 – Council requested that some repairs be made and an acceptable schedule of repairs be presented.

April 28, 2015 – Council continued until May 26, 2015 meeting.

May 12, 2015 – Status Report - No Progress – Preparing Schedule for 120 days

June 9, 2015 – Status Report – No Progress

August 11, 2015 – Status Report – Progress – Electrical Rough-in Passed Inspection

September 8, 2015 – Status Report - Progress – Exterior Paint Applied

October 27, 2015 – Status Report - No Progress

December 15, 2015 – Status Report – Progress – Installed Electrical Boxes in Walls – Council requested schedule of repairs at next meeting

January 12, 2016 – 90 day extension granted

February 9, 2016 - Status Report - No Progress

March 10, 2016 - Status Report - No Progress

April 26, 2016 - Council granted a 90 day extension

May 10, 2016 - Status Report - No Progress

June 21, 2016 - Council continued until July 19, 2016 meeting.

July 19, 2016 - 180 Day Extension Granted

August 9, 2016 - Status Report - No Progress

September 13, 2016 - Status Report - No Progress

October 11, 2016 - Status Report - No Progress

November 8, 2016 - Status Report - No Progress

December 13, 2016 - Status Report - No Progress

City of Newnan, Georgia - Mayor and Council



Date: January 10, 2017

Agenda Item: 121 PINSON ST

Prepared and Presented by:
Shane Pridgen, Code Enforcement Officer

Submitted by: Bill Stephenson, Chief Building Official

Purpose:

Owner's 180 day extension expires on January 15, 2017. Owner to request an extension for repairs to be completed to the structure located at 121 PINSON ST.

Background:

Owner: JARVISS BALLARD & MARCUS BEASLEY

Date Sub-Standard housing file was opened: March 21, 2013

Does the cost to bring this structure into compliance by means of repair exceed 50% of the structure's assessed tax value? **YES**

On March 21, 2013 the Building Department conducted an inspection of the premises and found the structure to be unsafe, uninhabitable, open and vacant. The structure has been determined to be unsafe as set forth by City Ordinance Section 5-24. (a), Sub-sections (3, 4, 5, 6, 8, 9, 10).

Options:

1. Grant request from owner.
2. Other direction from Council.

Funding:

Not Applicable

Recommendation: Staff is requesting Council's approval to proceed with Option 1.

Previous Discussions with Council:

August 2, 2013 – Council informed of conditions.

August 13, 2013 – Public Hearing was requested.

September 23, 2013 - Public hearing was closed and the resolution was to be continued due to the time restrictions for properties purchased in a tax sale.

February 10, 2015 – 180 day extension granted in order for owner to foreclose on property.

August 21, 2015 – 90 day extension request granted in order for owner to foreclose on property.

September 8, 2015 – No Progress

October 15, 2015 – No Progress

November 10, 2015 – No Progress

December 15, 2015 – No Progress

January 12, 2016 – No Progress

February 9, 2016 – No Progress

March 10, 2016 – No Progress

May 10, 2016 - No Progress

May 23, 2016 – Extension Request Cont'd until June 21, 2016

June 21, 2016 - Extension Request Cont'd until July 19, 2016

July 19, 2016 – 180 Day Extension Granted

August 9, 2016 - Acquired building permit.

September 13, 2016 - Demoing interior.

October 11, 2016 - No progress to structure.

November 8, 2016 - No progress to structure.

December 13, 2016 - Interior progress to structure.



City of Newnan, Georgia - Mayor and Council

Date: January 10, 2017
Agenda Item: 136 EXT SPRING STREET
Prepared and Presented by: Shane Pridgen, Code Enforcement Officer
Submitted by: Bill Stephenson, Chief Building Official

Purpose: 180 day extension expires on January 15, 2017. Owners to request an extension for completion of repairs to structure located at 136 Spring St.

Background: Owner: WILLIE GLEN CLAY ESTATE
C/O EMMA CLAY DAVIS

Permits: None

Date Sub-Standard housing file was opened: October 6, 2014

City staff observed sub-standard housing conditions present at 136 EXT SPRING ST. The structure has been determined to be unsafe as set forth by City Ordinance, Section 5-24. (a), Sub-sections (4, 5, 6, 7, 8, 9, 10).

Options:

1. Grant request for extension.
2. Other direction from Council.

Funding: Not applicable.

Recommendation: Staff is requesting Council's approval for Option 1.

Previous Discussion with Council:

November 4, 2014– Council informed of conditions.

November 11, 2014 – Public Hearing Requested

January 27, 2015 – Public Hearing Conducted

March 13, 2015 – Status Report - No Progress

April 14, 2015 – Status Report - No Progress

May 12, 2015 – Status Report - No Progress

June 9, 2015 – Status Report - No Progress

August 11, 2015 – Status Report - No Progress – Owner Requested Extension – Cont'd Until Sep. 8, 2015

September 8, 2015 – 120 day extension granted by council.

October 27, 2015 – Status Report – No Progress

November 10, 2015 - Status Report - No Progress

December 15, 2015 – 180 day extension granted.

January 12, 2016 - Status Report – No progress to structure.

February 9, 2016 - Status Report – No progress to structure.

March 10, 2016 - Status Report – No progress to structure.

May 10, 2016 - Status Report – No progress to structure.

May 23, 2016 – Council continued until July 19, 2016 meeting.

July 19, 2016 – 180 Day Extension Granted.

August 9, 2016 - No progress to structure.

September 13, 2016 - No progress to structure.

October 11, 2016 - No progress to structure.

November 8, 2016 - No progress to structure.

December 13, 2016 - No progress to structure.

City of Newnan, Georgia – Mayor and Council



Date: January 10, 2017

Agenda Item: 29 Wilcoxen St, 79 Spence Ave and 286 W. Washington St.

Prepared and Presented by: Shane Pridgen, Code Enforcement Officer

Submitted by: Bill Stephenson, Chief Building Official

Purpose: To inform Council of the status of 29 Wilcoxen St, 79 Spence Ave and 286 W. Washington St. having been before Council in Public Hearings.

Background: Date of Status Check: December 3, 2017

<u>Property Description</u>	<u>Owner</u>	<u>Public Hearing</u>	<u>Original # Of Days Allowed</u>	<u>Resolution Deadline</u>	<u>Extended # Of Days Allowed</u>	<u>Updated Resolution Deadline</u>	<u>Status</u>
29 Wilcoxen St	Wanda Beckom	June 23, 2015	180 days	December 20, 2015	180 days	May 7, 2017	No progress to structure.
79 Spence Ave	Andre Sparks	April 23, 2013	180 days	October 20, 2013	90 days	January 30, 2017	No progress to structure.
286 W. Washington St.	Irvin Jones Estate	February 24, 2015	180 days	August 23, 2015	180 day	March 12, 2017	No progress to structure.

Options:

1. Accept status reports, no further action is required.
2. Other direction from Council.

Funding: Not Applicable

Recommendation: Staff is requesting Council's approval for Option 1.

**Previous Discussions
With Council:** All have previous history with Council.

**REQUEST FROM NEWNAN HIGH SCHOOL:
TO HOLD 3RD ANNUAL NEWNAN HIGH SCHOOL STUDENT-VET CONNECT VETERANS RELIEF FUND 5K**

From: Henderson, Frank [<mailto:frank.henderson@cowetaschools.net>]
Sent: Tuesday, January 03, 2017 10:24 AM
To: Libby Winn <LWinn@cityofnewnan.org>
Subject: NHS 5k in May

Run will be on May 20th this year same route as usual, thanks

--

Frankey Henderson, Ed.S
AP European/Adv. World War 2
Varsity Girls Soccer Head Coach
Pride, Professionalism, Teamwork

Entry Fee and Awards

Entry fee will be **25.00 for non-NHS students. Student fee is 20.00 (there is no charge for the fun run)** T-shirts will be provided to all who pre-register by May 3rd. You may also purchase a shirt on the day of the event for 15.00\$. The entry fee is non refundable. Proceeds benefit the Veterans Relief Fund of Coweta Co. Awards will be given to top three finishers under the age of 12 in the fun run and the top three male and female finishers in the 5k. 55 and over, and 10 year increments down from there.

Registration and Packet Pick Up

At Newnan High School across from the National Guard Armory on Friday, May 12th from 5:00 to 7:00 p.m. and on race day from 7:00 am to 7:45 am. 1mile Fun Run will begin at 7:45 and the 5k to follow.

Parking

Will be available all around the Newnan High Campus and is free of charge. Plenty of parking is available.

OFFICAL RACE ENTRY FORM

Enter all information below, including shirt size, and sign waiver, which is required to participate.

Name _____
Age _____ Male [] Female []
Address _____
City/State _____
ZIP _____
Date _____
Email address: _____

I am registering for the: [] 5K Run
[] 1 Mile Fun Run (Shirt available for student rate of 20.00)

Shirt Size: [] S [] M [] L [] XL [] 2XL
youth sizes YS () YM () YL ()

ENTRY FEE ENCLOSED: \$ _____

I would like to make an additional tax-deductible donation to the Veterans Relief fund in the amount of \$ _____.

RACE WAIVER – PLEASE READ AND SIGN TO PARTICIPATE

I know that running a road race is a potentially hazardous activity. I should not participate unless I am medically able and properly trained. I agree to abide by any decision of a race official relative to my ability to safely complete the event. I assume all risks associated with running this event, including, but not limited to, falls, contact with other participants, the effects of weather, traffic, and conditions of the road, all such risks being known and understood by me, having read this waiver and knowing these facts and in consideration of accepting my entry, I, for myself and anyone entitled to act on my behalf, waive and release Newnan High School and the Coweta County Board of Education and all, sponsors and agencies and municipalities, their representatives, and successors for all claims or liability of any kind arising out of my participation in this event. I grant permission to all of the foregoing to use any photographs, motion pictures, recordings or any other record of this event for any legitimate purpose.

Signature of participant

Signature of parent/guardian of participant under 18

Mail Entry To:

Newnan High School History Dept.
C/O Veterans 5k
190 Lagrange St.
Newnan, GA 30263

Checks may also be delivered to the main office.

Make checks payable to:

NHS Social Studies Dept. C/O Veteran's 5K

E-mail for more information:

frank.henderson@cowetaschools.net or dawgs247.fh@gmail.com

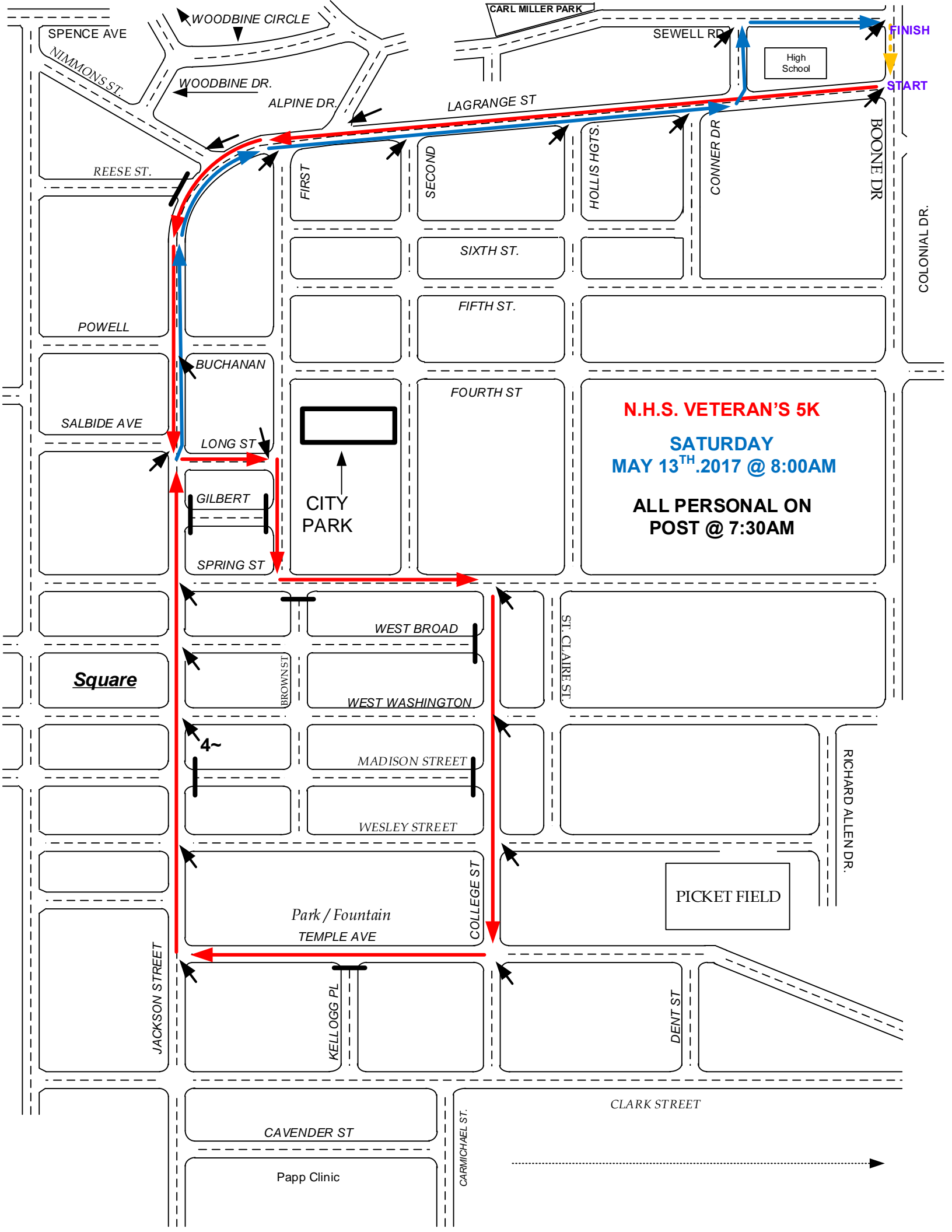
Website: on Facebook @ Friends of Newnan High School or at the NHS website @ <http://www.cowetaschools.org/nhs/quesinberry/ssweb/>



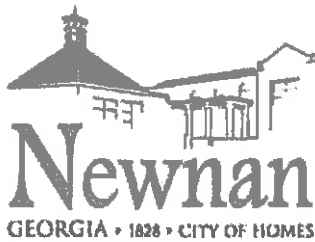
***3rd Annual
Newnan High School
Student-Vet Connect
Veterans Relief Fund 5k
and 1 Mile Fun Run***

***May 20th, 2017
7:45am***

For more information email:
frank.henderson@cowetaschools.net



N.H.S. VETERAN'S 5K
SATURDAY
MAY 13TH .2017 @ 8:00AM
ALL PERSONAL ON
POST @ 7:30AM



Business Development Department

Paige Deweese, Main Street Special Events Coordinator

Mr. Cleatus Phillips
City Manager,
City of Newnan
25 LaGrange Street
Newnan, Georgia 30263

January 3, 2017

Dear Mr. Phillips,

Please accept this letter as a formal request to place the following agenda item on the Newnan City Council's January 10, 2017 Meeting Agenda:

I. Permission to close streets for the following Main Street Newnan events:

- **Spring Taste of Newnan – Thursday, April 20, 2017**
Permission to close North and South Court Square, West Broad and West Washington Streets between 3:00pm and the close of the event.
- **Screen on the Square – Friday May, 5, 2017**
Permission to close South Court Square between 5:00 and the close of the event.
- **Fourth of July Parade – Tuesday, July 4, 2017**
The Parade will begin at Veteran's Memorial Park along Temple avenue at 9:00 am, travel south along Jackson/LaGrange Street, and will end at the intersection of LaGrange Street and Long Pl/Salbide Avenue adjacent to Charter Bank and the Greenville Street Park. The event will conclude by 10:00 am.
- **Sunrise on the Square 5K Road Race – Saturday, September 2, 2017**
The 5K/10K Road Race will begin on Brown Street, and turn at Wesley to College, College to Hwy 34, to Carmichael Street where the route will loop through several quick turns: Atkinson St, Velma Drive, Lundy Drive, Sherwood Drive, Edgewood Drive and end on Roscoe Road. From Roscoe Road the route will travel south through Downtown Newnan on Jackson Street, through East Court Square to Lagrange Street. After passing through Downtown Newnan the route will follow Lagrange Street to its intersection with Armory Road to Sewell Road to Waterworks Road, and will then return by travelling north along Lagrange Street to First Avenue. Runners will travel along First Avenue toward the finish line on Brown Street.
- **Fall Taste of Newnan – Thursday, October 5, 2017**

Permission to close North and South Court Square, West Broad and West Washington Streets between 3:00pm and the close of the event.

- **Santa on the Square – Thursday, November 24, 2017**

Permission to close North Court Square between 5:30pm and the close of the event.

II. Permission to use downtown sidewalks for the following Main Street Newnan events:

- **Market Day**

1st Saturday of each month between April and December. The event takes place between 10:00am and 2:00pm. Sidewalks located on the interior portion of the Courthouse Square.

- **The Coweta County Farmers Market**

June 7, 2017 - October 18, 2017. The event takes place weekly on Wednesdays from 9:00am- 1:00pm. Sidewalks located along the interior portion of South Court Square.

- **Furreal Love – Friday February 10, 2017**

Use of downtown sidewalks at various participating locations between 3:00pm and 7:00pm.

- **Spring Art Walk – Friday, March 24, 2017**

Use of downtown sidewalks at various participating locations between 5:00pm and 8:00pm.

- **Screen on the Square – Friday May, 5, 2017**

Use of downtown sidewalks located on the interior portion of the Courthouse Square. The event will take place from 5:30-10:30pm

- **Summer Wined Up – Friday, June 9, 2017**

Use of downtown sidewalks at various participating locations between 5:00pm and 9:00pm.

- **Fall Art Walk – Friday, September 8, 2017**

Use of downtown sidewalks at various participating locations between 5:00pm and 8:00pm.

- **Oktoberfest Craft Beer Tasting – Friday, October 13, 2017**



Business Development Department

Paige Deweese, Main Street Special Events Coordinator

Use of downtown sidewalks at various participating locations between 5:00pm and 9:00pm.

- **Munchkin Masquerade (Downtown Trick or Treat) – Tuesday, October 31, 2017**
Use of downtown sidewalks during the event between 10:00am and 12:00pm.
- **Holiday Sip-and-See – Thursday, November 9, 2017**
Use of downtown sidewalks at various participating locations between 12:00pm and 5:00pm.

III. Permission to utilize parking spaces for the following Main Street Newnan events:

- **Spring & Fall Taste of Newnan – Thursday, April 20, 2017 and Thursday, October 5, 2017**
Use of parking spaces located on the interior and exterior of the Courthouse Square as well as portions of West Washington and West Broad Streets to provide space for the Kids Zone and Live Music stage.

Please contact me if you require additional information.

Thank you for your continued support of the Business Development Department and the Main Street Newnan program.

Best Regards,

Motion to Enter into Executive Session

I move that we now enter into closed session as allowed by O.C.G.A. §50-14-4 and pursuant to advice by the City Attorney, for the purpose of discussing

And that we, in open session, adopt a resolution authorizing and directing the Mayor or presiding officer to execute an affidavit in compliance with O.C.G.A. §50-14-4, and that this body ratify the actions of the Council taken in closed session and confirm that the subject matters of the closed session were within exceptions permitted by the open meetings law.

Motion to Adopt Resolution after Adjourning Back into Regular Session

I move that we adopt the resolution authorizing the Mayor to execute the affidavit stating that the subject matter of the closed portion of the council meeting was within the exceptions provided by O.C.G.A. §50-14-4(b).