

City of Thomasville Council Meeting, November 28, 2018

The Council of the City of Thomasville met in regular session with Mayor Greg Hobbs presiding and the following Councilmembers present: Mayor Pro Tem Terry Scott, Councilmembers Jay Flowers, David Hufstetler, and Todd Mobley. Also present were the Interim City Manager, Kha McDonald; Asst. Utilities Superintendent, Chris White; City Attorney, Tim Sanders; other staff, members of the press and citizens. The meeting was held in Council Chambers at 144 East Jackson Street in Thomasville, Georgia.

Mayor Greg Hobbs called the meeting to order at 5:10 PM. Councilmember Flowers gave the invocation. Mayor Pro Tem Scott led those present in the Pledge of Allegiance.

On motion Mayor Pro Tem Scott, and seconded by Councilmember Flowers, the minutes of the regular City Council meeting held on November 12, 2018 were unanimously approved as presented.

On motion of Mayor Pro Tem Scott, and seconded by Councilmember Flowers, the minutes of the called emergency City Council meeting held on November 14, 2018 were unanimously approved as presented.

On motion of Councilmember Flowers, and seconded by Mayor Pro Tem Scott, the minutes of the Called City Council meeting held on November 15, 2018 were unanimously approved as presented.

Mayor Hobbs opened the meeting to citizens to be heard on non-agenda items. Joe Brown, 1112 Gordon Avenue, Thomasville, Georgia, addressed Council and inquired what course of action Council would take regarding findings listed in Attorney David Archer's investigation report. Brown stated three courses of action Council could take in reference to the Archer Report: 1. Council could ignore the findings, in which case implies to the citizens and employees that Councilmembers are above the law; 2. Council could further investigate findings, that would either clear Mayor Hobbs or not, and take appropriate action; or, 3. Council could refer the report's findings to the Governor's office for appropriate action to be taken in regards to City Ethics Laws and removal from office. Brown commended Councilmembers Flowers, Scott and Mobley for listening to citizens and for their collective efforts in hiring a new City Manager, City Charter amendments and resolving to move forward with citizen desired improvements of South Pinetree Boulevard. Brown concluded his address by stating "in reference to Mayor Hobbs' threat regarding citizens who express their opinions during live streaming, we will not be intimidated and will watch you like a hawk."

Wallace Goodman, 116 Dawson Street, Thomasville, Georgia stated he had not seen the minutes of the last Council meeting where citizens were threatened and inquired to know if those remarks, made by Mayor Hobbs, were included in the minutes. Councilmember Hufstetler replied, stating there was reference to his remarks; however, he [Hufstetler] took issue with the fact that the remarks were threatening. Councilmember Hufstetler further stated Mayor Hobbs made the remarks from the perspective that he [Hobbs] was reminding anyone who spoke in a way that could be considered as the legal definition of defamatory, the meetings are recorded.

Lucinda Brown, 103 Halcyon Way, Thomasville, Georgia addressed Council regarding her prior inquiry about funding of the Drug Squad and the lack of transparency being provided to citizens. Brown reported that at the time of her inquiry of Council, she was told the contract between the City and the County was being revised. She requested to know if the contract had been finalized. City Attorney Sanders reported to his knowledge the existing MOU (Memorandum of Understanding) was still in place. Brown stated there were two Drug Squad Committee Members present on Council and requested to know if the Drug Squad Committee would hold meetings or continue to do whatever they wanted without transparency. Councilmember Hufstetler replied that the Drug Squad continues to provide monthly reports to committee

members and there were no calls for concerns under the current way it is made up. Brown asked if those reports were being conveyed to the citizens in a transparent manner. She noted that the City and County are funding a Drug Squad that is no longer transparent and that action is infringing upon the rights of the citizens. Brown concluded her comments by noting she was an ex-Police Officer and understood there certain items could not be disclosed publically; however, the concern is the Drug Squad is funded by public monies and they are being permitted to operate with no transparency to citizens. Mayor Hobbs reported that until the Drug Squad MOU was revised, any future meetings would not be held.

David Lewis, 123 Pinewood Place, Thomasville, Georgia addressed Council to convey his concerns regarding the recent change in Council's per-meeting pay and back pay that was disbursed to Councilmembers present and those two years prior. He asked if anyone knew the start date, or when the change went into effect. He acknowledged there was a two-year statute of limitations on how far back the City could be sued for such matters; however, he further questioned if the start date was not known, then the true amount due to Councilmembers prior was not known. Lewis concluded his comments by requesting Council to do right by past Councilmembers and pay to them what is owed from the start date. Councilmember Hufstetler replied by stating that he was not certain of the statute; however, the City is lucky that Mr. Lewis was not suing. He further stated the law is not always right and anyone who served from that time to now should be paid.

There being no other citizens to be heard, Council moved on to the printed agenda. Under Old Business, Council considered on second reading, an ordinance to amend Thomasville Municipal Code Chapter 5, Article XIII, Sections 5-350 through 5-362 as required by the Georgia Erosion and Sedimentation Act (O.C.G.A. 12-7-8(a)(2)). City Engineer Wayne Newsome reported as the Georgia Erosion and Sedimentation Act, Local Issuing authorities must amend their ordinances to incorporate any amendment to the Act. It was noted that the amended changes will not significantly affect how the City permit and inspect projects within the City's jurisdiction. A majority of the changes revolve around final stabilization and 25-foot buffer. Copy of amended ordinance and list of certified inspectors, designers, and reviewers are to be sent to Frank M. Carubba with EPD Watershed Protection Branch by end of January 2019. Newsome reported there were no changes since the first reading of this ordinance.

On motion of Mayor Pro Tem Scott, and seconded by Councilmember Flowers, the following ordinance was unanimously ordered read for the second time, passed and adopted:

AN ORDINANCE TO AMEND CERTAIN PORTIONS OF CHAPTER 5, ARTICLE XIII, SOIL EROSION, POLLUTION, AND SEDIMENTATION CONTROL OF THE CODE OF THOMASVILLE, GEROGIA, TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

SECTION I

BE IT ORDAINED by the Council for the City of Thomasville, Georgia, and it is hereby ordained by the authority of the same, that Section 5-351, captioned "Definitions," of Article XIII, captioned "Soil Erosion, Pollution, and Sedimentation Control," of Chapter 5, captioned "Building Construction, and Related Activities," is amended by adding a definition, to wit: "5. Coastal Marshlands," renumbering each successive definition in Section 5-351, and which added definition shall read as follows:

"5. Coastal Marshlands: Shall have the same meaning as in O.C.G.A. 12-5-282."

SECTION II

BE IT ORDAINED by the Council for the City of Thomasville, Georgia, and it is hereby ordained by the authority of the same, that Section 5-351, captioned “Definitions,” of Article XIII, captioned “Soil Erosion, Pollution, and Sedimentation Control,” of Chapter 5, captioned “Building Construction, and Related Activities,” is amended by amending the defined term “CPESC”, as renumbered, which shall read as follows:

“7. CPESC: Certified Professional in Erosion and Sediment Control with current certification by ~~Certified Profession in Erosion and Sediment Control Inc., a corporation registered in North Carolina,~~ EnviroCert, Inc. which is also referred to as CPESC or CPESC, Inc.”

SECTION III

BE IT ORDAINED by the Council for the City of Thomasville, Georgia, and it is hereby ordained by the authority of the same, that Section 5-351, captioned “Definitions,” of Article XIII, captioned “Soil Erosion, Pollution, and Sedimentation Control,” of Chapter 5, captioned “Building Construction, and Related Activities,” is amended by amending the defined term “Design Professional,” as renumbered, which shall read as follows:

“10. Design Professional: A professional licensed by the State of Georgia in the field of: engineering, architecture, landscape architecture, forestry, geology, or land surveying; or a person that is a Certified Professional in Erosion and Sediment Control (CPESC) with a current certification by ~~Certified Professional in Erosion and Sediment Control Inc. EnviroCert, Inc.~~ Design Professionals shall practice in a manner that complies with applicable Georgia law governing professional licensure.”

SECTION IV

BE IT ORDAINED by the Council for the City of Thomasville, Georgia, and it is hereby ordained by the authority of the same, that Section 5-351, captioned “Definitions,” of Article XIII, captioned “Soil Erosion, Pollution, and Sedimentation Control,” of Chapter 5, captioned “Building Construction, and Related Activities,” is amended by amending the defined term “District,” as renumbered, which shall read as follows:

“12. District: The ~~Middle South Georgia~~ Region V Soil and Water Conservation District.”

SECTION V

BE IT ORDAINED by the Council for the City of Thomasville, Georgia, and it is hereby ordained by the authority of the same, that Section 5-351, captioned “Definitions,” of Article XIII, captioned “Soil Erosion, Pollution, and Sedimentation Control,” of Chapter 5, captioned “Building Construction, and Related Activities,” is amended by amending the defined term “Final Stabilization,” as renumbered, which shall read as follows:

“18. Final Stabilization: All soil disturbing activities at the site have been completed, and that for unpaved areas and areas not covered by permanent structures and areas located outside the waste disposal limits of a landfill cell that has been certified by EPD for waste disposal, 100% of the soil surface is uniformly covered in permanent vegetation with a density of 70% or greater, or landscaped according to the Plan (uniformly covered with landscaping materials in planned landscape areas), or equivalent permanent stabilization measures as defined in the Manual (excluding a crop of annual vegetation and seeding of target crop perennials appropriate for the region). ~~or equivalent permanent stabilization measures (such as the use of rip rap, gabions, permanent mulches or geotextiles) have been used. Permanent vegetation shall consist of: planted trees, shrubs, perennial vines; a crop of perennial vegetation appropriate for the time of year and region; or a crop of annual vegetation and a seeding of target crop perennials appropriate for the region.~~ Final stabilization applies to each phase of construction.”

SECTION VI

BE IT ORDAINED, by the Council for the City of Thomasville, Georgia, and it is hereby ordained by the authority of the same, that Section 5-351, captioned “Definitions,” of Article XIII, captioned “Soil Erosion, Pollution, and Sedimentation Control,” of Chapter 5, captioned “Building Construction, and Related Activities,” is amended by amending the defined term “Soil and Water Conservation District Approved Plan,” as renumbered, which shall read as follows:

“40. Soil and Water Conservation District Approved Plan: An erosion, sedimentation and pollution control plan approved in writing by the Region V Soil and Water Conservation District.”

SECTION VII

BE IT ORDAINED by the Council for the City of Thomasville, Georgia, and it is hereby ordained by the authority of the same, that Section 5-351, captioned “Definitions,” of Article XIII, captioned “Soil Erosion, Pollution, and Sedimentation Control,” of Chapter 5, captioned “Building Construction, and Related Activities,” is amended by amending the defined term “Trout Streams,” as renumbered, which shall read as follows:

“45. Trout Streams: All streams or portions of streams within the watershed as designated by the Wildlife Resources Division of the Georgia Department of Natural Resources under the provisions of the Georgia Water Quality Control Act, O.C.G.A. 12-5-20, in the rules and regulations for Water Quality Control, Chapter 391-3-6 at ~~www.gaepd.org~~ www.epd.georgia.gov Streams designated as primary trout waters are defined as water supporting a self-sustaining population of rainbow, brown or brook trout. Streams designated as secondary trout waters are those in which there is no evidence of natural trout reproduction, but are capable of supporting trout throughout the year. First order trout waters are streams into which no other streams flow except springs.”

SECTION VIII

BE IT ORDAINED by the Council for the City of Thomasville, Georgia, and it is hereby ordained by the authority of the same, that Section 5-352, captioned “Exceptions,” of Article XIII, captioned “Soil Erosion, Pollution, and Sedimentation Control,” of Chapter 5, captioned “Building Construction, and Related Activities,” is amended by amending the caption to read as follows:

“Section 5-352 ~~Exceptions~~ Exemptions”

SECTION IX

BE IT ORDAINED by the Council for the City of Thomasville, Georgia, and it is hereby ordained by the authority of the same, that Section 5-353, captioned “MINIMUM REQUIREMENTS FOR EROSION, SEDIMENTATION AND POLLUTION CONTROL USING BEST MANAGEMENT PRACTICES,” Subsection C., Paragraph 15 of Article XIII, captioned “Soil Erosion, Pollution, and Sedimentation Control,” of Chapter 5, is amended by amending caption to read as follows:

“15. Except as provided in paragraph (16) and (17) of this subsection, there is established a 25 foot buffer along the banks of all state waters, as measured horizontally from the point where vegetation has been wrested by normal stream flow or wave action, except where the Director determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the Director pursuant to O.C.G.A. 12-2-8, where a drainage structure or a roadway drainage structure must be constructed, provided that adequate erosion control measures are incorporated in the project plans and specifications, and are implemented; or where bulkheads and sea walls are installed to prevent shoreline erosion on Lake Oconee and Lake Sinclair; or along any ephemeral stream. As used in this provision, the term

'ephemeral stream' means a stream: that under normal circumstances has water flowing only during and for a short duration after precipitation events; that has the channel located above the ground-water table year round; for which ground water is not a source of water; and for which runoff from precipitation is the primary source of water flow, Unless exempted as along an ephemeral stream, the buffers of at least 25 feet established pursuant to part 6 of Article 5, Chapter 5 of Title 12, the "Georgia Water Quality Control Act", shall remain in force unless a variance is granted by the Director as provided in this paragraph. The following requirements shall apply to any such buffer:"

SECTION X

BE IT ORDAINED by the Council for the City of Thomasville, Georgia, and it is hereby ordained by the authority of the same, that Section 5-353, captioned "MINIMUM REQUIREMENTS FOR EROSION, SEDIMENTATION AND POLLUTION CONTROL USING BEST MANAGEMENT PRACTICES," Subsection C., of Article XIII, captioned "Soil Erosion, Pollution, and Sedimentation Control," of Chapter 5, captioned "Building Construction, and Related Activities," is amended by adding a new Paragraph 17, which shall read as follows:

"17. There is established a 25-foot buffer along coastal marshlands, as measured horizontally from the coastal marshland-upland interface as determined in accordance with Chapter 5 of Title 12 of this title, the "Coastal Marshlands Protection Act of 1970." And the rules and regulations promulgated thereunder, except where the director determines to allow a variance that is at least as protective of natural resources and the environment, where otherwise allowed by the director pursuant to Code Section 12-2-8, where an alteration within the buffer area has been authorized pursuant to Code Section 12-5-286, for maintenance of any currently serviceable structure, landscaping, or hardscaping, including bridges, roads, parking lots, golf courses, golf cart paths, retaining walls, bulkheads, and patios; provided, however, that if such maintenance requires any land-disturbing activity, adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented, where a drainage structure or roadway drainage structure is constructed or maintained; provided, however, that if such maintenance requires any land-disturbing activity, adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented, on the landward side of any currently serviceable shoreline stabilization structure, or for the maintenance of any manmade storm-water detention basin, golf course pond, or impoundment that is located entirely within the property of a single individual, partnership, or corporation; provided, however, that adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented. For the purposes of this paragraph maintenance shall be defined as actions necessary or appropriate for retaining or restoring a currently serviceable improvement to the specified operable condition to achieve its maximum useful life. Maintenance includes emergency reconstruction of recently damaged parts of a currently serviceable structure so long as it occurs within a reasonable period of time after damage occurs. Maintenance does not include any modification that changes the character, scope or size of the original design and serviceable shall be defined as usable in its current state or with minor maintenance but not so degraded as to essentially require reconstruction.

a. No land-disturbing activities shall be conducted within a buffer and a buffer shall remain in its natural, undisturbed, state of vegetation until all land-disturbing activities on the construction site are completed. Once the final stabilization of the site is achieved, a buffer may be thinned or trimmed of vegetation as long as a protective vegetative cover remains to protect water quality and aquatic habitat; provided, however, that any person constructing a single-family residence, when such residence is constructed by or under contract with the owner for his or her own occupancy, may thin or trim vegetation in a buffer

at any time as long as protective vegetative cover remains to protect water quality and aquatic habitat; and

b. The buffer shall not apply to crossings for utility lines that cause a width of disturbance of not more than 50 feet within the buffer, provided, however, that adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented.

c. The buffer shall not apply to any land-disturbing activity conducted pursuant to and in compliance with a valid and effective land-disturbing permit issued subsequent to April 22, 2014, and prior to December 31, 2015; provided, however, that adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented or any lot for which the preliminary plat has been approved prior to December 31, 2015 if roadways, bridges, or water and sewer lines have been extended to such lot prior to the effective date of this Act and if the requirement to maintain a 25 foot buffer would consume at least 18 percent of the high ground of the platted lot otherwise available for development; provided, however, that adequate erosion control measures are incorporated into the project plans and specifications and such measures are fully implemented.

d. Activities where the area within the buffer is not more than 500 square feet or that have a "Minor Buffer Impact" as defined in EPD Rule 391-3-7.01(r), provided that the total area of buffer impacts is less than 5,000 square feet are deemed to have an approved buffer variance by rule. Bank stabilization structures are not eligible for coverage under the variance by rule and notification shall be made to the Division at least 14 days prior to the commencement of land disturbing activities."

SECTION XI

BE IT ORDAINED by the Council for the City of Thomasville, Georgia, and it is hereby ordained by the authority of the same, that Section 5-362, captioned "LIABILITY," of Article XIII, captioned "Soil Erosion, Pollution, and Sedimentation Control," of Chapter 5, captioned "Building Construction, and Related Activities," is amended both as to the text and the caption as follows:

"SECTION 5-362 VALIDITY AND LIABILITY

A. VALIDITY. If any section, paragraph, clause, phrase, or provision of this ordinance shall be adjudged invalid or held unconstitutional, such decisions shall not affect the remaining portions of this ordinance."

SECTION XII

BE IT FURTHER ORDAINED that the provisions of this Ordinance shall be made a part of the official codified ordinances of the City of Thomasville.

SECTION XIII

This ordinance shall be effective on the date of its final reading and passage.

SECTION XIV

This ordinance was introduced and read at a lawful meeting of the city council for the City of Thomasville, Georgia, held on Monday, November 12, 2018, and read the second time, passed and adopted in like meeting held on Wednesday, November 28, 2018.

Council considered on first reading, an ordinance to amend the Charter of the City of Thomasville, Sections 2.28 and 2.30 of Article III and Sections 9.11, 9.12, and 9.14 of Article IX. City Attorney Tim Sanders reported this ordinance amends the Charter of the City of Thomasville under the Home Rule. Attorney Sanders reported the changes in sections 2.28 and 2.30 concern the authority of the City Council

to enter into employment contracts with individuals for the position of City Manager. These changes also authorize the maximum terms of such an agreement, as well as provide for severance payments. The Charter does not currently authorize employment agreements. In order for the Council to have the authority to enter into an employment agreement for the position of City Manager, the Charter should be amended to specifically authorize the Council to enter into an agreement for this position and specifically authorize the term of the agreement and provide for severance payments in connection with the agreement.

Attorney Sanders continued and reported the changes in sections 9.11, 9.12 and 9.14 concern the position of General Superintendent of Utilities. These changes provide that the Superintendent is hired by and is under the supervision, direction and control of the City Manager. These changes also provide that the City Manager may not appoint himself or herself as Superintendent of Utilities. The Charter does not currently clearly contemplate the Superintendent of Utilities being under the direction and supervision of the City Manager and these changes are necessary to allow this reporting structure. Attorney Sanders further reported appropriate notices have been filed as is required by the State of Georgia.

On Motion of Councilmember Hufstetler, and seconded by Councilmember Mobley, the following ordinance was unanimously ordered read for the first time, passed and carried over:

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF THOMASVILLE, WHICH WAS ESTABLISHED BY AN ACT APPROVED OCTOBER 3, 1889, ENTITLED "AN ACT TO INCORPORATE THE TOWN OF THOMASVILLE AS THE CITY OF THOMASVILLE" (GA. LAWS 1888-89, PAGES 854-64, INCLUSIVE), AS AMENDED BY SEVERAL SUBSEQUENT ACTS, TO AMEND THE PROVISIONS OF SECTIONS 2.28, 2.30, 9.11, 9.12 AND 9.14; TO PROVIDE THAT THIS ORDINANCE SHALL IN NO WAY OTHERWISE CHANGE THE EXISTING CHARTER EXCEPT AS SET FORTH ABOVE AND SHALL IN NO WAY WHATSOEVER CHANGE THE FORM OF GOVERNMENT OF THE CITY OF THOMASVILLE IN ANY MANNER; TO PROVIDE THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

Council considered a resolution to appoint a Municipal Court Solicitor. Mayor Hobbs reported four applicants were interviewed by Council for the position Court Solicitor. Councilmember Mobley moved to appoint John W. Bass, Jr. as the Municipal Court Solicitor. Councilmember Flowers seconded the motion. Discussion ensued regarding Council's desire to set a term limit of the appointment of the Court Solicitor. Following the discussion, it was the consensus of Council for the resolution to be amended and include a two year term limit of the appointment as discussed. Mayor Hobbs restated the motion to include the two year term limit on the appointment of Municipal Court Solicitor. On motion of Councilmember Mobley, and seconded by Councilmember Flowers, Council unanimously approved the following resolution:

RESOLUTION

A RESOLUTION OF THE COUNCIL OF THE CITY OF THOMASVILLE, GEORGIA TO APPOINT A MUNICIPAL COURT SOLICITOR, FOR THE MUNICIPAL COURT OF THE CITY OF THOMASVILLE, GEORGIA; AND TO SET A TERM OF SERVICE BY THE MUNICIPAL COURT SOLICITOR.

WHEREAS, the Council of the City of Thomasville, Georgia met in regular session on November 28, 2018 at 7:00 PM; and

WHEREAS, the Council of the City of Thomasville finds it in the public interest to appoint a Municipal Court Solicitor for the Municipal Court for the City of Thomasville, Georgia; and

WHEREAS, the Council of the City of Thomasville desires to set a term of two years of service by the Municipal Court Solicitor.

NOW, THEREFORE BE IT RESOLVED, by the Council of the City of Thomasville that the term of service by Municipal Court Solicitor is hereby set as a two year term of service commencing upon the effective date of this resolution and at which time of expiration the City Council can appoint the current Municipal Court Solicitor to another term or make a new selection.

BE IT FURTHER RESOLVED, by the Council of the City of Thomasville that John W. Bass, Jr. is hereby appointed as the Municipal Court Solicitor of the Municipal Court for the City of Thomasville, Georgia.

BE IT FURTHER RESOLVED, that within thirty (30) days of the effective date of this Resolution, the Municipal Court Clerk shall notify the Prosecuting Attorneys' Council of the State of Georgia of this appointment as required under Georgia law.

BE IT FURTHER RESOLVED, that this resolution shall become effective upon its adoption.

SO RESOLVED, this the 28th day of November, 2018.

Council considered a resolution to authorize preparation and submittal of a Community Home Investment Program (CHIP) Grant for the funding cycle of 2019 and to authorize the Mayor as the certifying official for the program. Housing & Zoning Administrator, Mollie Powell, reported the CHIP program provides grants to local governments, nonprofit organizations and public housing authorities to address the needs of affordable housing development in their communities. Powell further reported the City of Thomasville has received \$506,000 in funding for home rehabilitation since 2000. These repairs allow residents to afford much needed repairs, and remain in their homes. The \$300,000, two year CHIP grant, if approved will be used for the rehabilitation of at least seven owner occupied home within the Dewey City area.

On motion of Mayor Pro Tem Scott, and seconded by Councilmember Mobley, Council unanimously approved the following resolution:

RESOLUTION BY THE CITY OF THOMASVILLE

WHEREAS, the City of Thomasville is eligible to apply for Community HOME Investment Program (CHIP) funds from the Georgia Department of Community Affairs; and

WHEREAS, the City of Thomasville has conducted an assessment of eligible program activities; and

WHEREAS, the City of Thomasville has determined that there are community housing needs that can be addressed by the Community HOME Investment Program funds:

NOW, THEREFORE BE IT RESOLVED, BY THE COUNCIL OF THE CITY OF THOMASVILLE, that the Council hereby authorizes the preparation and submittal of a Community

HOME Investment Program grant for the CHIP funding cycle of 2019, and hereby authorizes the Mayor to serve as the certifying official for this program.

SO DONE, this the 28th day of November, 2018.

Council considered approval of motion to proceed with 50% of construction of Cell 5 in 2019 at the Thomasville-Thomas County Landfill. City Engineer, Wayne Newsome, reported the Municipal Solid Waste Facility has utilized the majority of the permitted in capacity in Cells 1-4 at the landfill. He noted the approval and construction process can take up to twelve months; therefore, it is recommended that construction of Phase I of the Municipal Solid Waste (MSW) Cell 5 begin in 2019. Phase I would consist of constructing only 50% of Cell 5, which is estimated to provide five to seven years of additional capacity at the Landfill before Phase II of the Cell 5 construction would be required. Newsome further reported Hodges, Harbin, Newberry & Tribble, Inc., (HHNT), Macon, Georgia, engineers for the Landfill, provided a detailed cost estimate of over \$4.1 million dollars to construct 100% of Cell 5 in 2019, which includes all incidental work associated with that construction. It was noted that staff reviewed the cost for this construction with past operations when new cells have been constructed, and have determined that there is an advantage operationally to construct only 50% of Cell 5 in 2019 at an estimated cost of \$3.3 million dollars. Newsome reported that by limiting construction to 50% of Cell 5 at this time, operations can continue for another five to seven years without totally depleting the landfill's current cash reserves.

On motion of Councilmember Hufstetler, and seconded by Councilmember Flowers, Council unanimously approved the motion to proceed with 50 of construction of Cell 5 in 2019 at the Thomasville-Thomas County Landfill at an estimated cost of \$3.3 million dollars, utilizing budgeted 2019 Landfill Capital funds.

Council considered approval of appointments for 2019 Citizen Board Appointments. It was noted during the Workshop immediately prior to this meeting, Council requested more time to review staff recommendations and requirements. On motion of Councilmember Mobley, and seconded by, Councilmember Flowers, Council voted unanimously to table this item for further discussion.

Council considered bids and award for the purchase of Construction Contract for the 2017 CDBG Street, Sidewalks, and Drainage Improvements. City Engineer, Wayne Newsome, reported bids were received on October 23, 2018 for this project which includes furnishing of all labor, material, and equipment and performing all work required to construct the following, with the work to be completed within 180 consecutive calendar days of Notice to Proceed:

- College Street (W. Jackson – Lester) – Curb, sidewalk, storm sewer, sidewalks, resurface
- Fletcher Street (Bartow – Jones Street) – Curb and gutter, storm sewer improvements
- Lester Street (Bartow – Jones Street) – New 5' Sidewalk
- Jones Street (Lester Street – Magnolia) – New 5' Sidewalk
- Magnolia- (Bartow- Jones Street) – New 8' Multi-Use Sidewalk
- Bibb Street (W. Jackson – Fletcher St.) – Curb, storm drain, resurface
- Wright Street (Bartow – Jones) – Resurfacing
- Patten Street (Resurface)

The summary of bids received follows:

**Summary of Bids Received
2017 CDBG Streets, Sidewalks, and Drainage Improvements**

| BIDDER | BID AMOUNT |
|--|-------------------|
| Doyle Hancock & Sons Construction, Inc. - Doerun, GA | \$1,252,554.28 |
| H&H Paving, LLC - Quitman, GA | \$1,279,985.65 |
| The Scruggs Company - Valdosta, GA | \$1,423,367.06 |
| HTS Construction, Inc. - Albany, GA | \$1,431,041.00 |
| Capital Asphalt, Inc. - Tallahassee, FL | \$2,276,045.00 |

Newsome reported that all bids received were above the established CDBG budget amount for this work. After a thorough review of all elements of the project by staff, and Carter Sloope Engineers, Inc., and through value engineering discussions with the low bidder, Doyle Hancock & Sons, Inc., the project cost was reduced by \$207,798.98, resulting in a net contract of \$1,044,755.30. Newsome further reported it was staff's recommendation to award the contract for the 2017 CDBG Streets, Sidewalks, and Drainage Improvements to Doyle Hancock & Sons, Inc. of Doerun, Georgia, in the amount of \$1,044,755.30, as being the lowest bid received, to be funded through a combination of CDBG grant funds and 2012 SPLOST funds. Councilmember Flowers moved to award the Construction Contract as per staff's recommendation, Councilmember Hufstetler seconded the motion. Honorary Councilmember Wanda Warren requested a reconciliation of the 2012 SPLOST funds as they relate to the project. Newsome noted it is part of the budget that was provided to Council; however, it could be provided to Ms. Warren along with the 2017 CDBG projects as well. Discussion ensued regarding the process of narrowing Magnolia Street to accommodate a five to eight foot wide sidewalk/bike trail. Newsome stated regardless of sidewalk width, Magnolia Street must be narrowed to ensure adjacent residents' rights of ways are not taken for sidewalk construction. He further stated that citizens have consistently requested sidewalks for the purposes of safety in regards to pedestrian/bike traffic in this, and other, areas. Newsome noted that an 8' sidewalk would begin at the street's edge; where a 5' sidewalk would allow a 3' landscaped area between the street and sidewalk. It was noted that the sidewalk on Magnolia Street would have a raised curb and vehicular traffic would not be impeded by narrowing the road width to accommodate the sidewalk. There being no further discussion, Mayor Hobbs called for a vote on the motion of Councilmember Flowers, and seconded by Councilmember Hufstetler, as to award the purchase of the Construction Contract for the 2017 CDBG Street, Sidewalks, and Drainage Improvements to Doyle Hancock & Sons, Inc. of Doerun, Georgia, in the amount of \$1,044,755.30, as being the lowest bid received, to be funded through a combination of CDBG grant funds and 2012 SPLOST funds. The vote passed unanimously.

Council considered approval of motion to award a design and construction administration contract for the 2018 CDBG Fletcherville Multi-Infrastructure Improvements. City Engineer, Wayne Newsome, reported this request was to award the design and construction administration contract for the consultant who was already on board for the 2018 CDBG grant. He stated this is the same consultant who actually completed all of the engineering for the engineering report that went into the CDBG grant. Newsome stated the consultant recommended by staff is Carter & Sloope for a total cost not to exceed \$146,584.00.

Mayor Pro Tem Scott moved to award the contract for Design Engineering and Construction Administration for the 2018 CDBG Fletcherville Multi-Infrastructure Improvements to Carter & Sloope in the amount of \$146,584.00, using CDBG and SPLOST funds. Councilmember Flowers seconded the motion. Councilmember Hufstetler stated he had a high degree of discomfort with no-bid situations within the parameters of the current policy in which City Manager/Department Heads are authorized as signers for an authorized amount. He further stated that going forward, he would like Council to move away from

such no-bid type situations with similar amounts as this one. Councilmember Hufstetler stated that Direct Reports/Department Heads would be able to convince Council that a low-bid was not always the best bid for projects. Mayor Hobbs stated that Council could create such a policy. Having no further discussion Mayor Hobbs called for a vote on the motion of Mayor Pro Tem Scott, and seconded by Councilmember Flowers, as to award the contract for Design Engineering and Construction Administration for the 2018 CDBG Fletcherville Multi-Infrastructure Improvements to Carter & Sloope in the amount of \$146,584.00, using CDBG and SPLOST funds. The motion carried with the following votes recorded:

- AYES: Mayor Pro Tem Scott, and Councilmembers Flowers and Mobley.
- NAY: Councilmember Hufstetler.
- Mayor Hobbs did not vote.

Council considered bids and award for the purchase of playground equipment for Parnell Park. Asst. Public Works Superintendent, Stephen Stewart, reported the City of Thomasville Public Works Department has an initiative to upgrade the Passive Park playgrounds throughout the community. Parnell Park was being reviewed as a capital project in 2019, but we recommend using 2012 Recreation SPLOST funds. Staff recommends awarding this project to Bliss Products in the amount of \$23,546.92. This includes new swings, slide, and a climber. This price includes delivery to the City of Thomasville and installation. It was noted there were approximately 13 trees in Parnell Park that will be removed due to safety concerns. Following is a listing of bids received:

| Bids Received | |
|--|-------------|
| Playground Equipment for Parnell Park | |
| Vendor | Cost |
| Kompan | \$45,788.45 |
| Bliss Products | \$23,546.92 |

On motion of Councilmember Mobley, and seconded by Mayor Pro Tem Scott, Council unanimously awarded the purchase of equipment, delivery and installation to Bliss Products in the amount of \$23,546.92, utilizing 2012 Recreation SPLOST funds.

Council considered bids and award for the purchase of Front Load Dumpsters. Asst. Solid Waste Superintendent, Jimmy Smith, Jr., reported The City of Thomasville Solid Waste department currently services over 800 front load dumpsters on a weekly basis. The Director of Solid Waste Nate Tyler implemented this service about 20 years ago. With the dumpsters in service for this length of time, a majority of the containers have met their life span causing the dumpsters' metal floors, sides, lids, and paint to deteriorate. In order for Solid Waste to keep our standards of image up to par & provide exceptional services to our customers we would like to purchase forty-four (44) dumpsters to help replaced worn out dumpsters where needed. Solid Waste currently has \$92,000 in capital budget that was approved for a truck purchase. The funds are not enough to make a truck purchase. We would like to redirect the funds to purchase dumpsters for inventory. Following is a summary of bids received:

| Front Load Dumpsters for Solid Waste Department | | | |
|--|------------------------------------|-------------------|--------------|
| BIDDER | | BID AMOUNT | |
| Company | Quantity | Freight | Total |
| Lewis Steele | 22 Dumpsters(10 4yds & 12 8yds) | \$830.00 | \$15,260.00 |
| BWE | 22 Dumpsters (10 4 yds & 12 8 yds) | \$3,124.00 | \$20,214.00 |

Staff is requesting that council award the bid of \$15,260 per shipment to Lewis Steel for forty-four (44) dumpsters which will consist of twenty (20) 4 cubic yards dumpsters & twenty-four (24) 8 cubic yard dumpsters at a cost of \$30,520.00, delivered to the Solid Waste compound and utilizing funds from the capital transportation budget to complete this purchase with third party financing if necessary.

Councilmember Hufstetler inquired of the necessity for requesting third party financing for this, and similar requests. It was noted that if there was a fiscally responsible reason for third party financing, this action omits the time delay of presenting to Council at a later date.

On motion of Councilmember Scott, and seconded by Councilmember Flowers, Council unanimously awarded the bid to Lewis Steel of Wrens, Georgia for forty-four (44) dumpsters consisting of twenty (20) 4 cubic yard dumpsters & twenty-four (24) 8 cubic yard dumpsters at a total cost of \$30,520.00, delivered to the Solid Waste compound and utilizing funds from the capital transportation with third party financing if necessary.

Council considered bids and award for the purchase of printing of the 2019 Visitors Guide. Marketing and Communications Director, Sheryl Sealy, reported the Visitors Center prints 82,000 Visitors Guides that are provided to Visitors Centers around the Southeast. The guides are also provided to walk-in visitors and to visitors who request the guides via email. The guide is updated and reprinted yearly. Following is a summary of bids received:


| Bids Received | |
|---------------------------------|-------------|
| Printing of 2019 Visitors Guide | |
| Bidder | Bid Amount |
| Drummond | \$24,686.07 |
| Lure Creative | \$25,128.64 |
| Seagate Printing | \$35,781.00 |

On motion of Mayor Pro Tem Scott, and seconded by Councilmember Flowers, Council unanimously awarded the bid of printing the 2019 Visitors Guide to Drummond in amount of \$24, 686.07.

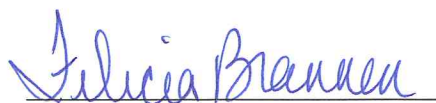
Mayor Hobbs reported that concluded the printed agenda. Interim City Manager McDonald encouraged citizens and Councilmembers to attend upcoming events First Friday and Victorian Christmas. Councilmembers collectively thanked citizens for attending. Councilmember Hufstetler stated, for the record, “to you Mr. Mayor, I appreciate everything that you have done and I have full faith and confidence in the your ability, your integrity and I think as time goes on that will be born out, I appreciate what you do and I am certain the rest of the Council does as well”.

Mayor Hobbs presented Ms. Wanda Warren with a commemorative plaque for her tenure as the Honorary Councilmember for the month of November 2018. Ms. Warren thanked Council for the opportunities awarded to her during this time.

Having no further business to discuss, the City Council meeting was adjourned at 6:05 PM.



Mayor, Greg Hobbs



City Clerk