

City of Thomasville Council Meeting, July 27, 2020

The Council of the City of Thomasville met in a regular session with Mayor Greg Hobbs presiding and the following Councilmembers present: Mayor Pro Tem David Hufstetler; and Councilmembers Jay Flowers, Todd Mobley and Wanda Warren. Also present were the City Manager, J. Alan Carson; City Attorney, Tim Sanders; other staff and members of the media. The meeting was held in Council Chambers at City Hall, located at 144 East, Jackson Street, Thomasville, Georgia.

This meeting was held in a manner that observed active Executive Orders and Health Advisories provided by Georgia Governor Kemp, Centers for Disease Control, Department of Health, and local health officials in response to the coronavirus pandemic. Seating was limited and additional safety measures were required such as, but not limited to, social distancing and wearing of facial coverings to ensure the health and safety of meeting participants and the citizens of Thomasville. Simultaneous access to the meeting was provided to those members of the press and citizens not present via the City of Thomasville's online live stream feed located at www.thomasville.org.

CALL TO ORDER

Mayor Greg Hobbs called the meeting to order at 6:00 PM.

INVOCATION

Councilmember Flowers led the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Hufstetler led the Pledge of Allegiance. Following the Pledge of Allegiance, Mayor Hobbs observed a moment of silence in memory of United States Representative John Lewis.

APPROVAL OF MINUTES

Councilmember Mobley motioned to approve the Council Meeting Minutes of June 22, 2020 as presented, with no exceptions. Councilmember Flowers seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Mayor Hobbs, Mayor Pro Tem Hufstetler, and Councilmembers Flowers, Mobley and Warren.

CITIZENS TO BE HEARD

Mayor Hobbs acknowledged the following Citizens to be Heard, as listed on the sign in sheet:

1. Micah Graham, 810 Lester Street, Thomasville, Georgia, voiced his concerns regarding excessive speeding on city streets. He requested safety measures and devices be installed in the area of Lester Street. City Manager Carson reported he had spoken with the City Engineer and a review of the area will be conducted.
2. Keith Thomas, 432 Woods Gate Lane, Thomasville, Georgia, addressed Councilmembers with his concerns of the City allowing employees to continue employment after they have surpassed their retirement length in years of service and allowing them to complete personal actions while on duty.
3. Lucinda Brown, 103 Halcyon Way, Thomasville, Georgia, congratulated Police Chief Troy Rich on his upcoming 30-year retirement. She commended Chief Rich for numerous achievements during his police career in Thomasville; most notably, Chief Rich's vision and implementation of 21st Century Community Policing for the Thomasville community.

ADOPT AGENDA

Councilmember Mobley motioned to adopt the agenda as presented, with no exceptions. Mayor Pro Tem Hufstetler seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Mayor Hobbs, Mayor Pro Tem Hufstetler, and Councilmembers Flowers, Mobley and Warren.

OLD BUSINESS

There was no Old Business considered by Council at this meeting.

NEW BUISNESS

Resolution of Emergency for the first and second reading at this meeting of an ordinance to set the Candidate Qualifying Fee for the 2020 Special Election for Thomasville City School Board of Education Seat of District 2.

City Clerk, Felicia Brannen, reported ordinances are adopted in two readings; however, to meet the deadlines of the Secretary of State Elections Division for the published call of the election and the qualifying dates, there exists a need for a resolution of emergency to adopt the Qualifying Fee ordinance on first and second reading at this one meeting.

Councilmember Flowers motioned to adopt the resolution of emergency for the first and second reading at this meeting of an ordinance to set the Candidate Qualifying Fee for the 2020 Special Election for Thomasville City School Board of Education Seat of District 2, as presented. Councilmember Mobley seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Mayor Hobbs, Mayor Pro Tem Hufstetler, and Councilmembers Flowers, Mobley and Warren.

The approved resolution of emergency follows.

RESOLUTION

BE IT RESOLVED, that due to the time required to prepare the FY2020 ballot to include candidates of the special election for Thomasville City School Board of Education, District 2, there exists an emergency status of need requiring the adoption of an ordinance to set the 2020 Special Election for Board of Education Qualifying Fee on first and second readings at this one meeting.

SO DONE this the 27th day of July, 2020.

First and second reading, under resolution of emergency, of an ordinance to set the Candidate Qualifying Fee for the 2020 Special Election for Thomasville City School Board of Education Seat of District 2.

City Clerk, Felicia Brannen, reported a District 2 seat on the Thomasville City Schools Board of Education was vacated earlier this year when the elected official who held that seat moved his domicile outside of the district 2 boundaries. The Board of Education appointed Dr. Jim Cable to temporarily fill the seat until a Special Election could be held to fill the unexpired term of the District 2 seat on the Board of Education. Pursuant to State Statute, the governing authority of the municipality shall fix and publish the qualifying fees for public offices for general elections; as well as special elections. If not a salaried office, a reasonable fee shall be set by the governing authority, such fee not to exceed 3 percent of the income derived from such office for the preceding year. Or no more than \$35.00 for a municipal office (O.C.G.A. § 21-2-131(a)(1)(A)). Brannen reported candidate qualifying for the office is scheduled for July 29-31, 2020 so as to meet deadlines for inclusion on the November ballot.

Councilmember Warren motioned to adopt an ordinance to set candidate qualifying fees for the 2020 Municipal Special Election for City School Board of Education Member Candidates at \$35.00 on first and second readings, under resolution of emergency, at this one meeting. Councilmember Flowers seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Mayor Hobbs, Mayor Pro Tem Hufstetler, and Councilmembers Flowers, Mobley and Warren.

The adopted ordinance read on first and second readings, under resolution of emergency, at this meeting follows.

AN ORDINANCE TO ESTABLISH THE CANDIDATE QUALIFYING FEES FOR THE 2020 MUNICIPAL SPECIAL ELECTION; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

SECTION I

BE IT ORDAINED by the Council of the City of Thomasville, Georgia, and it is hereby ordained by the authority of the same, that the 2020 Municipal Special Election qualifying fee for the office of City Board of Education shall be \$35.00.

SECTION II

BE IT FURTHER ORDAINED that said fees shall be paid to the Municipal Election Superintendent at the time a candidate files qualifying fee as prescribed by O.C.G.A. §21-2-131 (c)(5)(B).

SECTION III

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed for the purposes of this ordinance only.

SECTION IV

BE IT FURTHER ORDAINED that the provisions of this ordinance shall not be made a part of the official codified ordinances of the City of Thomasville.

SECTION V

BE IT FURTHER ORDAINED that this ordinance shall take effect immediately upon its final adoption.

SECTION VI

This ordinance was introduced and read at a lawful meeting of the Council of the City of Thomasville held on July 27, 2020, and read for the second time, passed and adopted in like manner at the same meeting, under resolution of emergency.

Consider authorizing the Mayor to execute the Retirement Agreement between the City of Thomasville and Chief Troy Rich and authorizing the expenditure of \$97,211.00 to Chief Rich and \$9,344.88 for COBRA benefits for Chief Rich, in connection with and pursuant to the General Severance and Release Agreement to be executed by Chief Rich.

City Attorney, Tim Sanders, reviewed the proposed General Release and Severance Agreement (the "Agreement"). The Agreement sets forth a timetable and management of the Police Department, as well as severance expenditures for retirement of Police Chief Troy Rich. The Agreement includes edits as desired by Council during the July 22, 2020 Workshop, which reflect 5:00 p.m. on October 5, 2020 as Chief Rich's last day of employment. Sanders reported the Agreement provides for consideration of the City to pay to Rich the amount of \$97,211.00 in addition to any payment or compensation in connection with his employment with the City; and, the City to pay the costs associated with Rich obtaining COBRA Benefits for a period not to exceed 12 months beginning from October 6, 2020, with costs estimated to be \$9,344.88; consideration of Rich to receive payment of accrued sick time and annual leave as of Rich's retirement date; as well as a non-disparagement clause and general release of claims. Sanders reported that upon retirement the

agreed retirement date, it is agreed that the City of Thomasville will present to Rich his service firearm, badge and will retire with full honors. Discussion ensued regarding potential liabilities for the City of Thomasville to release service firearms to retirees. It was determined that there were no liabilities, the practice was not unusual for law enforcement and that a defined policy regarding such should be drafted.

Mayor Pro Tem Hufstetler motioned to authorize the Mayor to execute the Retirement Agreement between the City of Thomasville and Chief Troy Rich and authorizing the expenditure of \$97,211.00 to Chief Rich and \$9,344.88 for COBRA benefits for Chief Rich, in connection with and pursuant to the General Severance and Release Agreement to be executed by Chief Rich. Councilmember Flowers seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Mayor Hobbs, Mayor Pro Tem Hufstetler, and Councilmembers Flowers, Mobley and Warren.

Motion to approve Change Order to existing Construction Contract for the Magnolia Street project for installation of Sidewalk Option #2.

City Engineer, Wayne Newsome, reported that a public meeting was held recently to discuss potential modifications to the 8' sidewalk constructed on Magnolia Street between Bartow and Jones Streets. Over 50% of the residents in the affected area were present and voiced an overwhelming opinion to elect to replace the existing 8' sidewalk with a standard sized sidewalk, grass strip, and curb and gutter that would mirror the design of the sidewalk currently under construction on Magnolia Street between Jones and Augusta. The proposed work can be change ordered into the existing contract with H&H Paving, and the pricing as such will be more competitive than if the work were to be bid out separately. The change order cost estimate to implement the citizens requested option is as follows: H7H& Paving, Quitman, Georgia, in the amount of \$99,393.50.

Councilmember Mobley motioned to approve the requested Change Order to the existing Construction Contract for the Magnolia Street project for installation of Sidewalk Option #2 to H&H Paving as presented. Councilmember Warren seconded. It was noted that this change order would not affect the CDBG Grant funding for this project, as this portion would be funded utilizing SPLOST funds. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Mayor Hobbs, Mayor Pro Tem Hufstetler, and Councilmembers Flowers, Mobley and Warren.

CONSENT AGENDA

Mayor Hobbs reported the Consent Agenda item was presented in Council Workshop on July 22, 2020 and is considered as routine and/or non-controversial items. Councilmember Flowers moved to adopt the Consent Agenda as presented, with no exceptions and thereby approving the item as presented collectively with one motion. Councilmember Warren seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Mayor Hobbs, Mayor Pro Tem Hufstetler and Councilmembers Flowers, Mobley and Warren.

Mayor Hobbs acknowledged the following item as approved as presented, under the Consent Agenda:

A. Motion to approve Transfer of Title for Cemetery Lot 32, Section FF on Virginia Street in Laurel Hill Cemetery.

The Cemetery Administrator received, and verified, appropriate documentation pursuant to Thomasville Municipal Code Section 6-6 to complete Transfer of Titles for the following cemetery lot/space:

1. Ownership of Lot 32, Section FF, on Virginia Street in Laurel Hill Cemetery from Don Demsher to Patrick R. and Sharon D. McLeod. A signed Affidavit, dated June 29, 2020, confirmed the amount paid for the lot was \$250.00, and the amount to be received for the sale of the lot will be \$250.00.

It was noted that no lot shall be resold, or title transferred, without consent of the City Council.

REPORTS

Mayor Hobbs congratulated Councilmember Flowers for being elected as 3rd Vice President of the Georgia Municipal Association (GMA) District 11 Committee.

City Manager Carson commended Councilmember Warren for being selected as an at-large delegate for the upcoming 2020 Democratic National Convention.

Councilmember Flowers thanked Police Chief Troy Rich for dedicating 30 years of service to the Thomasville community.

Councilmember Warren acknowledged the losses of African American politicians Representative John Lewis and Representative Elijah Cummings. She noted that they would be greatly missed and their efforts for justice for all will continue.

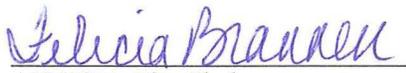
Mayor Hobbs encouraged those present and the community to continue their efforts to stay safe and help stop the spread of COVID-19 by wearing masks (face coverings) and social distancing.

ADJOURNMENT

Having no further business to discuss, the Thomasville City Council meeting was adjourned at 6:30 PM.



Mayor, Greg Hobbs



ATTEST: City Clerk

