

City of Thomasville Council Meeting, March 8, 2021

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, Councilmembers Jay Flowers, Todd Mobley and Wanda Warren. Also present were the City Manager, J. Alan Carson; City Attorney, Tim Sanders; and other staff. 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.

APPROVAL OF MINUTES

Councilmember Warren motioned to approve the Council Meeting Minutes of February 22, 2021, 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.

CITIZENS TO BE HEARD

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

1. Arline Hampton, c/o 219 South Martin Luther King Drive, Thomasville, Georgia, thanked the City Manager for a positive meeting regarding concerns of future development of Thomasville's south side areas.
2. Rodney Lewis, 1332 West Jackson Street, Thomasville, Georgia, requested Council to consider the installation of a community water park/food truck area on a vacant lot located on West Jackson Street (across from his business location of 1332 West Jackson Street). His requested proposed the food truck vendor would apply for and pay a fee to set up at the park. Lewis noted those food truck fees could serve as the financial means to provide for the maintenance and operation of the water park and the proposed park would greatly benefit the south side areas.
3. Richard Vann, 114 Imperial Drive, Thomasville, Georgia, voiced his concerns regarding Building Inspection/Temporary Power fees that he has been charged during his process of renovating his home. He also expressed concerns of the process currently in place regarding a contractor's switch from temporary power to permanent power. He began a lengthy explanation of the history of his renovation project and requested that the process be evaluated so as to accommodate future customers. He noted that the current three-minute rule of decorum provided for citizens to speak to Council, he would like to speak with Council about his concerns. Mayor Hobbs agreed to meet with Mr. Vann immediately following the meeting to hear Mr. Vann's remaining concerns.

4. Keith Thomas, 432 Woods Gate Lane, Thomasville, Georgia, expressed concerns regarding his opinion of the unfair three-minute time limit placed on Citizens to be Heard and requested Council to remove the restriction.

ADOPT AGENDA

Councilmember Mobley motioned to adopt the agenda, as presented. 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.

OLD BUSINESS

Second reading of an ordinance to amend Thomasville Municipal Code Chapter 3, Alcoholic Beverages.

City Attorney, Tim Sanders, reported that since the first reading of the ordinance, the ordinance had been revised to provide that third parties, contracted by licensees to deliver alcoholic beverages, may also be subject to a \$500 fine and/or a 30-day suspension for each violation of O.C.G.A. § 3-3-10. The revision makes clear that the actions of employees and independent contractors working for third parties shall be attributed to third parties. The revision also provides that the licensee and the third party engaged by the licensee may be separately fined or suspended for the same violation.

Mayor Pro Tem Hufstetler motioned to order the ordinance to amend Thomasville Municipal Code Chapter 3, Alcoholic Beverages, as read for the second time, passed and adopted as presented. 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.

The ordinance read for the second time, passed and adopted follows.

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF THOMASVILLE, GEORGIA, BY ADDING TO CHAPTER 3, CAPTIONED "ALCOHOLIC BEVERAGES," A NEW ARTICLE VI TO BE CAPTIONED "HOME DELIVERY OF ALCOHOLIC BEVERAGES"; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; TO PROVIDE FOR THE EFFECTIVE DATE OF THE 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 a new Article VI shall be added to Chapter 3, to be captioned "Home Delivery of Alcoholic Beverages", and the new Article VI shall read as follows:

"Section 3-219A. ARTICLE VI. HOME DELIVERY OF ALCOHOLIC BEVERAGES.

Sec. 3-219 Home Delivery of Alcoholic Beverages.

(a) Persons, which shall include individuals, limited liability companies, corporations, associations, partnerships and other legal entities, holding licenses to sell beer, malt beverages, and/or wine by the drink for consumption on the premises issued by the City, upon delivery of a letter to the Business and Tax Licensing Administrator declaring their intent to do so, may deliver package beer, malt beverages, and/or wine subject to and in conformity with the rules and restrictions set forth in O.C.G.A. §3-3-10, as well as any regulations or other guidance promulgated by the Georgia State Department of Revenue in connection with O.C.G.A. §3-3-10.

(b) Persons, which shall include individuals, limited liability

companies, corporations, associations, partnerships and other legal entities, holding licenses to sell beer, malt beverages, wine, and/or liquor at retail for consumption off the premises issued by the City, upon delivery of a letter to the Business and Tax Licensing Administrator declaring their intent to do so, may deliver package beer, malt beverages, wine and/or liquor subject to and in conformity with the rules and restrictions set forth in O.C.G.A. §3-3-10, as well as any regulations or other guidance promulgated by the Georgia State Department of Revenue in connection with O.C.G.A. §3-3-10.

(c) Upon receipt of a letter from a licensee declaring their intent to engage in the home delivery of alcoholic beverages pursuant to this Article, the Business and Tax Licensing Administrator Issue shall issue a license, at no additional cost, documenting the licensee's authorization to engage in the home delivery of alcoholic beverages. Such license shall run concurrently with the underlying license (i) to sell beer, malt beverages, and/or wine by the drink for consumption on the premises or (ii) to sell beer, malt beverages, wine, and/or liquor at retail for consumption off the premises.

(d) In addition to any criminal penalties that may be provided by law, upon each violation of any provision of O.C.G.A. §3-3-10 a licensee or a third part, as defined in O.C.G.A. §3-3-10, as the same may be amended from time to time, shall be subject to a fine of \$500 and/or suspension of the authorization to deliver alcoholic beverages pursuant to this Article for up to 30 days, upon the affirmative vote of the City Council. Any violation committed by an employee of a licensee or a third party acting on behalf of a licensee shall be attributed to such licensee and shall be deemed to be an act taken by such licensee for purposes of this section. Any violation committed by an employee or an independent contractor acting on behalf of a third party shall be attributed to such third party and shall be deemed to be an act taken by such third party of purposes of this section. A licensee and a third party may each separately be fined and/or suspended for the same violation under this section. Any suspension or revocation of the underlying license (i) to sell beer, malt beverages, and/or wine by the drink for consumption on the premises or (ii) to sell beer, malt beverages, wine, and/or liquor at retail for consumption off the premises shall automatically suspend for the same period of time or revoke the license for home delivery of alcoholic beverages, as the case may be.

(e) Licensees engaging in the home delivery of alcoholic beverages shall comply with all other applicable provisions set forth in this Chapter, Including but not limited to the applicable provisions of Article III, Operating Regulations.”

SECTION II

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

SECTION III

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

SECTION IV

BE IT FURTHER ORDAINED all ordinances or parts of ordinances in conflict herewith are hereby expressly repealed.

SECTION V

BE IT FURTHER ORDAINED and it is hereby declared to be the intention of the Mayor and Council of the City of Thomasville that all sections, paragraphs, sentences, clauses, and phrase of this Ordinance are and were, upon their enactment, believed by the Mayor and the Council to be fully valid, enforcement, and constitutional.

SECTION VI

BE IT FURTHER ORDAINED and it is hereby declared by the Mayor and the Council of the City of Thomasville that (i) to the greatest extent allowed by law, each and every section paragraph sentence, clause or phrase of this Ordinance is severable from every other section paragraph sentence, clause or phrase of this Ordinance and (ii) that to the greatest extent allowed by law, no section paragraph, sentence, clause or phrase of this Ordinance is mutually dependent upon any other section paragraph, sentence, clause or phrase of this Ordinance.

SECTION VII

BE IT FURTHER ORDAINED and it is hereby declared that in the event that any phrase, clause, sentence, paragraph or section of this Ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgement or decree of any court or competent jurisdiction, it is the express intent of the Mayor and the Council of the City of Thomasville that such invalidity, unconstitutionality or unenforceable any of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs or sections of this Ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION VIII

This ordinance was introduced and read at a lawful meeting of the City Council for the City of Thomasville, Georgia, held on February 22, 2021, and read for the second time, passed and adopted in like meeting held on March 8, 2021.

Second reading of an ordinance to rezone 105 Cannon Street from R-1 Residential, to C-1 Commercial, with Conditions.

City Planner, Kenneth Thompson, reported there had been no revisions to this ordinance since its first reading, passage and carry over. Mr. Hadley has requested a rezoning for his property located at 105 Cannon Street from R-1 Residential, to C-1 Commercial – with Conditions. The commercial zoning would allow for both the professional offices and U-Haul truck rental to legally operate at this address, while the accompanying conditions would protect the residential character of the site to ensure it would remain compatible with the surrounding neighborhood. The Planning and Zoning Commission heard this issue during the February 2020 meeting. One resident, Ms. Edna Mathews, was in attendance and stated that her primary concerns were trucks parked on the street and visibility onto Old Albany Road. If these would be addressed, she had no other concerns. After further discussion, the Planning and Zoning Commission voted unanimously to recommend approval to the City Council. The rezoning was brought before Council in Workshop and Council requested that staff provide more information and verify the surrounding property owners were comfortable with the rezoning and conditions placed on the property. It was affirmed by Councilmember Warren that there were no further concerns with the request.

Councilmember Warren motioned to order the ordinance to rezone 105 Cannon Street from R-1 Residential, to C-1 Commercial, with conditions, read for the second time, passed and adopted, as presented. 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 ordinance read for the second time, passed and adopted follows.

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF THOMASVILLE, GEORGIA, OF 1971, AS AMENDED WHICH IS SET FORTH IN THE CODE OF THE CITY OF THOMASVILLE AS CHAPTER 22, CAPTIONED "ZONING", BY EXCLUDING A CERTAIN TRACT OF LAND FROM PARCEL 5 OF SECTION 22-81 CAPTIONED "R-1, RESIDENTIAL", TO DESCRIBE SAID EXCLUDED TRACT AND TO DESIGNATE THE SAID SAME TRACT AS PARCEL 74 OF SECTION 22-81 CAPTIONED "C-1, COMMERCIAL WITH CONDITIONS". TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

SECTION I

BE IT ORDAINED by the Council of the City of Thomasville and it is hereby ordained by the authority of the same, that the Code of the City of Thomasville is amended by excluding a certain Parcel 5 from Section 22-81 captioned "R-1, Residential" and to designate the said same tract as Parcel 91 of Section 22-81 captioned "C-1, Commercial with the following conditions".

- The maximum allowable size for the primary structure shall be 2,500 square feet
- Hours of operation shall be limited to 7:00am to 7:00pm Monday – Saturday
- The building shall remain residential in character, including:
 - Height – structure shall be no higher than 35 feet or 2.5 stories, whichever is greater
 - Impervious Surface – 50% maximum
 - Any additional parking area should occur to the rear of the front façade.
- The current development will adhere to the attached site plan to the maximum extent practicable.

and more particularly described as follows:

ALL THAT TRACT OF PARCEL OF LAND situate, lying and being part of Lots 1 and 2, Block A, of HIGHLAND SUBDIVISION in the City of Thomasville, Thomas County, Georgia and being designated Tract 2 containing 0.03 acre according to a plat of survey for D.A.F. I.R.M. Property Management, Inc., prepared by Robert A. Williams, Georgia Registered Land Surveyor No. 3072 dated September 24, 2008, recorded in Plat Cabinet 5, Folio 21-0, among the Deed Records of Thomas County, Georgia, said plat of survey being incorporated herein by reference for a complete description of the property conveyed by courses and distances.

Said tract of land has located thereon a structure known as 105 Cannon Street by the present numbering system of the City of Thomasville.

SECTION II

BE IT ORDAINED that all ordinances of the City of Thomasville in conflict herewith be the same are hereby repealed for purposes of this ordinance only.

SECTION III

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

SECTION IV

BE IT FURTHER ORDAINED that if any part of this ordinance is declared void it is the intent and the purpose hereof that all other provisions not declared void shall remain in full force and effect.

SECTION V

BE IT FURTHER ORDAINED that this ordinance shall be effective as of the date of its second reading and final passage.

SECTION VI

This ordinance was introduced and read for the first time in a lawful meeting of the City Council held on February 22, 2021 and passed and adopted on the second reading of the ordinance at a lawful meeting of the City Council held on March 8, 2021.

NEW BUSINESS

Show Cause Hearing – Alcohol Beverage Violation – Ruby Tuesday.

City Attorney, Tim Sanders, opened the meeting for Show Cause Hearing regarding Mystery Shopper Alcoholic Beverage Violation pursuant to the Thomasville Municipal Code Section 3-25. Attorney Sanders reported on February 28th and February 29th, 2020 the Thomasville Police Department conducted the annual Mystery Shopper detail in Thomasville, Georgia to assure all businesses licensed in the city limits are within Georgia law. As a result of this investigative detail, and its subsequent actions, the Ruby Tuesday's employee has pled guilty or been adjudicated guilty through the municipal court system. Following this action, the Alcoholic Beverage License Holder has the right to request a show cause hearing to be held before the Council of the City of Thomasville, Georgia, as to why their license to sell alcoholic beverages at the establishment should not be suspended or revoked by Council because of the sale of alcoholic beverage to an underage person. Attorney Sanders reported that Ruby Tuesday has since ceased operation and has closed its establishment in Thomasville. However, the violation took place during the time they were still in business. Ruby Tuesday has provided proof of the employee's participation in the required alcohol beverage training program and this is considered as a first offense as the establishment had no violations in the twelve months prior to the 2020 citation. Representation for Ruby Tuesday's establishment has provided a letter of no contest in lieu of attendance at this meeting and requested to pay the levied fine if so levied.

Councilmember Mobley motioned to approve the levied fine of \$500.00 for the citation of License Holder Ruby Tuesday, located at 15047 US Highway 19 South, Thomasville, Georgia, as a first offender for Alcohol Beverage Violation – License Holder Sales to Underage Persons pursuant to City of Thomasville Municipal Code § 3-25 as presented. 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.

Resolution to distribute LOST funds for recreation to the cities of Barwick, Boston, Coolidge, Meigs, Ochlocknee and Pavo.

Chief Financial Officer, Ashley Cason, reported that on November 3, 1992, the voters of Thomas County, Georgia approved a referendum for Local Option Sales Tax (LOST) in the amount of 1%. This one percent is split between the City and County for various purposes that will mutually benefit the community. A percentage of those funds are designated for the purposes of recreational activities for the City of Thomasville and for the towns of Barwick, Boston, Coolidge, Meigs, Ochlocknee, and Pavo. In the past, the Thomas County Recreation Advisory Board has recommended the sum of \$5,000 each be distributed to the cities of Barwick, Boston, Coolidge, Meigs, Ochlocknee, and Pavo in support of their recreational efforts. After distributing last year's check, the following report was received as to what those efforts entailed.

- Barwick – New park signs and routine maintenance.
- Meigs – Local parades and black history events.

- Boston – Routine maintenance.
- Pavo – New picnic tables and grills, repairs to the batting cage and pitching machine.
- Ochlocknee – Swing set repair, new seesaw, and tree removal after a storm.
- Coolidge – Routine maintenance and utility bills.

CFO Cason further reported that appropriations for these distributions were included in the budget again this year, specifically in the 2021 Parks & Recreation’s operating budget. CFO Cason requested Council to consider a resolution to provide LOST funds in the amount of \$5,000.00 for each listed city for recreation purposes.

Councilmember Flowers motioned to adopt the resolution as presented. 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.

The adopted resolution follows.

RESOLUTION

WHEREAS, on November 3, 1992, the voters of Thomas County, Georgia, approved by referendum a Local Option Sales Tax (the “LOST”), also known as a Joint County and Municipal Sales and Use Tax, in the amount of one percent (1%); and

WHEREAS, from the proceeds of the LOST, certain funds are designated to be remitted to the City of Thomasville to be administered for purposes of miscellaneous recreation activities for the City of Thomasville and for the cities of Barwick, Boston, Coolidge, Meigs, Ochlocknee and Pavo; and

WHEREAS, from those funds, the sum of \$5,000.00 per fiscal year, as appropriated by the City Council for the City of Thomasville, may be allocated to the cities of Barwick, Boston, Coolidge, Meigs, Ochlocknee and Pavo for use in the recreation programs of these cities; and

WHEREAS, the Thomasville – Thomas County Recreation Advisory Board has recommended that the sum of \$5,000.00 be distributed as soon as possible hereafter to each of the smaller cities referred to above, to be used by each such city for miscellaneous recreation purposes during the balance of fiscal year 2021; and

WHEREAS, upon review and consideration by the City Council for the City of Thomasville of the recommendation of the Thomasville-Thomas County Recreation Advisory Board as described above, the City Council deems the recommendation to be prudent and consistent with the objectives of the LOST with respect to funding miscellaneous recreation activities in Thomas County, Georgia;

NOW, THEREFORE, be it resolved by the City Council for the City of Thomasville that the recommendation of the Thomasville-Thomas County Recreation Advisory Board be, and it is hereby, accepted and adopted.

BE IT FURTHER RESOLVED that City Manager Alan Carson and Chief Financial Officer Ashley Cason are authorized to make the distributions set out above from LOST monies remitted to the City of Thomasville and to forward those distributions to the mayors of the cities of Barwick, Boston, Coolidge, Meigs, Ochlocknee, and Pavo, along with appropriate instructions on the conditions under which the funds are distributed, as soon as practicable hereafter.

SO RESOLVED this 8th day of March, 2021.

Resolution to submit 2021 CDBG Application.

Executive Director of Public Utilities, Chris White, reported the competitive grant cycle for the Community Development Block Grant (CDBG) is now open, and the intent is to submit a CDBG FY2021 application to the Georgia Department of Community Affairs (DCA) for funding under Title I of the Housing and Community Development Act of 1974, as amended. The 2021 application would be for water, sewer, and drainage infrastructure improvements in and around the Dewey City area for a grant in the amount of \$750,000 and a cash match of 5% (\$37,500). The project will include road resurfacing after infrastructure improvements are complete. The application deadline is June 4, 2021. Executive Director White requested Council to consider adopting a resolution to authorize staff to submit the CDBG application as presented. It was noted that Mayor Hobbs may have a conflict of interest due to owning property within the target area and therefore and it was recommended that Mayor Hobbs recuse himself from discussion and voting and for Council to authorize Mayor Pro Tem Hufstetler as the elected official to sign all necessary and related documents in reference to the CDBG 2021 Application as presented.

Councilmember Mobley motioned to adopt the resolution as presented. Councilmember Flowers Seconded. It shall be noted that Mayor Hobbs recused himself from discussion and voting. There was no further discussion. The motion passed 4-0, with the following votes recorded:

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

ABSTAINED: Mayor Hobbs.

The adopted resolution follows.

Resolution

A RESOLUTION by the Mayor and Council Members of the City of Thomasville, Georgia, to authorize submission of a FY 2021 Community Development Block Grant (CDBG) application to the Georgia Department of Community Affairs (DCA) for funding under Title I of the Housing and Community Development Act of 1974, as amended.

WHEREAS, the Mayor and Council Members of the City of Thomasville, Georgia, find that the program is necessary and desirable in order to improve the living conditions of low and moderate income persons living in the City of Thomasville, Georgia; and

WHEREAS, the Mayor and Council Members of the City of Thomasville, Georgia, desire that a FY 2021 CDBG application be submitted to the Georgia DCA for funding under Title I of the Housing and Community Development Act of 1974, as amended;

WHEREAS, the Council of the City of Thomasville, Georgia, desires to commit funding in the FY2022 Budget to provide for the provision of the matching funds as a requirement of the CDBG Grant application; and,

NOW, THEREFORE, be it resolved by the Mayor and Council Members of the City of Thomasville, Georgia, that:

The Mayor Pro Tem of the City of Thomasville, or his/her successor, is hereby authorized to submit to the Georgia Department of Community Affairs a FY 2021 Community Development Block Grant application and such supporting and collateral material as shall be necessary.

READ, APPROVED AND ADOPTED by the Mayor and Council Members of the City of Thomasville, Georgia on a motion made by Councilmember Mobley, seconded by Councilmember Flowers, and adopted on this 8th day of March, 2021.

Adoption of Fair Housing Resolution for 2021 CDBG.

Executive Director of Public Utilities, Chris White, reported the City of Thomasville adopted resolution a to pursue a \$750,000 Community Block Development Grant (CDBG) in 2021 for funding under Title I of the Housing and Community Development Act of 1974, as amended. As part of the application, a Fair Housing resolution is required to be part of the 2021 CDBG application. In order to be in compliance with key regulations and requirements of the fair housing and equal opportunity laws applicable to CDBG projects, the City must adopt a Fair Housing Resolution that encourages equal opportunity in housing for all persons regardless of race, color, religion, gender, and national origin in accordance with the Fair Housing Act to include the Fair Housing Amendments Act of 1988 which expands coverage to disabled persons and families with children.

Councilmember Mobley motioned to adopt the resolution as presented. Councilmember Warren seconded. There was no further discussion. The motion passed 4-0, with the following votes recorded:

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

ABSTAINED: Mayor Hobbs.

The adopted resolution follows.

FAIR HOUSING RESOLUTION

LET IT BE KNOWN TO ALL PERSONS OF the CITY OF THOMASVILLE that discrimination on the basis of race, color, religion, gender or national origin in the sale, rental, leasing or financing of housing or land to be used for construction of housing or in the provision of brokerage services is prohibited by Title VIII of the 1968 Civil Rights Act (Federal Fair Housing Law).

It is the policy of the CITY OF THOMASVILLE to encourage equal opportunity in housing for all persons regardless of race, color, religion, gender or national origin. The Fair Housing Amendments Act of 1988 expands coverage to include disabled persons and families with children. Therefore, the CITY does hereby pass the following Resolution.

BE IT RESOLVED that within available resources the CITY will assist all persons who feel they have been discriminated against because of race, color, religion, gender, national origin, disability or familial status to seek equity under Federal and State laws by referring them to the U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Compliance Division.

BE IT FURTHER RESOLVED that the CITY shall publicize this Resolution and through this publicity shall encourage owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law and amendments and any applicable state or local laws or ordinances.

SAID CITY will, at a minimum: 1. Adopt and publicize the Fair Housing Resolution; 2. Post Fair Housing Posters in prominent public areas; 3. Provide Fair Housing Brochures Fair Housing information to the public; 4. Declare April as Fair Housing Month by Proclamation or Resolution; and 5. Conduct at least one (1) Fair Housing activity and document said activity.

EFFECTIVE DATE:

This Resolution shall take effect March 8, 2021.

Motion to authorize award of Agreement for Grant Preparation and Administration Services for 2021 CDBG Grant and authorize Mayor Pro Tem to sign necessary and related documents.

Executive Director of Public Utilities, Chris White, reported City Council adopted a resolution to pursue a \$750,000 Community Block Development Grant (CDBG) in 2021 for the Dewey City neighborhood. As part of the application process, the City will enter into a contract with a grant administrator. The grant administrator will be instrumental in

preparing all of the background data for this application and will be responsible for preparation of the 2021 CDBG application and then administration of the CDBG grant if or when awarded later this year. The application is due June 4, 2021. The City solicited qualifications from several firms CDBG administration services. The City received three statements of qualifications from firms on 9 October 2020. The Selection Committee reviewed each submission and independently evaluated each submission and gave an appropriate ranking based on the consultant's knowledge of CDBG guidelines and regulations; capacity to complete scope of work; consultants' past performance; consultants' experience in administration of this type of project; consultants' current workload, and consultant's fee. Based on those scores, the selection committee ranked the firms as follows:

1. Associates in Local Government Assistance, Inc. (ALGA) – Alma, Georgia
2. Hofstadter & Associates, Inc. – Macon, Georgia
3. Kimistry Solution Consulting – Jacksonville, Florida

Executive Director White requested that City Council authorize the Mayor Pro Tem to enter into an agreement with ALGA for grant preparation and grant administration for the 2021 CDBG grant application as presented.

Councilmember Flowers motioned to award the Agreement for Grant Preparation and Administration Services for 2021 CDBG Grant and authorize Mayor Pro Tem to sign necessary and related documents, as presented. Councilmember Mobley seconded. There was no further discussion. The motion passed 4-0, with the following votes recorded:

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

ABSTAINED: Mayor Hobbs.

Motion to postpone the effective date of utility delinquency fee structure.

Executive Director of Public Utilities, Chris White, reported that previously the City of Thomasville delinquent fees were set at \$20.00 for all utilities, regardless of past due amount. CNSNext service is \$5.00 per service. These service charges are applied 3 days after due date, which is 22 days after customer receives monthly bill. Under the existing policy, when customers are cut-out due to non-payment, there are no service charges incurred for reconnection during normal business hours. After hours service charges are set at \$12.00. City Council voted to change this fee structure at the October 26, 2020 Council meeting, with an effective date of April 1, 2021 to the following: A late fee charge of 7% of total past due balance, that is applied at 22 days after the customer receives bill. This charge to be capped at \$500 with a minimum of \$10.00. Additionally, a \$50.00 delinquent reconnect fee during normal business hours and a \$75.00 reconnect fee for after hours and weekend service. It was noted that at Council's request when the fee structure was approved with the April 1, 2021 effective date, the date should be revisited due to the current state of the COVID-19 pandemic and its effects on the community. Mayor Hobbs requested the effective date be set to December 1, 2021.

Mayor Pro Tem Hufstetler motioned to approve the postponement of the effective date of the approved utility delinquency fee structure to reflect the effective date of December 1, 2021. 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.

Motions to approve Alcohol Beverage Licenses.

Event Facilities, Business & Tax licensing Administrator, Melissa Creel, presented the following four applications and reported that each applicant had completed the application process with no issues or concerns as a basis of non-approval. She also reported that each had paid their respective licensing fees.

1. Retail Consumption and Package of Beer, Wine and Catering: Sweet Cacao Chocolates, LLC, 108 East Jackson Street, Thomasville, Georgia, applicant, Dena White.

Councilmember Flowers motioned to approve the retail Consumption and Package of Beer, Wine and Catering for Sweet Cacao Chocolates, LLC, as presented. 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.

2. Retail Package and Consumption of Wine and Catering for Beer and Wine: World's End Tavern, LLC, 1332 West Jackson Street, Thomasville, Georgia, applicant, Rodney Lewis.

Councilmember Mobley motioned to approve the Retail Package and Consumption of Wine and Catering for Beer and Wine for World's End Tavern, as presented. 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.

Following the approval of the alcohol beverage licenses for the applicants, Mayor Hobbs read the following statement:

"As part of your application process, you signed an affidavit stating that you understand the sale of alcoholic beverages to an underage person is an illegal act, punishable by law, in the State of Georgia; and, You understand the code requirements as they relate to the required training program and prohibition of sales of alcoholic beverages to an underage person; and, You received a copy of the current Thomasville Municipal Code Chapter 3, titled "Alcoholic Beverages"; and, Additionally as a licensed caterer, you are required to apply for an Event Permit at least ten days prior to each event and pay a \$25 processing fee for each permit.

- a. As a reminder, alcohol caterer licensees must comply with ALL applicable provisions of Chapter 3 of the City Code related to Alcoholic Beverages; and,*
- b. Licensees should contact the Georgia Department of Revenue regarding any requirements related to a State permit for each event."*

The applicants thanked Council and Councilmembers wished them the best with their endeavors.

CONSENT AGENDA

There were no items listed for consideration on the Consent Agenda at this meeting.

REPORTS

City Manager Carson reported the Courtyard by Marriott Hotel would be opening soon and commended staff for their efforts with hotel representatives to achieve this goal.

Mayor Pro Tem Hufstetler echoed the sentiments and noted anticipation of the addition of the Hotel to the community.

Councilmember Mobley reported the Rose City Walk and Rose City Run would be held virtually this year due to the pandemic. He and Councilmember Warren encouraged citizens to sign up for participation.

Councilmember Flowers also echoed the anticipation of the opening of the new Courtyard by Marriott in downtown Thomasville. He encouraged citizens and businesses to participate in the community effort of "Feed the Fight" a community effort in which meals are voluntarily provided to assist COVID-19 pandemic frontline healthcare workers during this time. Councilmember Flowers congratulated the following Boy Scout members for recently achieving the high rank of Eagle Scout: Emmett Miles, Nathan Yokley, Zachary Lauderdale, Will Porter, Jay Sanders, Jack Saussy, and Sims Ladson.

Mayor Hobbs thanked citizens for their participation and encouraged everyone to continue practicing social distancing and other preventative measures to stay safe during the pandemic.

ADJOURNMENT

Having no further business to discuss, the Thomasville City Council Meeting was adjourned at 6:37 PM.

{ Official Signature Page Follows }

Official Signature Page for
March 8, 2021 City Council Meeting Minutes



Mayor, Greg Hobbs



ATTEST: City Clerk

