

City of Thomasville Council Meeting, May 24, 2021

The Council of the City of Thomasville met in a regular session with Mayor Greg Hobbs presiding and the following Councilmembers present: Councilmembers Jay Flowers and Todd Mobley. 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. It was noted that Mayor Pro Tem David Hufstetler and Councilmember Warren were not present at this meeting.

INVOCATION

Councilmember Flowers led the Invocation.

PLEDGE OF ALLEGIANCE

Councilmember Mobley led the Pledge of Allegiance.

APPROVAL OF MINUTES

Councilmember Mobley motioned to approve the Council Meeting Minutes of May 10, 2021, as presented. Councilmember Flowers seconded. There was no further discussion. The motion passed 3-0, with the following votes recorded: AYES: Mayor Hobbs and Councilmembers Flowers and Mobley.

CITIZENS TO BE HEARD

Mayor Hobbs acknowledged no citizens had signed in to be heard at this meeting.

ADOPT AGENDA

Councilmember Flowers motioned to adopt the agenda as presented, with no exceptions. Councilmember Mobley seconded. There was no further discussion. The motion passed 3-0, with the following votes recorded: AYES: Mayor Hobbs, and Councilmembers Flowers and Mobley.

OLD BUSINESS

Second reading of an ordinance to amend the Code of Thomasville, Georgia by creating a new Article Captioned "Media Production" of Chapter 18.

Tourism Manager, Bonnie Hayes reported there were no changes to the ordinance since the first reading and passage by Council during the May 10, 2021 Council Meeting. Tourism Manager Hayes briefly reviewed the need for the ordinance due to rising requests for from the film industry for media productions in Thomasville. She noted this ordinance provides staff firm guidelines and procedures that will protect Thomasville's citizens, infrastructure and facilities while also providing a means for which these opportunities can positively impact Thomasville's economic vitality. It was noted the ordinance provided guidelines, permitting and application processes for two classifications of media productions.

Councilmember Mobley motioned to order the ordinance to amend the Code of Thomasville, Georgia, by creating a new Article XV captioned, "Media Productions" of Chapter 18, "Taxation, Revenue, and Miscellaneous Business Regulations" so as to establish a permitting system and standards governing commercial media production of all types; as read for the second time, passed and adopted. Councilmember Flowers seconded. There was no further discussion. The motion passed 3-0, with the following votes recorded: AYES: Mayor Hobbs, and Councilmembers Flowers and Mobley.

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

AN ORDINANCE TO AMEND THE CODE OF THOMASVILLE, GEORGIA, BY CREATING A NEW ARTICLE XV CAPTIONED "MEDIA PRODUCTIONS" OF CHAPTER 18 CAPTIONED "TAXATION, REVENUE AND MISCELLANEOUS BUSINESS REGULATIONS" SO AS TO ESTABLISH A PERMITTING SYSTEM AND STANDARDS GOVERNING MEDIA PRODUCTION OF ALL TYPES; TO REPEAL CONFLICTING CODE PROVISIONS, UNCODIFIED ORDINANCES, OR PORTIONS THEREOF; TO ESTABLISH AN EFFECTIVE DATE; AND FOR OTHER PURPOSES.

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF THOMASVILLE, GEORGIA, AND IT IS ESTABLISHED AS FOLLOWS:

SECTION I

The Code of Thomasville, Georgia, is hereby amended by enacting a new Article XIV captioned "MEDIA PRODUCTIONS" of Chapter 18 captioned "TAXATION, REVENUE, AND MISCELLANEOUS BUSINESS REGULATIONS" to provide for permitting of media productions and standards governing media activities within said city, as follows:

"Article XIV MEDIA PRODUCTIONS

Sec. 18-300. Purpose.

It is the public policy of the State of Georgia to market the state as a location for media productions, recognizing the economic impact this industry provides, as well as the tourism it generates for local jurisdictions. The City of Thomasville is further fortunate to have a diverse number of unique locations to attract media productions to the city.

Despite the many positive benefits media productions may offer, certain inconveniences may result if the production company and the city cannot work in concert to assure minimum standards are met and to assure a thoroughly planned production schedule is followed. These concerns are best addressed through a regulatory permit.

Sec. 18-301. Scope of coverage.

The permit required by this Article shall be required for the creation of all motion picture images generally, creation of still photography images for commercial use, movies, television or video series, pilots, feature films and documentaries, commercials, music videos, photo shoots, infomercials and public service announcements and all attendant staging, shooting, base camp and similar and related activities and services, whether the final product is intended for commercial use or not, (the forgoing may be referred to singularly as a "media production activity" or collectively as "media production activities") unless the activity shall wholly occur on private property within an otherwise licensed facility (such as a film or television studio). Any media activity production on public property shall require a permit. For purposes of this Article, media production activity shall include those areas designated for parking of trucks and equipment on public or private property, base camps used during the production activity, and food service areas. For the avoidance of doubt, no public highway, street, road, sidewalk or right-of-way shall have its public access restricted or limited except by a permit issued pursuant to this Article.

Sec. 18-302. Permit requirements.

a. Media production activities authorized by a permit issued pursuant to this Article are allowed with conditions in all zoning districts. Whenever a permit is sought in connection with media production activities that will be conducted in or near residential neighborhoods, extra consideration shall be given to conditions that may be imposed to ameliorate as much as possible any inconvenience to the residents.

b. Two classifications of media production permits are allowed:

1. *High-impact activities* means those activities having an intended duration of fifteen (15) or more consecutive days which do not comply with the low-impact standards of this Article, and/or will disrupt normal and customary use of the site and adjacent and nearby property and uses. Any filming involving automobile crashes or chases, gunfire, pyrotechnics, explosives, the use of aircraft, stunts, and similar activities are examples of high-impact activities; and
2. *Low-impact activities* are generally those activities having an intended duration of no more than fourteen (14) consecutive days, with little or no disruption to normal and customary use of the site and adjacent and nearby properties and uses.

c. *General standards.* Prior to making application for a permit, the applicant shall meet with the media production liaison to review locations and the general scope of activities planned during the production. A copy of the script shall be made available to allow the city staff to better understand the applicant's needs.

The following general standards shall apply to all permits once granted and in the case of subsections 4, 11, 12, 14, 16, 17, and 19 below shall continue to apply after the expiration of the term of the permit:

1. No tents, temporary sanitary facilities, trash collection, or food service facilities shall be located within 100 feet of the property line of any property used for residential use, unless the owner or tenant gives written consent;
2. Tents, depending on their square footage, and other temporary structures may require a separate building permit from the city;
3. Lighting for filming should be oriented away from adjacent or nearby properties as much as possible and shall not interfere with the safe movement of vehicular traffic;
4. Signage shall be governed by Article X, Chapter 22 of the Code of the City of Thomasville;
5. No regulatory traffic control signage within a public right-of-way shall be removed without the prior written consent of the city manager or his designee;
6. No modification to any existing traffic signage, street light, traffic control device or other officially-installed facility or improvement shall be made without prior consent of the city manager or his designee;
7. No street, road, alley, or sidewalk shall be closed, barricaded or other obstruction erected within a public right-of-way, and no access shall be denied or restricted to public or private property or facilities unless the closure or restriction is approved as a condition of the permit; reasonable alternative access shall be arranged whenever possible;
8. No trees, vegetation (including grasses), or ornamental shrubs shall be cut or removed from public property without prior written consent of the city in the permit, based upon an agreed landscape restoration plan. A land disturbance permit may be separately required depending upon the nature and extent of the activity;
9. Traffic management plan. The applicant shall submit to the city manager or his designee a traffic management plan to address traffic flow in the vicinity of the location where production activity is to occur, even if normal traffic flow is not to be obstructed or interrupted. Detours shall be determined and approved by the city manager or his designee; temporary traffic control devices and signage as required by the manual on uniform traffic control devices shall be provided at the sole expense of the applicant; the utilities superintendent shall also review and approve such plan.

10. City of Thomasville shall be listed in the production credits for all permits acquired.
11. The applicant shall conduct operations in an orderly fashion with continuous attention to the storage of equipment not in use and the removal of trash and debris. It is the responsibility of the applicant to exercise reasonable care in inspecting and immediately repairing any damage to any public property which occurs as a result of the media production activity.
12. After conclusion of the media production activity, the applicant shall leave all public property in the same or better condition as it was prior to the media production activity.
13. The applicant must publicly display the approved permit on site at all times during filming, set up, break down, and related activities.
14. The applicant, including any employees, agents, contractors and subcontractors of applicant, is responsible for knowing and complying with all city ordinances and other applicable federal, state and local laws.
15. The applicant must give written notification of the commencement the media production activity to all residents, places of worship, businesses, and occupants of properties within a five hundred (500) foot radius of the location where the media production activity is scheduled to take place. The notification shall be delivered at least five (5) days prior to the commencement of such media production activity. The notification should include the date, time, location, and a general description of the media production activity authorized by the permit. To the extent practicable, written acknowledgement of delivery of the notice shall be obtained by the applicant.
16. Where the media production activity includes signage, all signs and/or displays must be removed immediately upon expiration of the permit.
17. Issuance of an approved permit shall not grant to applicant, nor applicant's successor or assigns, nor otherwise create, a property interest.
18. Permits issued pursuant to this Article shall not be assigned.
19. Upon receipt of the permit, and by accepting said permit, the applicant shall, at its sole cost and expense, fully indemnify, defend and hold harmless the city, its officers, boards, commissions, elected officials, appointed officials, employees, agents, servants and assigns against any and all claims, suits, actions, liability and judgements for damages to persons or property, that may arise from the permit and any activities performed pursuant to the permit by, on behalf of, or at the direction of the applicant.
20. The applicant may be required to hire at its sole expense off-duty police or fire personnel, as determined by the city manager's, or his designee's, assessment of the public safety risks posed by elements of the filming and related activities.
21. The applicant shall obtain at its sole expense and keep in full force and effect during the term of the permit liability insurance as required by the city, naming the city as an additional insured. Insurance requirements shall be identified on the permit application.

Sec. 18-303. Low-impact activity standards.

In addition to the general standards, the following minimum standards shall be met in order to be permitted as a low-impact activity and shall continue to apply after a permit has been granted and to the extent necessary after the expiration of the term of the permit. Due to the varying requirements of media productions and the nature of the industry, these standards are not intended to be all inclusive and additional conditions may be reasonably imposed by the city manager or his designee to minimize anticipated adverse effects, including but not limited to guidelines, rules and conditions that may be imposed and incorporated by reference into the location agreement required by this Article:

- a. No permit shall be effective for more than fourteen (14) consecutive dates from its date of issuance. Permits may be extended by the city manager, for reasonable cause. The permit

shall be available, on location, at all times while production activity is occurring and shown to city inspectors upon request.

b. Normal hours of activity shall be 7:00 a.m. to 10:00 p.m. daily; all preparation and wrap-up shall occur within one (1) hour of this time frame. Noise shall be kept to a minimum.

c. No street closure, obstruction or interference with normal traffic flow, including pedestrian use of sidewalks and public rights-of-way shall occur, including use of on-street parking spaces or parking in alleys or side streets.

d. Facilities and locations to be used for base camp, food service, and parking shall be approved as a condition of the permit; any other required permit(s) shall be obtained prior to issuance of the permit under this Article.

Sec. 18-304. High-impact activity standards.

In addition to the general standards, the following minimum standards shall be met in order to be permitted as a high-impact activity and shall continue to apply after a permit has been granted and shall continue to apply after a permit has been granted and to the extent necessary after the expiration of the term of the permit. Due to the varying requirements of media production and nature of the industry, these standards are not intended to be all inclusive and additional conditions may be reasonably imposed by the city manager or his designee to minimize anticipated adverse effects, including but not limited to guidelines, rules and conditions that may be imposed and incorporated by reference into the location agreement required by this Article:

a. No permit shall issue for a term of less than fifteen (15) consecutive days from its date of issuance; the duration of the permit shall be based upon an agreed production schedule submitted by the applicant. Permits may be extended by the city manager, for reasonable cause. The permit shall be available, in location, at all times while activity is occurring and shown to county inspectors upon request.

b. Normal hours of activity shall be 7:00 a.m. to 10:00 p.m. daily; all preparation and wrap-up shall occur within one hour of this time frame. Noise shall be kept to a minimum; any activity occurring outside of the above hours involving planned noises in excess of 65db at a distance of 100 feet from the point of origin shall be addressed in the application. If activity is planned within 500 feet of a residential area outside the hours specified, or will involve noises in excess of 65db, notice shall be given by the best means available to residents as far in advance as reasonable.

c. Street closure(s), obstruction or interference with normal traffic flow, including pedestrian use of sidewalks and public rights-of-way shall be detailed in the application, including any use of on-street parking spaces and/or parking in alleys or side streets.

d. The city will not intervene on behalf of any permittee or negotiate access rights to private property with property owners; the permittee is expected to deal directly with private property owners for required permission and consent.

e. Facilities and locations to be used for base camp, food service, and parking shall be approved as a condition of the permit any other required permit(s) shall be obtained prior to issuance of the permit under this Article.

f. Based upon the proposed scope of production activity and in consideration of any potential danger to the safety, health and welfare of the community, particularly private property and residents near the location, the city manager may require on-site security (qualified private security or use of off-duty law enforcement officers) and/or may require personnel and equipment be placed on standby for portions of the high-impact activity at the expense of the applicant. The application shall detail the planned time, place, and manner of any of the following production activities including but not limited to: Pyrotechnics, demolition, discharge of firearms or other weapons, motor vehicle chases, physical stunts, and similar actions.

Sec. 18-305. Application and permit procedure.

a. *Applications.* All applications shall be made in writing on forms provided by the city. An application for a permit shall be required for each location for which a permit is sought. Complete applications shall be submitted no less than ten (10) business days prior to the commencement any media production activities

b. Every application shall state the name and contact information of responsible representative of the applicant, who shall be available at all times during actual production activity

within the city and for a period of not less than one (1) year thereafter; more than one point of contact may be specified.

c. The application shall contain a detailed narrative of the scope of production activities, and include drawings, maps or plats to illustrate locations, property boundaries, existing material improvements, planned temporary improvements, curb cuts and driveways, adjoining streets, traffic patterns, and similar information helpful to assess the impact of the proposed activity. In addition, the application must list and describe any of the following that may be included or a part of the media production activity:

1. Filming or otherwise conducting production activities outdoors between 11:00 p.m. and 7:00 a.m. within a five-hundred-foot radius of a dwelling unit, residence, place of worship, or business;
2. Filming or otherwise conducting production activities on public property;
3. Closure of a street, lane and/or sidewalk;
4. Occupation of the right-of-way;
5. Use of pyrotechnics or other explosives, smoke effects, water effects, flame effects, or other potentially dangerous instrumentalities;
6. Display or use of real or artificial firearms, grenades, or other weaponry;
7. Vehicle chases and/or vehicle crashes;
8. Dangerous stunts that have a reasonable likelihood of causing personal injury or damage to public or private property, whether real or personal;
9. Use of equipment that has a reasonable likelihood of causing personal injury or damage to public or private property, whether real or personal;
10. Filming or otherwise conducting production activities that includes sound and for purposes of this Article, "sound" shall include but not be limited to mechanical sound-making devices such as radios, stereos, boom boxes, televisions, musical instruments, horns, whistles, bells, chimes or carillons, phonographs, sound amplifiers or other machines or devices for the producing, reproducing or amplifying of sound;
11. Use or presence of any animal which is naturally inclined to do harm or capable of inflicting serious harm upon human beings, or any animal whose possession or sale is prohibited by federal, state, or local law;
12. Public nudity and/or any behavior that could be deemed lewd and lascivious;
13. Use of light, lights, light effects, or illumination of any kind whatsoever.

d. As a condition to granting a permit, the applicant shall execute a location agreement, provided by the city and in a form and substance acceptable to the city attorney. The executed location agreement shall accompany the application, together with a Certificate of Insurance naming the city as an additional insured. The minimum limits of insurance coverage shall not be less than \$1,000,000.00 per occurrence/\$2,000,000.00 aggregate and the location agreement may specify other terms and conditions with respect to such insurance coverage.

e. All applications shall be filed with the city manager, or his designee, who may require such additional information as needed to assess the proposed extent and intensity of the production within the city.

f. Permits. All applications shall be approved, with or without specific terms and conditions, or denied, by the city manager, or his designee, in writing. If approved, the city shall issue a permit to the applicant, in writing with all terms and conditions clearly set forth therein. Low-impact activity applications and high-impact activity applications shall be either approved or denied within ten (10) business days of receipt of a complete application. If the application is denied, the city manager, or his designee, shall state, in writing the reason(s) for denial. An applicant may appeal to the city council at the next regular meeting occurring more than five (5) days following receipt of a written denial.

g. Fees and charges may be assessed based upon specific requirements, including fees for the monitoring of public safety or special services by a city department, based upon labor, time and equipment necessary to provide the service. When using city-owned buildings or property other than public road rights-of-way, for production activities, a separate fee or charge may be required.

h. In considering an application and whether to approve a requested permit, the city manager, or his designee, may consider any reasonable factors, including but not limited to the following:

1. Whether media production activities pose a risk of injury or damage to persons or property, whether private or public;
2. Whether media production activities pose a risk of the creation of a nuisance or a substantial inconvenience to the public;
3. Whether the date and time requested conflicts with other scheduled events or activities;
4. Whether media production activities unreasonably interfere with city functions or operations;
5. Whether the applicant owes an outstanding debt to the city;
6. Whether the applicant cannot procure the required insurance;
7. Whether the applicant previously violated this article on two (2) or more occasions within the last three (3) years; or
8. Whether the applicant made a material misrepresentation on the application or any documents or written statements submitted in connection with the application.
9. The presence, inclusion or use in the media production activities of any of the elements enumerated in subsection c., 1-13 of this section 18-305.

Sec. 18-306. Permit modification, suspension, or cancellation.

a. After receiving a permit, an applicant may request a modification of the permit at any time by submitting a change request in writing to the city manager or his designee. The city shall process the change request in the same manner established for processing initial applications.

b. A permit may be immediately suspended where the city identifies an imminent or substantial endangerment to the health and welfare of persons, or to property caused by or resulting from the media production activities; or an actual or imminent violation of the material terms of the permit, this article or any other federal, state or local law.

c. A permit may be cancelled where:

1. The city determines that an imminent or substantial endangerment to the health and welfare of persons or to property caused by or resulting from the media production activities cannot be reasonably eliminated, as determined by the city;
2. The city determines that the applicant has materially violated terms of the permit, this article, location agreement, or such other rules, regulations, or conditions imposed on the media production activities by the city manager or his designee;

d. If a permit is suspended or cancelled, the city shall give written notice to the applicant setting forth the reasons for permit suspension or cancellation. The applicant shall have an opportunity to respond to a suspension or cancellation notice within seven (7) business days after receipt of the notice by presenting written or oral evidence to the city manager. A final written decision will be issued by the city manager within fifteen (15) business days after the applicant or producer has appealed the suspension or cancellation.

e. If a permit is under consideration for cancellation or suspension because of health or safety risk and the applicant is otherwise in compliance with the permit, the city shall make reasonable efforts to find alternative means to accommodate the applicant's media production activities and to eliminate said health or safety risk and allow filming to proceed.

Sec. 18-307. Media production liaison.

The city manager is, hereby expressly authorized to designate an employee as the city's media production liaison to work with and be the city's point of contact with media productions, to assist in coordinating the permitting process for the city, and to promote the city as a "camera-ready community" under a program with the Georgia Office of Film, Music and Digital Entertainment. In making such designation, the city manager shall define the duties, compensation, and benefits of such employee.

Sec. 18-308. Violations.

In addition to the other remedies available to the city provided in this Article, any person violating the provisions of this Article, including but not limited to commencing media production activities prior to or without receiving a permit, shall be punished as provided by the Code of Ordinances of the City of Thomasville, Georgia.”

SECTION II

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

SECTION III

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

SECTION IV

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, enforceable, and constitutional.

SECTION V

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 his ordinance is mutually dependent upon any other section paragraph, sentence, clause or phrase of his ordinance.

SECTION VI

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 of competent jurisdiction, it is the express intent of the Mayor and the Council of the City of Thomasville that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid unconstitutional or otherwise 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 VII

This ordinance was introduced and read at a lawful meeting of the City council for the City of Thomasville, Georgia, held on May 10, 2021, and read the second time, passed and adopted in like meeting held on May 24, 2021.

NEW BUSINESS

First reading of an ordinance to deannex four properties located on Baytree Drive in Thomasville, Georgia. City Planner, Kenny Thompson reviewed the request to deannex four adjacent lots from the City of Thomasville located on Baytree Drive. The lots are currently vacant and abut the Brookwood campus directly to the north and

west. Formerly, the lots contained mobile homes which were destroyed by a tornado in 2007. The applicant, Brookwood School, is considering renovations to the school campus, which includes these four lots. This portion of the campus lies within the City limits while the rest of the school is within the county. Under the existing configuration, the applicant would be required to permit portions of their project with the City and other portions with the County, creating an undesirable and difficult process. Wishing to streamline the development process, the applicant requested deannexation of these lots. The properties are currently vacant land, so no revenue would be lost by deannexing these parcels. The County has been notified of the deannexation request, and has approved absorbing the properties back into the county. City Planner Thompson noted following proper procedures and consideration, staff recommends deannexation of the four properties as requested.

Councilmember Flowers motioned to order the ordinance to deannex four properties located on Baytree Drive in Thomasville, Georgia; as read for the first time, passed and carried over, as presented. Councilmember Mobley seconded. There was no further discussion. The motion passed 3-0, with the following votes recorded: AYES: Mayor Hobbs, and Councilmembers Flowers and Mobley.

The title of the ordinance ordered read for the first time, passed and carried over follows.

AN ORDINANCE TO DEANNEX CERTAIN REAL PROPERTY FROM THE CITY OF THOMASVILLE PURSUANT TO AND IN CONFORMITY WITH THE REQUIREMENTS OF O.C.G.A. §36-36-22, UPON THE REQUEST OF BROOKWOOD SCHOOL, INC., THE OWNER OF THE REAL PROPERTY PROPOSED TO BE DEANNEXED FROM THE CORPORATE LIMITS OF THE CITY OF THOMASVILLE; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; AND TO ESTABLISH AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Motion to adopt the City of Thomasville's revised Language Access Plan.

Executive Director of Human Resources & Community Relations, Dominic Ford reported the City of Thomasville has revised its Language Access Plan in anticipation of upcoming funding opportunities. Furthermore, the City of Thomasville is in the process of pursuing funding opportunities through the Community Development Block Grant (Infrastructure) in the amount of \$750,000 for the Dewey City Community. The Community Development Block Grant (CDBG) Program provides annual grants on a formula basis to states, cities, and counties to develop viable urban communities by providing decent housing and a suitable living environment, and by expanding economic opportunities, principally for low- and moderate-income persons. Community Development Block Grants (CDBGs) can be used to buy, construct, or fix public facilities such as water and sewer systems. Grantees may fund activities that meet community development needs. Director Ford noted an updated Language Access Plan (LAP) is a requirement for the CDBG process. The LAP addresses the needs of our Limited English Proficiency population. Additionally, and more importantly, it is the City's goal to improve its overall services to the community, to include its citizens, customers and visitors. The revisions include the following information:

- Added sections to the LAP to create a more comprehensive plan.
- Change in the designated LAP Coordinator.
- Changes made in the Four-Factor Analysis. City has created a focus group (Spanish) despite meeting the required threshold to do so.
- LAP expanding its services outside the realm of federal funding requirements to improve overall services, programs, and events to the community.
- Creation of LAP Department Point of Contacts.
- Interpretations and Translation services provided through a third-party company versus using staff.

Councilmember Mobley motioned to adopt the City of Thomasville's revised language Access Plan, as presented. Councilmember Flowers seconded. There was no further discussion. The motion passed 3-0, with the following votes recorded: AYES: Mayor Hobbs, and Councilmembers Flowers and Mobley.

Motion to authorize the Mayor to sign the Amendments to the Investment Contract and Administrative Services Agreement for the City of Thomasville's 457 and 401 Retirement Plans.

Chief Financial Officer, Ashley Cason reported the City of Thomasville's Defined Contribution Plan is currently administered by Empower, which was formerly known as Mass Mutual Life Insurance Company. On January 4, 2021, Empower officially acquired the retirement business of Mass Mutual. All MassMutual plans, including the City's 401 and 457 retirement plans, will be transitioning to Empower over an 18 month period. This transition will result in several benefits to the plan which includes a continuity of service, refreshed reporting and plan management tools, a single, modern recordkeeping system, data protection through the Empower Security Guarantee, and overall additional services and programs to simplify plan administration. The participants (employees) of the plan will have access to a modernized participant website and mobile apps, holistic financial wellness programs, personalized communications programs, and access to fiduciary advice at no additional cost. The overall technological platform will be new and improved. In addition to these benefits, the agreement and plan will also include the following changes:

1. Currently, the General Account (one of the three investment options) has a minimum guaranteed rate of return of 3%. Empower has agreed to honor this fixed rate through December 31, 2022. The following step-down schedule will reflect the annual minimum interest rates for the next three years.
 - YEAR 1: January 1, 2022 through December 31, 2022: 3.00% per annum
 - YEAR 2: January 1, 2023 through December 31, 2023: 2.50% per annum
 - YEAR 3: January 1, 2024 through December 31, 2024: 2.00% per annum
 - The minimum guaranteed rate under the Contract will eventually be reduced to 1.00% per annum.
2. Effective June 1, 2021, the Program and Administrative fees will be reduced from 0.85% (85 basis points) to 0.50% (50 basis points) and the annual expense credit paid by Empower will be 0.20% (20 basis points) which will be allocated quarterly.

Councilmember Flowers motioned to authorize the Mayor to sign the Amendments to the Investment Contract and Administrative Services Agreement for the City of Thomasville's 457 and 401 Retirement Plans; as presented. Councilmember Mobley seconded. There was no further discussion. The motion passed 3-0, with the following votes recorded: AYES: Mayor Hobbs, and Councilmembers Flowers and Mobley.

Motion to adopt the updated GIS Data Memorandum of Agreement between the City of Thomasville and Thomas County and to authorize the Mayor to sign the agreement.

GIS Director, Duane Treadon reported the City of Thomasville and Thomas County have had a standing Geographic Information Systems (GIS) data sharing Memorandum of Agreement (MOA) since 2013. With changes of City Manager, Councilmembers and County Commissioners since 2013, it was recommended the GIS Data MOA be reviewed, updated as needed and re-adopted. Director Treadon further reported that he and Mr. Ogletree (Thomas County's GIS representative) have both reviewed the GIS Data MOA and coordinated changes for review. Changes to the agreement included correction of grammatical and spelling errors that were not caught upon original adoption, clarification of language for a better understanding of intent, and removal of a few requirements to update with modern technology advancements (i.e. CD/DVD could no longer be requested as a media type for data transfer). Director Treadon noted the changes were mutually agreed upon by both organizations' GIS representatives and reviewed by City Attorney, Tim Sanders. It was noted that following Council's adoption of the updated GIS Data MOA, it will be presented to County Board of Commissioners for their review and adoption.

Councilmember Mobley motioned to adopt the updated GIS Data Memorandum of Agreement between the City of Thomasville and Thomas County and to authorize the Mayor to sign the GIS Data MOA; as presented. Councilmember Flowers seconded. There was no further discussion. The motion passed 3-0, with the following votes recorded: AYES: Mayor Hobbs, and Councilmembers Flowers and Mobley.

Motion to approve the final plat of Lots 42-45 in Piney Woods Subdivision located on Sally Street.

City Planner, Kenny Thompson reported the applicant is requesting to subdivide 5 vacant lots located on Sally Street into 6 lots. The proposal meets the zoning requirements, is requesting to subdivide an area smaller than one block, and is located along an existing public street; therefore it meets the criteria for subdivision laid out in Section 17-86 of Thomasville's Code of Ordinances. Because the replat would require subdivision of more than 3 lots, it is required to go through the subdivision process outlined in Chapter 17 of the City's ordinances. This process entails verifying with the zoning administrator and city engineer that the newly platted land would create buildable lots, that the new

lots would conform with the zoning requirements, and that the newly created lots would include all required utilities, easements, and access so they do not create a burden on our existing water, sewer, and stormwater systems. City Planner Thompson further reported the request has been through the preliminary subdivision process, and the proposed revision conforms to the zoning and engineering requirements laid out in the City's subdivision regulations.

Specifically:

- All lots exceed the lot size required for an R-1 zoning (7,500 sq. ft)
- All lots exceed the dimensional width required for an R-1 zoning (60 ft)
- All easements and private covenants have been identified
- All lots are serviced by city streets and utilities

In addition, the proposed lots include a 20' private easement on the rear of the properties to ensure proper drainage of stormwater. City Planner Thompson noted that following proper procedure and processes, the Planning and Zoning Commission recommends approval of the final plat as submitted.

Councilmember Flowers motioned to approve the final plat of Lots 42-45 in Piney Woods Subdivision located on Sally Street. Councilmember Mobley seconded. There was no further discussion. The motion passed 3-0, with the following votes recorded: AYES: Mayor Hobbs, and Councilmembers Flowers and Mobley.

Bids and award for the purchase of Laptops for Thomasville Police Department.

Police Chief, John Letteney reported the Thomasville Police Department budgeted \$36,126.00 to replace laptops used in patrol vehicles for 2021. The City's Information Technology Department recommended the Dell Latitude 5424 Rugged Laptop with 16 GB of RAM, webcam and microphone, backlit keyboard, and smart card reader. The laptop also comes with cellular service and a 5-year warranty. To go with the laptop, a docking station would be needed, and the Havis DS-DELL-416 was recommended by the City's Information Technology Department. A summary of bids received follows.

<u>BIDDERS</u>	<u>BID AMOUNT</u>	
<u>Laptops</u>	<u>Unit Price</u>	<u>Total</u>
NTS	\$2,169.72	\$21,697.20
Dell	\$2,249.90	\$22,499.00
First Net	\$2,895.00	\$28,950.00
 <u>Docking Stations</u>	 <u>Unit Price</u>	 <u>Total</u>
NTS	\$791.19	\$7,911.90
CDW-G	\$727.73	\$7277.30
Tech For Less	\$519.97	\$5,199.70

Police Chief Letteney further reported that following the City's Information Technology Department's recommendations and bid amounts, the Police Department is requesting Council approve the purchase of budgeted laptops from NTS and the docking stations from Tech For Less.

Councilmember Mobley motioned to approve the purchase of ten (10) Dell Latitude 5424 Rugged Laptops from NTS and the purchase of ten (10) Havis DS-DELL-416 docking stations from Tech For Less; as presented. Councilmember Flowers seconded. There was no further discussion. The motion passed 3-0, with the following votes recorded: AYES: Mayor Hobbs, and Councilmembers Flowers and Mobley.

Bids and award for the purchase of an Engine and Quint for Thomasville Fire Rescue.

Fire Chief, Tim Connell reported Thomasville Fire Rescue is operating a 1995 Pierce fire engine with 138,892 odometer miles, and noted the engine has met its end of life for any use. At the end of year 2021, the 1995 engine will no longer meet the Insurance Services Office (ISO) requirements for use as per NFPA 1911 standards. Fire Chief Connell also reported the 2001 duel tandem Sutphen ladder that is 53 feet in length, one-hundred-foot ladder with a platform, has 85,683 miles and has met its end of life for a front-line unit according to the NFPA 1911 standard. It was noted that both of the fire apparatuses fall under NFPA 1911: INSPECTION, MAINTENANCE, TESTING, AND RETIREMENT OF IN-SERVICE EMERGENCY VEHICLES, which states that a fire apparatus of any type can

safely be used “up to 15 years as a front-line vehicle,” NFPA 1911 states that after 15 years, “it is a risk to firefighters,” 25 years total is the end of life of an emergency vehicle. Fire Chief Connell further reported that the Insurance Services Office will no longer give credit for front line use for the aging fire engine nor the ladder truck. These points are valuable for the commercial, along with the residential district. With the hospital being the Thomasville Fire Rescue (TFR) biggest life safety threat; the ladder truck is needed not just for victim rescue but also the ability for an elevated master stream that can flow a minimum of 1,750 gallons per minute. This is critical to fight fires in buildings of this size. The ability for an elevated master stream would also be critical in mitigating an incident if a fire were to break out within any of the several tall buildings in the downtown district. The 1995 engine will be sold and is valued at approximately \$12,000. The 2001 Sutphen will be placed as a reserve quint. A summary of bids received follows.

PUMPER BID SUMMARY

<u>BIDDER</u>	<u>BID AMOUNT</u>
Ten-8, Bradenton, FL (Pierce)	\$388,259.35
Peach State Emergency Vehicles, Norcross, GA (Spartan)	\$373,774.00
Williams Fire Apparatus, Ashland, AL (Sutphen)	\$416,629.03
Fireline, Inc., Winder, GA (E-One)	\$474,958.00

QUINT BID SUMMARY

<u>BIDDER</u>	<u>BID AMOUNT</u>
Ten-8, Bradenton, FL (Pierce)	\$769,645.33
Williams Fire Apparatus, Ashland, AL (Sutphen)	\$769,709.15
Fireline, Inc., Winder, GA (E-One)	\$789,841.00
Peach State Emergency Vehicles, Norcross, GA (Spartan)	\$790,110.00

Fire Chief Connell reported that following careful review of bids received and apparatus/equipment layouts, Thomasville Fire Rescue respectfully requests Council award the bids for the purchases as listed below.

1. TFR requests award of bid for the purchase of one 2021 Sutphen fire engine to Williams Fire Apparatus of Ashland, AL, in the amount of; \$416,629.03; and,
2. TFR requests award of bid for the purchase of one 2021 Sutphen Quint, with a 75-foot ladder from Williams Fire Apparatus of Ashland, AL, in the amount of; \$769,709.15.

Fire Chief Connell acknowledged that while the request was not for the lowest bids, the advantages of fleet serviceability, customer service, and the layout of each apparatus’s equipment in regards to storage and firefighter accommodations are vital to providing life safety services to the citizens of Thomasville. It was noted that the total combined expenditure in the amount of \$1,186,338.18 will be funded by utilizing Budgeted FY2021 TFR Capital funds; of which, \$1.2million was budgeted for these expenditures.

Councilmember Flowers motioned to award the bids for the purchase of an Engine and Quint for Thomasville Fire Rescue as requested and presented. Councilmember Mobley seconded. There was no further discussion. The motion passed 3-0, with the following votes recorded: AYES: Mayor Hobbs, and Councilmembers Flowers and Mobley.

Bids and award for the purchase of two Odorizers for the Natural Gas Department.

Natural Gas Superintendent, Chuck Whitaker reported odorizers are used by the Natural Gas Department to inject Mercaptan, the odorant that gives natural gas its distinctive smell, into the distribution system. Superintendent Whitaker further reported that the 2021 Gas Capital budget included funds for the purchase to replace the two Williamson odorizers in use, which have exceeded their serviceability life. It was noted that each unit requires proper decommission actions during the removal process. Superintendent Whitaker reported the project would be funded by utilizing 2021 Gas Capital Funds, with third party financing if necessary. A summary of bids received follows.

<u>BIDDER</u>	<u>BID AMOUNT</u>
Odorization Solutions, Inc.	\$38,275 (1) + \$5,901 Decommission
Marieco, Inc.	\$42,975 (1) + \$52,961 Decommission

Councilmember Mobley motioned to award the purchase of the two odorizers and the decommissioning of each existing odorizer for the Natural Gas Department to Odorization Solutions, Inc., for a total amount of \$88,352.00, as presented. Councilmember Flowers seconded. There was no further discussion. The motion passed 3-0, with the following votes recorded: AYES: Mayor Hobbs, and Councilmembers Flowers and Mobley.

CONSENT AGENDA

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

REPORTS

City Manager Carson reported the City of Thomasville had received the “Most Improved Award” for the organization’s employee participation in the 43rd Annual Rose City Virtual 5K Walk/Run. He noted the City of Thomasville had increased its participation by 83% for the event and commended all participants on their involvement in the event.

City Manager Carson noted that each Councilmember had contacted him in regards to the importance of the Juneteenth Celebration to Thomasville citizens and asked that consideration be given for the City of Thomasville’s official observance of the Juneteenth holiday. City Manager Carson explained that Juneteenth is the oldest nationally celebrated commemoration of the ending of slavery in the United States and is observed annually on June 19th. Juneteenth originated in Galveston, TX and commemorates the anniversary of the June 19, 1865 announcement by Union Army General Gordon Granger that the Civil War was over and the enslaved were now free. While slavery was officially outlawed in the United States on January 1, 1863, the announcement relied on Union troops to spread the news to the remainder of the United States. Unfortunately, that news did not reach the citizens of Texas until 1865. City Manager Carson further noted that designating the Juneteenth holiday is a great way for the organization to expand upon its recently adopted Mission Statement: *In partnership with our community, Team Thomasville will deliver excellent and dependable public services while building trusting relationships through openness, inclusion and innovation.* He noted that in observance of the Juneteenth holiday, City administrative offices will be closed on Friday, June 18th and some city services will be affected and alternate operating schedules will be in place to ensure city services are provided to citizens. City Manager Carson commended Councilmembers for their forethought in this matter.

Councilmembers collectively congratulated 2021 Graduates of all schools and applauded their efforts to navigate a difficult year in a successful manner.

ADJOURNMENT

Having no further business to be discussed, the Thomasville City Council meeting was adjourned at 6:24 PM.


Mayor, Greg Hobbs


ATTEST: City Clerk

