

## City of Thomasville Council Meeting, September 12, 2022

The Council of the City of Thomasville met in regular session with Mayor Jay Flowers presiding and the following Councilmembers present: Mayor Pro Tem Todd Mobley and Councilmembers Wanda Warren, Terry Scott and Scott Chastain. Also present were the City Manager, J. Alan Carson; Assistant City Managers, Sheryl Sealy and Chris White; City Attorney, Tim Sanders; other city staff; citizens and members of the media. The meeting was held in Council Chambers at City Hall, located at 144 East Jackson Street, Thomasville, Georgia. 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](http://www.thomasville.org).

### **CALL TO ORDER**

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

### **INVOCATION**

Councilmember Scott gave the invocation.

### **PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Mobley led the Pledge of Allegiance.

### **APPROVAL OF MINUTES**

Councilmember Scott motioned to approve the City Council Regular Meeting Minutes of August 22, 2022 as presented. Mayor Pro Tem Mobley seconded. Councilmember Warren noted she was not present at that meeting and would abstain from the vote. There was no further discussion. The motion passed 4-0, with the following votes recorded:

AYES: Flowers, Mobley, Scott and Chastain.

ABSTAINED: Warren.

### **PROCLAMATION**

Mayor Flowers acknowledged local Childhood Cancer Awareness event organizer, Mrs. Sharon Clark Johnson, and childhood cancer survivors and their families present. He noted childhood cancer is the leading cause of death by disease in children and approximately 40,000 children are in active treatment at any given time. It was noted that cancer organizations worldwide recognize the unique research needs of childhood cancer and the need for increased funding to carry out the diligent work of researchers and healthcare professionals who dedicate their expertise to treat and cure children with cancer. Mayor Flowers acknowledged the efforts of the local Childhood Cancer Awareness organization and formally proclaimed September 2022 as Childhood Cancer Awareness Month in Thomasville, Georgia. He encouraged citizens to support this cause that so deeply impacts families in Thomasville and across the country and presented Mrs. Johnson with the Proclamation. Mrs. Johnson thanked everyone and encouraged all to participate in awareness and fundraising events held in Thomasville throughout the month of September.

### **RECOGNITIONS**

1. Life Saving Awards – Thomasville Fire Rescue. Fire Chief Tim Connell acknowledged the lifesaving actions of Captain Mark Stephens, Lieutenant Ben Palmer and Firefighter Josh Harper, relating to a recent structure fire. Chief Connell commended the gentlemen for their dedication to their community. Captain Stephens, Lieutenant Palmer and Firefighter Harper each received a Life Saving Award Medal; which was formally pinned to their uniforms.
2. Life Saving Awards – Thomasville Police Department. Police Chief John Letteney acknowledged Officers Leonard Angel, Paul Murphy and Bryan Williams, who responded to a medical emergency call. The actions of these three officers resulted in a life saved during the medical emergency. Chief Letteney commended the

officers' actions and their dedication to their community. Officers Angel and Murphy were present to receive the Life Saver Awards.

3. Service Award – Thomasville Police Department. Police Chief Letteney reported that on April 14, 2022 a gunman attacked Officers and Deputies of the Thomas County Sherriff's office. Chief Letteney acknowledged Fiber/Telecom Technician, Craig Brogren, for his assistance by alerting law enforcement of suspicious activity in the area being searched for the suspect. The alert lead the joint Thomasville-Thomas County SWAT Unit and Officers of the United States Marshal Service to the area and aided in the suspect's capture. Chief Letteney thanked Mr. Brogren for his actions on that day and presented him with Chief's Recognition Award Certificate.

### **CITIZENS TO BE HEARD**

1. Roger Hawks, owner Tvelo Brewing Company, 227 West Jackson Street, Thomasville, Georgia, spoke in favor of the new brewery ordinance being considered by Council. Hawks requested Councilmembers consider clarification of containers for growlers, language in the area of licensing and tax, wording for serving other substances (such as wine) in establishments with seating of 20 and above. City Attorney Sanders agreed to meet with Mr. Hawks following the meeting for additional information.
2. Candee Henderson, resident of Thomas County, addressed Council with her request that Thomasville becomes serious in its efforts to attain 100% renewable energy by the year 2035. She encouraged Councilmembers to require future purchases of vehicles be either electric or hybrid.

### **ADOPT AGENDA**

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

AYES: Flowers, Mobley, Warren, Scott and Chastain.

### **OLD BUSINESS**

There was no Old Business for consideration by Councilmembers at this meeting.

### **NEW BUSINESS**

#### **First reading of an ordinance to amend Chapter 3, "Alcoholic Beverages" of the Thomasville Municipal Code to provide for breweries.**

City Attorney, Tim Sanders reported that Georgia has a three-tiered regulatory system comprised of manufacturers (breweries and brewpubs), wholesalers, and retailers. With some exceptions for breweries, which includes microbreweries, and brewpubs, (1) manufacturers may only sell beer to wholesalers, (2) wholesalers may only sell beer to retailers, and (3) consumers may only purchase beer from retailers. The ordinance creates local licenses for "Brewery," "Microbrewery," and "Brewpub." Breweries and brewpubs are first and foremost creatures of and defined by Georgia statute. Microbrewery is a class of license that has been created by some cities to simply draw a distinction based on the number of barrels produced. This distinction is used to restrict larger breweries typically to the heavy manufacturing zoning classification. The City's current zoning ordinance does not contain specific provisions for breweries, but rather draws a distinction between light manufacturing and manufacturing. The ordinance will include Microbrewery as a distinct license so that Microbreweries and Breweries can be addressed separately and differently if desired in future revisions to the City's zoning ordinance. Attorney Sanders reviewed the following comments regarding the substantive changes and section comments:

Section 3-30: This section reflects the Council's recent adoption of new fees concerning alcoholic beverages.

Section 3-33: This section provides that licenses will only be issued for locations that are zoned appropriately. Within the City's current zoning ordinance, Breweries and Microbreweries could be located in a commercial zone, as a conditional use for light manufacturing, if the total square feet facility is less than 12,000 square feet. If the facility's total square footage is 12,000 or greater, a

Brewery or Microbrewery would need to be located in an area zoned for manufacturing. Brewpubs, because they are required to contain and operate an eating establishment, are most likely to be treated like restaurants for zoning purposes. The City's current zoning ordinance does not contain specific provisions for breweries, but rather draws a distinction between light manufacturing and manufacturing. Microbrewery is included as a distinct license so that Microbreweries and Breweries can be addressed separately and differently if desired in future revisions to the City's zoning ordinance.

Section 3-63: The ordinance requires Brewpubs to comply with the food and food service requirements of 3-63 (and 3-155).

Section 3-74: This section authorizes the sale and filling of growlers for retail consumption on premises, retail package, Breweries, Microbreweries, and Brewpubs. This section also sets requirements for samples.

Section 3-188: Given the complexity of the state regulation of breweries (including microbreweries) and brewpubs, this section simply provides that they must follow all state and local laws.

Councilmember Chastain motioned to order the ordinance to amend Chapter 3 of the Code of the City of Thomasville to provide for breweries as read for the first time, passed and carried over, as presented. Councilmember Scott seconded. Attorney Sanders noted he would converse with Mr. Hawks regarding his earlier questions relating to the ordinance. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

The title of the ordinance to amend Chapter 3 of the Code of the City of Thomasville, follows:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF THOMASVILLE, GEORGIA, BY AMENDING SECTION 3-1 TO ADD A NEW DEFINITIONS FOR "BREW PUB," "BREWERY," "GROWLER," AND "MICROBREWERY" AND TO REVISE OTHER RELEVANT EXISTING DEFINITIONS; SECTION 3-29(a) TO ADD A LICENSE CATEGORY TO PERMIT BREWERIES, BREWPUBS AND MICROBREWERIES; BY AMENDING SECTION 3-30 TO AMEND PUBLICATION OF FEES FOR LICENSES FOR ALL ALCOHOLIC BEVERAGE LICENSES; BY AMENDING SECTION 3-33, TO PROVIDE THAT LICENSES FOR ALCOHOLIC BEVERAGES MAY ONLY BE GRANTED IN AREAS APPROPRIATELY ZONED IN ACCORDANCE WITH CHAPTER 22; BY AMENDING SECTION 3-63 TO REQUIRE BREWPUBS TO PROVIDE SEATING FOR NOT LESS THAN TWENTY PERSONS; BY AMENDING SECTION 3-71, TO PROVIDE THAT "RETAIL DEALER" AND RELATED DEFINED TERMS SHALL INCLUDE BREWERIES, BREWPUBS, AND MICROBREWERIES; BY CREATING A NEW SECTION 3-74 TO AUTHORIZE THE FILLING OF GROWLERS AND SERVING OF SAMPLES OF MALT BEVERAGES; BY AMENDING THE CAPTION OF DIVISION 3 OF ARTICLE III TO CLARIFY THAT DIVISION 3 APPLIES TO LICENSES FOR CONSUMPTION ON PREMISES OF ALL ALCOHOLIC BEVERAGES; BY AMENDING THE DEFINITIONS OF "LICENSE" AND "RESTAURANT" IN SECTION 3-150 TO CLARIFY THAT DIVISION 3 APPLIES TO LICENSES FOR CONSUMPTION ON PREMISES OF ALL ALCOHOLIC BEVERAGES; BY CREATING A NEW DIVISION 5, SECTION 3-188, TO PROVIDE FOR SPECIAL PROVISIONS FOR BREWERIES, BREWPUBS, AND MICROBREWERIES; BY AMENDING SECTIONS 3-233 THROUGH 238, DIVISION 3, ARTICLE IV, TO PROVIDE FOR AN EXCISE TAX ON THE PRODUCTION OF MALT BEVERAGES BY BREWERIES, BREWPUBS, AND MICROBREWERIES; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; TO PROVIDE FOR THE EFFECTIVE DATE OF THE ORDINANCE; AND FOR OTHER PURPOSES.

**First reading of an ordinance to amend Article XI, "Sign Regulation" of Chapter 22, "Zoning" of the Thomasville Municipal Code.**

City Planner, Kenny Thompson reported that whenever a new sign ordinance is adopted, it is common practice to revisit the document after approximately 12 to 18 months. While the sign ordinance was crafted using the latest techniques and best practices, staff has now had time to apply the ordinance to real world projects. As expected, some minor issues or changes have been identified that will result in a better, clearer, and user-friendly document. These include updated definitions, simplified language, and targeted changes based on community feedback. A summary of the requested changes, followed by a justification explaining why the change is requested, follows:

Section ~~22-313~~ 466: Definitions

Intent: Clarify Definition of Electronic Changeable Copy

Justification: Existing definition is unclear on the distinction between electronic changeable copy and new technology signs.

Section ~~22-325~~ 477 (i)(2)(b): Electronic Changeable Copy Standards

Intent: Remove the limitation for one contiguous digital display area per sign face

Justification: Staff has reviewed several applications where the applicant prefers to use separate display areas, which is currently prohibited by the ordinance. This change will allow more creativity and flexibility in the usage of electronic changeable copy, but the total electronic changeable copy would still be required to be 33% or less of the total sign area.

Section ~~22-325~~ 477 (i)(2)(d): Electronic Changeable Copy: Character height

Intent: Modify the electronic changeable copy character height to conform to industry standards.

Justification: The existing character height for electronic changeable copy was informed by the MUTCD (Manual on Uniform Traffic Control Devices) with recommended character height based on the speed of vehicular travel. While this is a rational basis for determining a preferred character size, it does not confirm with industry standards regarding electronic changeable copy. Standard character size for electronic copy comes in 12", 16", 18", 20", 24" and 36" options. In addition, many formula retail (chain) stores have brand requirements or recommendations on the sign size. Based on this, staff recommends that the character (letters and numbers) height in the Bypass/Highway area be increased to 24" maximum character height (currently 15") and 18" in the other districts where electronic signs are allowed (currently 12"). Regardless of character height, the amount of sign used for electronic copy shall be 33% or less.

Section ~~22-329~~ 481 (d): Nonconforming Signs

Intent: Modify the language to explicitly define what constitutes a minor repair to an existing nonconforming sign.

Justification: The intent is to clearly define what changes or repairs may be made to an existing nonconforming sign. The proposed language clarifies the extent of changes that can be made to an existing nonconforming sign.

*Clerk's note: While the amending titles and captions of the sections were correct, the section numbers presented did not accurately reflect the recently adopted recodified code and new section numbers; therefore, the incorrect section numbers are shown as stricken and revised as scrivener's errors so as to reflect correct code section numbers in both the list above and the ordinance title below. The amending intent and captions of the section titles remained unchanged.*

Councilmember Scott motioned to order the ordinance to amend Chapter 22 of the Code of the City of Thomasville, Georgia, as read for the first time, passed and carried over. Councilmember Chastain seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

The correct title of the ordinance to amend Chapter 22 of the Code of the City of Thomasville, follows:

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF THOMASVILLE, GEORGIA, BY STRIKING THE DEFINITION OF "CHANGEABLE COPY, ELECTRONIC" OF SECTION 22-466, CAPTIONED "DEFINITIONS", OF ARTICLE XI, CAPTIONED "SIGN REGULATION", OF CHAPTER 22 CAPTIONED "ZONING", AND REPLACING WITH A NEW DEFINITION OF "CHANGEABLE COPY, ELECTRONIC"; BY DELETING

SUBPARAGRAPH (i)(2)(b.) OF SECTION 22-477, CAPTIONED “STANDARDS FOR FREESTANDING AND LANDSCAPE WALL SIGNS.”, OF ARTICLE XI, CAPTIONED “SIGN REGULATION”, OF CHAPTER 22, CAPTIONED “ZONING”; BY REPLACING SUBPARAGRAPH (i)(2)(d.) OF SECTION 22-477, CAPTIONED “STANDARDS FOR FREESTANDING AND LANDSCAPE WALL SIGNS.”, OF ARTICLE XI, CAPTIONED “SIGN REGULATION”, OF CHAPTER 22, CAPTIONED “ZONING”, WITH A NEW SUBPARAGRAPH (i)(2)(d.); BY REPLACING SUBPARAGRAPH (d) OF SECTION 22-481, captioned “NONCONFORMING SIGNS.”, OF ARTICLE XI, CAPTIONED “SIGN REGULATION”, OF CHAPTER 22, CAPTIONED “ZONING”, WITH A NEW SUBPARAGRAPH (d); TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE AN EFFECTIVE DATE FOR THIS ORDINANCE; AND FOR OTHER PURPOSES.

**2022 City of Thomasville Ad Valorem Tax Millage Rate.**

- 1. Resolution of emergency to allow for the first and second readings, at this one meeting, of an ordinance to set the 2022 City of Thomasville Ad Valorem Tax Millage Rate.**

Customer Service Manager, Melissa Creel, there exists an emergency status of need for Council to consider the approval of a Resolution of Emergency to allow an ordinance to be read on first and second readings at this one meeting regarding the levy of City of Thomasville Ad Valorem Tax Millage Rate.

Mayor Pro Tem Mobley motioned to approve the Resolution of Emergency as presented. Councilmember Warren seconded. It was noted that this action requires the affirmation of four councilmembers to pass. There was no further discussion. The motion passed 5-0, with the following vote recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

The approved Resolution of Emergency follows:

RESOLUTION

BE IT RESOLVED, that due to the time required to prepare the 2022 ad valorem tax bills, there exists an emergency status of need requiring the adoption of an ordinance to set the 2022 City of Thomasville Ad Valorem Property Tax millage rate on first and second readings at this one meeting.

SO DONE this the 12<sup>th</sup> day of September 2022.

- 2. First and second reading, under resolution of emergency, of an ordinance to set the 2022 City of Thomasville Ad Valorem Tax Millage Rate.**

Customer Service Manager Creel reported the City of Thomasville has chosen not to levy a property tax since 2012; therefore, the City of Thomasville tax millage rate will remain at 0 mills.

Councilmember Chastain motioned to order the first and second readings at this one meeting, under Resolution of Emergency, an ordinance to set the 2022 City of Thomasville Ad Valorem Tax Millage Rate as presented. Mayor Pro Tem Mobley seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

The ordinance ordered read for the first and second times at this one meeting, under resolution of emergency, as passed and adopted follows:

AN ORDINANCE TO ESTABLISH THE CITY ADVALOREM PROPERTY TAX ASSESSMENT FOR 2022, AS REQUIRED BY THE STATE LAW BASED ON THE EVALUATION, BY THE BOARD OF SUCH TAX ASSESSORS OF THOMAS COUNTY FOR 2022 COUNTY TAX PURPOSES, OF EACH SUCH TAXABLE ITEM WITHIN THE CORPORATE LIMITS OF THE CITY; TO SET THE TAX RATE FOR 2022 TO BE LEVIED UPON ALL SAID PROPERTY; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Council of the City of Thomasville by the authority vested in them by the charter, charter amendments, and ordinances of said City, and in conformity with State law, that the City ad valorem property tax assessments for 2022 are hereby established based on the evaluation, by the Board of Tax Assessors of Thomas County for 2022 County tax purposes, of each such taxable item within the corporate limits of said City, such assessments totaling \$778,541,432 exclusive of assessments on motor vehicles which have already been taxed, by operation of State Law of 1985.

BE IT FURTHER ORDAINED that upon all of said assessment as hereby established, and compiled into the 2022 Tax Digest together with the assessments established by the State Revenue Commissioner upon properties of public utilities, there be, and hereby is, set and levied a tax rate of:

00.00 mills for General Government.

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

This ordinance was read the first and second times in lawful meeting of the Council of the City of Thomasville held this the 12th day of September, 2022, in accordance with resolution adopted previously declaring an emergency requiring first and second readings at this one meeting, passed and adopted after proper vote.

#### **2022 Thomasville Board Of Education Tax Millage Rate.**

- 1. Resolution of emergency to allow for the first and second readings, at this one meeting, of an ordinance to set the 2022 Tax Millage Rate for the Thomasville Board of Education.**

Customer Service Manager, Melissa Creel, reported there exists an emergency status of need for Council to consider the approval of a Resolution of Emergency to allow an ordinance to be read on first and second readings at this one meeting regarding the levy of the 2022 Tax Millage Rate for the Thomasville Board of Education.

Councilmember Chastain motioned to approve the Resolution of Emergency as presented. Mayor Pro Tem Mobley seconded. It was noted that this action requires the affirmation of four councilmembers to pass. There was no further discussion. The motion passed 5-0, with the following vote recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

The approved Resolution of Emergency follows:

#### RESOLUTION

BE IT RESOLVED, that due to the time required to prepare the 2022 ad valorem tax bills, there exists an emergency status of need requiring the adoption of an ordinance to set the 2022 City of Thomasville City School Tax Millage Rate on first and second readings at this one meeting.

SO DONE this the 12<sup>th</sup> day of September 2022.

- 2. First and second reading, under resolution of emergency, of an ordinance to set the 2022 Tax Millage Rate for the Thomasville Board of Education.**

Customer Service Manager, Melissa Creel, reported that as stated in Section 11-2 of the Charter of the City of Thomasville, Georgia, as the levying authority, the City Council levies the millage rate recommended by the Thomasville Board of Education. The City School Board has met and adopted the 2022 school tax millage

rate of 16.414 mills. This will be a decrease in the millage rate of 1.576 mills from 2021. The net 2022 digest for school purposes is \$772,398,880 which means that each mill of tax will produce approximately \$772,000. This represents around a 9.60 percent decrease in the mill value. We completed the roll back rate calculation for the City Schools. This calculation was determined to be 16.414. The City School Board has advertised and recommended the school tax to be the rollback rate at 16.414. As the levying authority, we are responsible for levying and collecting the tax on the City schools' behalf.

Councilmember Scott motioned to order the first and second readings at this one meeting, under Resolution of Emergency, an ordinance to set the 2022 Tax Millage Rate for the Thomasville Board of Education as presented. Councilmember Chastain seconded. Councilmember Warren inquired if the Board of Education had been made aware of the timeline required to set the millage rate. Customer Service Manager Creel indicated the Board of Education was aware of the requirements. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

The ordinance ordered read for the first and second times at this one meeting, under resolution of emergency, as passed and adopted follows:

AN ORDINANCE TO ESTABLISH THE CITY AD VALOREM PROPERTY TAX ASSESSMENT FOR CITY SCHOOL TAX FOR 2022, AS REQUIRED BY THE STATE LAW BASED ON THE EVALUATION, BY THE BOARD OF SUCH TAX ASSESSORS OF THOMAS COUNTY FOR 2022 COUNTY TAX PURPOSES, OF EACH SUCH TAXABLE ITEM WITHIN THE CORPORATE LIMITS OF THE CITY; TO SET THE CITY SCHOOL TAX RATE FOR 2022 TO BE LEVIED UPON ALL SAID PROPERTY; TO PROVIDE FOR DISCOUNTS TO BE ALLOWED ON PAYMENT OF 2022 TAXES; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Council of the City of Thomasville by the authority vested in them by the charter, charter amendments, and ordinances of said City, and in conformity with State law, that the City ad valorem property tax assessments for 2022 are hereby established based on the evaluation, by the Board of Tax Assessors of Thomas County for 2022 County tax purposes , of each such taxable item within the corporate limits of said City, such assessments totaling \$772,398,880 exclusive of assessments on motor vehicles which have already been taxed, by operation of State Law of 1985.

BE IT FURTHER ORDAINED that upon all of said assessment as hereby established, and compiled into the 2022 Tax Digest together with the assessments established by the State Revenue Commissioner upon properties of public utilities, there be, and hereby is, set and levied a tax rate of 16.414 mills comprised of the following levies to meet the requirements for each purpose as listed:

For City School Tax ..... 16.414 mills

BE IT FURTHER ORDAINED that the following discounts be allowed on payments of 2022 taxes:

If paid on or before November 15, 2022 ..... 3 percent

BE IT FURTHER ORDAINED that as to any irregularity or error which occurs with regard to payment by the taxpayer and which is not the result of fault or oversight by the taxpayer and which occurs because of fault, oversight, time constraints or other action or inaction on the part of the administrative staff of the City of Thomasville, the City Manager shall have the authority, in his sole discretion, to allow the benefit of early payment, to waive any penalty for late

payment which would otherwise be imposed, or take any other such action which he deems prudent and appropriate in the circumstances.

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

This ordinance was read the first and second times in lawful meeting of the Council of the City of Thomasville held this the 12th day of September, 2022, in accordance with resolution adopted previously declaring an emergency requiring first and second readings at this one meeting, passed and adopted after proper vote.

**Resolution approving citizen appointment to Historic Preservation Commission.**

Mayor, Jay Flowers, reported the Historic Preservation Commission (HPC) consists of seven members, each serving a three-year term. Board members are limited to two consecutive terms. There is currently a vacancy of one of the three citizen appointments. Mary Jo Beverly is eligible for appointment, having completed the necessary documentation and meeting required criteria.

Councilmember Scott motioned to approve the resolution to appoint Mary Jo Beverly as presented. Mayor Pro Tem Mobley seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

The approved resolution follows.

RESOLUTION

BE IT RESOLVED by the Council of the City of Thomasville, and it is hereby resolved by the authority of the same, that Mary Jo Beverly is appointed to serve on the Historic Preservation Commission for a term expiring December 31, 2023, so as to fill the unexpired term of Alice Fink.

SO DONE, this 12<sup>th</sup> day of September, 2022.

**Resolutions to accept grant funding for the Thomasville Police Department.**

Police Chief, John Letteney reported the Police Department regularly encounters motorists who have not secured a child in an approved and properly installed child safety seat. Often times the motorist advised officers that they do not have the money to purchase a car seat; this donation will be used to purchase a variety of car seats that will then be donated to families in need in our community. He further reported that the Williams Family Foundation of Georgia, has provided \$10,000.00, to provide training and support of the City of Thomasville Police Department. The Williams Family Foundation of Georgia, donation has been placed in the Thomasville Police Community Fund account at the Community Foundation of South Georgia. These funds will be used on an ongoing basis, in line with the intended purposes.

Councilmember Chastain motioned to approve the resolution to accept grant funding from the Thomasville Exchange Club as presented. Councilmember Scott seconded. Councilmembers collectively commended the support of the Exchange Club. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

Mayor Pro Tem Mobley motioned to approve the resolution to accept grant funding from the Williams Family Foundation of Georgia as presented. Councilmember Chastain seconded. Councilmembers collectively commended the continued support of the Williams Family Foundation of Georgia. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

The approved resolutions follow.



1. Thomasville Exchange Club Resolution.

RESOLUTION

WHEREAS, the Thomasville Police Department has reported regular encounters with motorists who have not secured a child in an approved and properly installed child safety seat; and

WHEREAS, the motorists often times have advised the Thomasville Police Department they do not have the money to purchase a child safety seat; and

WHEREAS, the Thomasville Exchange Club has provided a monetary contribution (“Contribution”) to the City of Thomasville Police Department in the amount of \$500.00 for the purpose of purchasing child safety seats to be donated to families in need within the Thomasville community; and,

WHEREAS, the Council of the City of Thomasville desires to publically accept the Contribution from the Thomasville Exchange Club to the City of Thomasville Police Department to be used for the contributor’s intended purpose; and,

NOW THEREFORE BE IT RESOLVED by the Council of the City of Thomasville that the city hereby publically accepts the monetary contribution in the amount of \$500.00 from the Thomasville Exchange Club to be used for the purpose of purchasing child safety seats to be donated to families in need with the Thomasville community.

So Done, this the 12<sup>th</sup> day of September, 2022.

2. Williams Family Foundation of Georgia Resolution.

RESOLUTION

WHEREAS, in 2018, the Williams Family Foundation (“WFFG”) established the Thomasville Police Community Fund at the Community Foundation of Southwest Georgia for the purpose of providing training and support for the City of Thomasville Police Department in areas that encourage the development of a stronger community in Thomasville; and,

WHEREAS, WFFG appreciates the role and work of the Thomasville Police Department and recognizes that funding is limited; and,

WHEREAS, on July 28, 2022, WFFG notified the Thomasville Police Department that a grant in the amount of \$10,000.00 was approved to be placed in the Thomasville Police Community Fund held by the Community Foundation of South Georgia; and,

WHEREAS, the Council of the City of Thomasville wishes to publically accept the \$10,000.00 grant from the William Family Foundation of Georgia for use by the City of Thomasville Police Department on an ongoing basis and for the grant’s intended purpose.

NOW THEREFORE BE IT RESOLVED by the Council of the City of Thomasville that the city hereby publically accepts the Williams Family Foundation of Georgia’s grant in the amount of \$10,000.00, as placed in the Thomasville Police Community Fund at the Community Foundation of South

Georgia, to be used for the purpose of providing ongoing training and support for the City of Thomasville Police Department in areas that encourage the development of a stronger community in Thomasville.

So Done, this the 12<sup>th</sup> day of September, 2022.

**Resolution to amend and modify the Georgia Environmental Finance Authority (GEFA) Loan No. DW2019033 and to authorize the necessary signatures to execute necessary and related documents.**

Executive Director of Inspections & Engineering, Mark Harmon reported on May 12, 2020, the board of directors of the Georgia Environmental Finance Authority (GEFA) approved the City's loan application in the amount of \$2,500,000, such loan also qualifying for \$750,000.00 in principal forgiveness, if all loan funds are drawn. The loan interest rate is set at 0.94%, paid in 239 consecutive monthly installments. The estimated installment amount is \$8,001.40 per month, assuming the full amount of funds indicated in the loan documents is dispersed to the project, and all requirements for the project are met. Funds will be utilized to upgrade/replace aging water mains, fire hydrants, and related appurtenances at various locations throughout the City. The first version of this loan agreement was approved by this Council in May of 2020. Due to a variety of circumstances, all funds provided through this loan agreement have not yet been expended. Initially, all funds were planned to have been exhausted by mid-2021. Approximately 16% of the original \$2,500,000 remains to be spent. The agreement has not changed with the exception of the loan closing date that will now be May of 2023. GEFA does not send an addendum or amendment to the original agreement. The entire agreement is presented with the information edited to reflect any modifications.

Mayor Pro Tem Mobley motioned to approve the resolution to amend and modify the agreement and promissory note in relation to GEFA Loan No. DW2019033 as presented. Councilmember Warren seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

The approved resolution follows.

RESOLUTION OF GOVERNING BODY

Recipient: CITY OF THOMASVILLE  
Loan Number: DW2019033

At a duly call meeting of the governing body of the Borrower identified above (the "Borrower") held on the 12<sup>th</sup> day of September, 2022, the following resolution was introduced and adopted.

WHEREAS, the Borrower has borrowed \$2,500,000 from the GEORGIA ENVIRONMENTAL FINANCE AUTHORITY (the "Lender"), pursuant to the terms of the Loan Agreement (the "Agreement"), dated JULY 28, 2020, between the Borrower and the Lender; and

WHEREAS, the Borrower's obligation to repay the loan made pursuant to the Loan Agreement is evidenced by a Promissory Note (the "Note"), dated MAY 26, 2020, of the Borrower; and

WHEREAS, the Borrower and the Lender have determined to amend and modify the Loan Agreement, pursuant to the terms of a Modification of Promissory Note and Loan Agreement (the "Modification") between the Borrower and the Lender, the form of which has been presented to this meeting;

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Borrower that the form, terms, and conditions and the execution, delivery, and performance of the Modification are hereby approved and authorized.

BE IT FURTHER RESOLVED by the governing body of the Borrow that the terms of the Modification are in the best interests of the Borrower, and the governing body of the Borrow

designates and authorizes the following persons to execute and deliver, and to attest, respectively, the Modification, and any related documents necessary to the consummation of the transactions contemplated by the Modification.

John H. Flowers (Person to Execute Documents)  
Felicia Brannen (Person to Attest Documents)

**Bids and award for the purchase of a 15-passenger van for the Fleet Department.**

Manager/Purchasing & Fleet Services, Quinn Choice, reported that each year, the Council approves a particular number of vehicles and equipment to be placed in the capital budget for day-to-day operations within the City of Thomasville. Since the pandemic, significant delays have been experienced with parts, assembly, and delivery time. The estimated delivery has increased from 3-6 months to now 12-36 months after receipt of order. This has created a ripple effect in Fleet Services' rotation of units. Because of the delays, bids were submitted to several local and regional vendors for vehicles that were "on the lot" to determine availability at the dealerships. After receiving the bids from the local and regional vendors, it became apparent that there were no passenger vans available "on the lots." During this time, the State Contract pricing became available and was submitted to the City of Thomasville for vans and was clearly the best option available. A summary of Proposals received to replace unit #20393 follows.

<u>PROPOSALS RECEIVED</u>	<u>AMOUNT</u>
Stallings Motors	No Proposal Received.
Allan Vigil	No Proposal Received.
Wade Ford	\$50,811.00

Mayor Pro Tem Mobley motioned to award the bid to Wade Ford Government Sales of Smyrna, Georgia, in the amount of \$50,811.00 as presented. Councilmember Scott seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

**Bids and award for the purchase of a transit cargo van for the Technical Services Department.**

Assistant Utilities Superintendent, Eric Gossett reported this purchase will consist of (1) 2023 T-250, transit cargo, low roof, van for the Technical Services Department. This new van will replace existing unit 11011 that has reached the end of its service life. Unit 11011 has a recommended service life of approximately 10 years under heavy use. This unit has approximately 140,000 miles with increasing maintenance cost. The 2022 Technical Services Capital budget includes \$35,000 for this purchase. Prices of vans have increased exponentially since budgeting for this item and will continue to increase. A summary of bids received follows.

<u>BIDDER</u>	<u>BID AMOUNT</u>
Stalling Motors, Thomasville, Georgia	No Bid Received
Allan Virgil Ford Lincoln, Morrow, Georgia	No Bid Received
Wade Ford Government Sales, Smyrna, Georgia	\$48,695.00

Mayor Pro Tem Mobley motioned to award the bid to Wade Ford Government Sales of Smyrna, Georgia, in the amount of \$50,811.00 as presented. Councilmember Chastain seconded. It was noted that as a result of the price increases, the Technical Services Department budget will be over by approximately \$13,695.00. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

**Motion to approve Fee Schedule for Downtown and Tourism Development.**

Managing Director of Marketing & Communications, April Norton reported a number of fees are charged by the Office of Downtown and Tourism Development in order to provide a multitude of services, including fees for use of the Auditorium and Amphitheater facilities, as well as fees for being a vendor at City sponsored events. These fees

are generally charged by Special Facilities and Main Street for the purpose of covering the cost of use for the facilities or services that are provided. Vendor fees were recently updated for 2021 to make them consistent for all events. Auditorium Fees were increased in 2017, and Amphitheater fees have remained the same since becoming operational in 2017. In order to accurately adjust fees assessed by the City of Thomasville to cover the cost of providing our services, staff has reviewed the existing fees and the various costs that are involved in usage of the facilities as well as the delivery of the service to customers. In addition, staff has also conducted a survey of other municipalities as additional information to consider in the final recommended fee schedule that is presented to City Council for approval. In an effort to update the existing fee schedules for the Office of Downtown and Tourism Development staff has reviewed all current fees, associated costs (such as labor and materials) to deliver services and final survey comparisons. After analyzing all data, the following fee schedule is offered as a final recommendation to City Council for approval.

Councilmember Scott motioned to approve the Downtown and Tourism Development Fee Schedule as presented. Councilmember Chastain seconded. There was no further discussion. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

The approved fee schedule follows.

**EXHIBIT A  
FEE SCHEDULE - OFFICE OF DOWNTOWN AND TOURISM DEVELOPMENT**

**THE RITZ AMPHITHEATER FEES**

<u>ITEM</u>	<u>CURRENT FEE</u>		<u>RECOMMENDED FEE</u>	
	<u>Commercial Events</u> (3 hour min.)	<u>Non-Profit Events</u> (3 hour min.)	<u>Commercial Events</u> (3 hour min.)	<u>Non-Profit Events</u> (3 hour min.)
Refundable Deposit Fee: Separate check from rental fee	\$500	\$500	\$500	\$500
First Day Rental Fee	\$300 / hour or \$1200 full day	\$150 / hour or \$750 full day	\$300 / hour or \$1200 full day	\$150 / hour or \$750 full day
Additional Restroom Cleanings	\$52/ hour	\$52 / hour	\$105 / hour to cover two cleaning people	
Designated alcohol cups	\$100 (100-299 cups) \$160 (300-499 cups) \$350 (500-999 cups) \$650 (1000-2000 cups)	\$100 (100-299 cups) \$160 (300-499 cups) \$350 (500-999 cups) \$650 (1000-2000 cups)	\$100 (100-299 cups) \$160 (300-499 cups) \$350 (500-999 cups) \$650 (1000-2000 cups)	\$100 (100-299 cups) \$160 (300-499 cups) \$350 (500-999 cups) \$650 (1000-2000 cups)

**MUNICIPAL AUDITORIUM RENTAL FEES**

<u>ITEM</u>	<u>CURRENT FEE</u>			<u>RECOMMENDED FEE</u>		
	<u>Commercial</u> <u>Events</u>	<u>Non-Profit</u> <u>Events</u>	<u>School</u> <u>Events</u>	<u>Commercial</u> <u>Events</u>	<u>Non-profit</u> <u>Events</u>	<u>School Events</u>
Deposit Fee: Separate check from rental fee	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000	\$2,000

Rental Fee	\$1,575 First Day	\$1,075 First Day	\$825 First Day	\$1,600 First Day	\$1,100 First Day	\$900 First Day
	\$1,025 Additional Day	\$525 Additional Day	\$275 Additional Day	\$1,100 Additional Day	\$600 Additional Day	\$300 Additional Day
Half Day Move in / Move out	\$525	\$275	\$150	\$600	\$300	\$200
Breezeway Rental	\$250 (rental fee is the same for each Commercial, Non-Profit & School classification)			\$250 (rental fee is the same for each Commercial, Non-Profit & School classification)		
Reception Room Only / Reception Room Added	\$300 / \$150 (rental fee is the same for each Commercial, Non-Profit & School classification)			\$300 / \$200 (rental fee is the same for each Commercial, Non-Profit & School classification)		

**MUNICIPAL AUDITORIUM OTHER – SERVICE FEES**

<u>ITEM</u>	<u>CURRENT FEE</u>	<u>RECOMMENDED FEE</u>
Lobby Seat Removal	\$150	\$200
Stage Extender Removal	\$470	\$500
Cleaning of Auditorium   No Dressing Rooms	\$98	\$100
Cleaning of Reception Room, Kitchen, Ground Floor Restrooms	\$52	\$75
Cleaning of Dressing Rooms, Auditorium Restrooms, Lobby, Seating Areas	\$239	\$250

**ANNUAL SPECIAL EVENT FEES**

<u>ITEM</u>	<u>CURRENT FEE</u>	<u>RECOMMENDED FEE</u>
Artisan Fee	\$150	\$150
Food Vendor Fee	\$150	\$150
Costume Closet Rental Fee – General Public	\$25 deposit* \$10/ piece/ person	\$25 deposit* \$10/ piece/ person
	<i>*The \$25 deposit is refundable if clothing is returned dry cleaned.</i>	<i>* The \$25 deposit is refundable if clothing is returned dry cleaned.</i>
Costume Closet Rental Fee- Downtown Merchants + Volunteers	\$25 deposit, rental fee waived	\$25 deposit*, rental fee waived
	<i>* The \$25 deposit is refundable if clothing is returned dry cleaned.</i>	<i>* The \$25 deposit is refundable if clothing is returned dry cleaned.</i>

**FILM PERMIT FEES**

<u>ITEM</u>	<u>CURRENT FEE</u>	<u>RECOMMENDED FEE</u>	<u>INFORMATION</u>
Application for Permit Fee	\$0	\$0	To be competitive with other film ready communities, we do not charge a fee for the permit, only for City services.
Rush Application for Permit Fee	\$100	No change	A fee of \$100 would be applied as a result of requests made with less than 2 working days' notice.

**END EXHIBIT A - FEE SCHEDULE - OFFICE OF DOWNTOWN AND TOURISM DEVELOPMENT**

**Bids and award for Wastewater Treatment Facility Improvement Project.**

Assistant City Manager, Chris White reported this process started in 2020 with budget funds allocated in FY 2022 budget. However, the bids came in much higher than anticipated. This purchase will consist of miscellaneous improvements to the Wastewater Treatment Facility. The work will consist various mechanical, piping, and electrical replacement, along with concrete rehabilitation work to various tanks. Most of these items are subjected to harsh conditions and have aged considerably. Additionally, the discharge from the facility has increased exponentially and these upgrades will assist in controlling that volume. These upgrades will improve the useful life of the facility by 20 years. Completion of work is estimated at 240 days. It was noted funding sources for this project will consist of capital funds, Economic Development Grant, and Georgia Environmental Financing Authority (GEFA) Loan. A summary of bids follows.

<u>BIDDER</u>	<u>BID AMOUNT</u>
RPI Underground, Valdosta, Georgia	No Bid Received
Popco, Inc., Albany, Georgia	Bid Withdrawn
Southern Champion Construction, Atlanta, Georgia	\$6,239,500.00

Councilmember Chastain motioned to award the bid of the Wastewater Treatment Facility Miscellaneous Improvements to Southern Champion Construction as presented. Councilmember Scott seconded. Mayor Flowers noted that it was prudent to move forward with this project, as waiting longer increases the probability of extreme price increases due to supply chain challenges. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

**Bids and award for Gravity Sewer Trunk Line improvement Project.**

Assistant City Manager, Chris White reported this purchase will consist of improvements to the gravity sewer trunk line that leads into the Wastewater Treatment Facility. The gravity line's maintenance cost has increased exponentially due to aged infrastructure. This phase will consist of improvements and rehabilitation to 4,123 linear feet of the gravity line and increase the useful life of the line. Completion time is 150 days. It was noted funding sources for this project will consist of capital funds, Economic Development Grant, and Georgia Environmental Financing Authority (GEFA) Loan. A summary of bids received follows.

<u>BIDDER</u>	<u>BID AMOUNT</u>
Vortex Services, Greenville, South Carolina	No Bid
RPI Underground, Inc., Valdosta, Georgia	No Bid
Cajenn Construction & Rehab. Services, Hoboken, Georgia	No Bid
Southeast Pipe Survey, Patterson, Georgia	No Bid

Gulfoast Underground, LLC, Theodore, Alabama	\$6,810,263.52
SAK Construction, O'Fallon, Missouri	\$2,295,890.00
Insituform Technologies, LLC, Tampa, Florida	\$2,606,021.10
Kiewit Infrastructure, Peachtree City, Georgia	No Bid
Ruby-Collins, Inc., Smyrna, Georgia	No Bid

Mayor Pro Tem Mobley motioned to award the bid of the Gravity Sewer Trunk Line Improvements to SAK Construction, of O'Fallon, Missouri, as presented. Councilmember Chastain seconded. It was noted that this is a 2022 Capital Budgeted item, the majority of the project's work would be done in 2023. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

**REPORTS**

Councilmember Scott introduced Honorary Councilmember, Pastor Keith McIntyre. Pastor McIntyre thanked Councilmember Scott for the opportunity and remarked he was looking forward to the opportunity to participate as an Honorary Councilmember.

There were no other reports given.

**EXECUTIVE SESSION**

Mayor Pro Tem Mobley motioned to close the public meeting for the purpose of an Executive Session Pursuant to O.C.G.A. § 50-14-3(b)(1)(D). Councilmember Chastain seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:


AYES: Flowers, Mobley, Warren, Scott and Chastain.

Following the duly convened and adjourned Executive Session, the meeting was reopened to the public.

**ADJOURNMENT**

Having no further business to discuss, the Thomasville City Council meeting was adjourned at 6:55 PM.

CITY OF THOMASVILLE, GEORGIA

  
 Mayor, John H. Flowers

  
 ATTEST: City Clerk

