

City of Thomasville Council Meeting, May 22, 2023

The Council of the City of Thomasville met in regular session on the above date. Mayor Pro Tem Mobley presided and the following Councilmembers were present: 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 media and citizens not present via the City of Thomasville's online live stream feed located at www.thomasville.org.

CALL TO ORDER

Mayor Pro Tem Todd Mobley called the meeting to order at 6:00 PM.

INVOCATION

Councilmember Terry Scott gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Todd Mobley led the Pledge of Allegiance.

APPROVAL OF MINUTES

Councilmember Scott motioned to approve the Regular Council Meeting Minutes of May 8, 2023, as presented. Councilmember Chastain seconded. There was no discussion. The motion passed 4-0; with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain.

Councilmember Warren motioned to approve the Called Council Meeting Minutes of May 15, 2023, as presented. Councilmember Scott seconded. There was no discussion. The motion passed 4-0; with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain.

PROCLAMATIONS/RECOGNITIONS

1. Councilmember Chastain recognized Director of Public Works, Stephen Stewart; Urban Landscape Manager, Brian Allensworth; and the Public Works Staff for their dedication to provide the needed collaboration with the community to make Thomasville a great place to live. Councilmember Chastain presented a proclamation to Director Stewart and Manager Allensworth declaring the week of May 21 to May 27, 2023 as National Public Works Week.
2. Councilmember Scott acknowledged the month of May as Pediatric Stroke Awareness Month and presented a Proclamation to pediatric stroke survivor Hayden Eason and his parents Jesse Eason and Rena Crew. Councilmember Scott noted this acknowledgment was dear to him as his brother was affected by a stroke also. He also encouraged citizens of Thomasville to join the support of efforts, programs, services, and advocacy the Children's Hemiplegia and Stroke Association provides as they strive to enhance public awareness of Pediatric Strokes.
3. Thomasville Fire Rescue Chief, Tim Connell, presented Mr. James Brown with a Citizen Award of Merit in recognition of his quick and selfless actions of preventing a fire from spreading into the attic of a home, thus greatly reducing further property loss and possible injury to firefighting personnel. Chief Connell reported that at 2:00 PM, on April 11, 2023, Thomasville Fire Rescue was called to a structure fire. Upon arrival it was found that Mr. Brown had had used a water hose to hold the fire in check until Thomasville Fire Rescue arrived on scene.

CITIZENS TO BE HEARD

Mayor Pro Tem Mobley acknowledged the following Citizens as listed on the Citizens to be Heard Sign-In Form and requested citizens adhere to the three-minute limit when speaking.

1. Nancy Tinker, addressed Councilmembers on behalf of Thomasville Landmarks Board of Directors and its unanimous support of the adoption of the Downtown Code and supporting ordinances. She noted this will preserve development while maintaining Downtown Thomasville's character.
2. Keith Thomas, resident of Woods Gate Lane, Thomasville, Georgia, voiced concerns of the manner of commination of the proposed noise ordinance within the African American neighborhoods. He noted that while the officers that provided and gathered information were to be commended, this communication should have been delivered by the Assistant Chief of Police as a role model to the youth within the community.
3. Audrey Linder, resident of Highland Street, Thomasville, Georgia, voiced her concerns regarding how ordinances affect the African American community. She encouraged Council to ensure all violations of ordinances are handled professionally and respectfully; and not directed at a certain social class or community.

ADOPT AGENDA

Councilmember Chastain motioned to adopt the agenda as presented. Councilmember Warren seconded. There was no discussion. The motion passed 4-0; with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain. Following the adoption of the agenda, Councilmember Chastain reported he would abstain from discussion and vote of New Business A1, in relation to the proposed ordinance to provide for a Downtown District Code due to a conflict of interest.

OLD BUSINESS

Second reading of an ordinance to amend the Thomasville City Charter, Section 5.22, captioned "Boundaries of Council districts" to change the boundaries of the Council districts as described in 5.22 to conform with the Redistricting Plan as described in such ordinance.

City Attorney, Tim Sanders, reported there were no changes since Council's approval of first reading of this ordinance. It was noted that Council passed a resolution on February 27, 2023 adopting a Redistricting Plan and requesting a Local Act of the Legislature to implement the Plan. Attorney Sanders noted there was an error with the House Bill that would have implemented the Redistricting Plan through an act of the Legislature for both the City and the Board of Education and therefore necessary to amend Section 5.22 of the Charter through the an ordinance under the Home Rule Statute to change the boundaries of Council District 1 and District 2 to implement the Redistricting Plan.

Councilmember Warren motioned to order the ordinance to amend the Thomasville City Charter, Section 5.22 as read for the second time, passed and adopted, as presented. Councilmember Scott seconded. There was no discussion. The motion passed 4-0; with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain.

A copy of the ordinance ordered as read for the second time, passed and adopted, and filed as ORD-14-05222023 Charter Amend for Council Districts, is attached to the official record of these minutes. The ordinance title follows.

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF THOMASVILLE, 1990 GA. LAWS (ACT NO. 1118, PAGE 5051), AS AMENDED BY SEVERAL SUBSEQUENT ACTS, TO AMEND SECTION 5.22 TO CHANGE THE BOUNDARIES OF COUNCIL DISTRICTS PURSUANT TO THE PROVISIONS OF THAT ACT OF THE GENERAL ASSEMBLY OF GEORGIA KNOWN AS THE "MUNICIPAL HOME RULE ACT OF 1965," (O.C.G.A. §36-35-1 ET SEQ.); TO PROVIDE THAT THIS ORDINANCE SHALL IN NO WAY OTHERWISE CHANGE THE EXISTING CHARTER EXCEPT AS SET FORTH ABOVE AND SHALL IN NO WAY WHATSOEVER CHANGE THE FORM OF GOVERNMENT OF THE CITY OF THOMASVILLE IN ANY MANNER; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND TO ESTABLISH AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Second reading of an ordinance to amend Charter Section 11.10, captioned "Boundaries of districts defined" to change the boundaries of Education District No. 1 and Education District No. 2 for the City of Thomasville

Board of Education at the request of the City of Thomasville Board of Education to conform to the Redistricting Plan approved by the City of Thomasville Board of Education.

City Attorney, Tim Sanders, reported there were no changes since Council's approval of first reading of this ordinance. It was noted that Council passed a resolution on February 27, 2023 adopting a Redistricting Plan and requesting a Local Act of the Legislature to implement the Plan. Attorney Sanders noted there was an error with the House Bill that would have implemented the Redistricting Plan through an act of the Legislature for both the City and the Board of Education and therefore necessary to amend Section 11.10 of the Charter through the an ordinance under the Home Rule Statute to change the boundaries of Education District 1 and District 2 to implement the Redistricting Plan.

Councilmember Chastain motioned to order the ordinance to amend the Thomasville City Charter, Section 11.10 as read for the second time, passed and adopted, as presented. Councilmember Warren seconded. There was no discussion. The motion passed 4-0; with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain.

A copy of the ordinance ordered as read for the second time, passed and adopted, and filed as ORD-15-05222023 Charter Amend for BOE Districts, is attached to the official record of these minutes. The ordinance title follows.

AN ORDINANCE TO AMEND THE CHARTER OF THE CITY OF THOMASVILLE, 1990 GA. LAWS (ACT NO. 1118, PAGE 5051), AS AMENDED BY SEVERAL SUBSEQUENT ACTS, TO AMEND SECTION 11.10 TO CHANGE THE BOUNDARIES OF EDUCATION DISTRICTS NO. 1 AND NO. 2 AT THE REQUEST OF THE BOARD OF EDUCATION OF THE CITY OF THOMASVILLE, PURSUANT TO THE PROVISIONS OF THAT ACT OF THE GENERAL ASSEMBLY OF GEORGIA KNOWN AS THE "MUNICIPAL HOME RULE ACT OF 1965," (O.C.G.A. §36-35-1 ET SEQ.); TO PROVIDE THAT THIS ORDINANCE SHALL IN NO WAY OTHERWISE CHANGE THE EXISTING CHARTER EXCEPT AS SET FORTH ABOVE AND SHALL IN NO WAY WHATSOEVER CHANGE THE FORM OF GOVERNMENT OF THE CITY OF THOMASVILLE IN ANY MANNER; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; AND TO ESTABLISH AN EFFECTIVE DATE AND FOR OTHER PURPOSES.

Second readings of seven separate ordinances to authorize the acquisition of permanent easements in connection with the Old Albany Road Sidewalk Project (GDOT PI#0015394).

City Attorney, Tim Sanders, reported there had been no changes to any of the seven separate ordinances since Council's approval of all seven individual ordinances on first reading. It was noted these ordinances were in relation to the Old Albany Road Sidewalk Project (GDOT PI #0015394). It was further noted it was necessary to acquire permanent easements in connection with the sidewalk construction on the portion of Old Albany Road beginning at the intersection of North Boulevard and Old Albany Road and ending at the intersection of Plantation Oaks Drive and Old Albany Road. Offers were accepted by the record owners of parcels 9, 17, 22, 24, 33, and 36 at the appraised value for permanent easements for construction and maintenance of slopes and utilities easements. The owner of Parcel 10 submitted a counteroffer and Croy Engineering recommended a negotiated acquisition price. City Attorney Sanders noted that each ordinance requires separate action by Council and requested Council to approve on second reading seven (7) separate ordinances for the easements identified and described as follows:

1. Parcel 9: Acquisition of a permanent easement for construction and maintenance of slopes and drainage of approximately 703.40 square feet and a permanent utility easement of approximately 527.15 square feet located on Old Albany Road (Map and Parcel No. 015 002008 B) from Steve Ostrowskii in exchange for consideration of \$500.00.

Councilmember Chastain motioned to order the ordinance to authorize the acquisition of the permanent easement for construction and maintenance of slopes and drainage for Parcel 9 as read for the second time, passed and adopted, as presented. Councilmember Scott seconded. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain.

A copy of the ordinance ordered as read for the second time, passed and adopted, and filed as ORD-16-05222023 To Authorize ACQ P#9 (M&P # 015 002008 B), is attached to the official record of these minutes. The ordinance title follows.

AN ORDINANCE TO AUTHORIZE THE PURCHASE OF A PERMANENT EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF SLOPES AND DRAINAGE OF APPROXIMATELY 703.40 SQUARE FEET AND A PERMANENT UTILITIES EASEMENT OF APPROXIMATELY 527.15 SQUARE FEET ON THAT PROPERTY KNOWN AS MAP AND PARCEL NUMBER 015 002008 B LOCATED ON OLD ALBANY ROAD IN CONNECTION WITH OLD ALBANY ROAD SIDEWALK PROJECT (GDOT PI #0015394); TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

2. Parcel 10: Acquisition of a permanent easement for construction and maintenance of slopes and drainage of approximately 11,610.23 square feet and right-of-way of approximately 1,673.02 square feet located at Old Albany Road (Map and Parcel No. 055 TH 103) from Patricia V. Kelly in exchange for consideration of \$8,150.00.

Councilmember Warren motioned to order the ordinance to authorize the acquisition of the permanent easement for construction and of slopes and drainage and right-of-way for Parcel 10 as read for the second time, passed and adopted, as presented. Councilmember Scott seconded. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain.

A copy of the ordinance ordered as read for the second time, passed and adopted, and filed as ORD-17-05222023 To Authorize ACQ P#10 (M&P # 055 TH 103), is attached to the official record of these minutes. The ordinance title follows.

AN ORDINANCE TO AUTHORIZE THE PURCHASE OF A PERMANENT EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF SLOPES AND DRAINAGE OF APPROXIMATELY 11,610.23 SQUARE FEET AND THE ACQUISITION OF APPROXIMATELY 1,673.02 SQUARE FEET OF RIGHT-OF-WAY ON THAT PROPERTY KNOWN AS MAP AND PARCEL NUMBER 055 TH 103 LOCATED ON OLD ALBANY ROAD IN CONNECTION WITH OLD ALBANY ROAD SIDEWALK PROJECT (GDOT PI #0015394); TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

3. Parcel 17: Acquisition of a permanent easement for construction and maintenance of slopes and drainage of approximately 334.38 square feet located at 904 Old Albany Road from Shekeita Shelton and Willie M. Bean, Jr. in exchange for consideration of \$500.00.

Councilmember Chastain motioned to order the ordinance to authorize the acquisition of the permanent easement for construction and maintenance of slopes and drainage for Parcel 17 as read for the second time, passed and adopted, as presented. Councilmember Warren seconded. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain.

A copy of the ordinance ordered as read for the second time, passed and adopted, and filed as ORD-18-05222023 To Authorize ACQ of P#17 - 904 Old Albany Road, is attached to the official record of these minutes. The ordinance title follows.

AN ORDINANCE TO AUTHORIZE THE PURCHASE OF A PERMANENT EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF SLOPES AND DRAINAGE OF APPROXIMATELY 334.38 SQUARE FEET LOCATED AT 904 OLD ALBANY ROAD IN CONNECTION WITH OLD ALBANY ROAD SIDEWALK PROJECT (GDOT PI #0015394); TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

4. Parcel 22: Acquisition of a permanent easement for construction and maintenance of slopes and drainage of approximately 574.76 square feet located on 1004 Old Albany Road from Kenneth Phelps in exchange for consideration of \$500.00.

Councilmember Chastain motioned to order the ordinance to authorize the acquisition of the permanent easement for construction and maintenance of slopes and drainage for Parcel 22 as read for the second time, passed and adopted, as presented. Councilmember Scott seconded. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain.

A copy of the ordinance ordered as read for the second time, passed and adopted, and filed as ORD-19-05222023 To Authorize ACQ P#22 - 1004 Old Albany Road, is attached to the official record of these minutes. The ordinance title follows.

AN ORDINANCE TO AUTHORIZE THE PURCHASE OF A PERMANENT EASEMENT FOR CONSTRUCTION AND MAINTENANCE OF SLOPES AND DRAINAGE OF APPROXIMATELY 574.76 SQUARE FEET LOCATED AT 1004 OLD ALBANY ROAD IN CONNECTION WITH OLD ALBANY ROAD SIDEWALK PROJECT (GDOT PI #0015394); TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

5. Parcel 24: Acquisition of a permanent utility easement of approximately 1,708.11 square feet located at 107 Old Albany Road from RU Patel Cstore, LLC in exchange for consideration of \$1,775.00.

Councilmember Scott motioned to order the ordinance to authorize the acquisition of a permanent utility easement for Parcel 24 as read for the second time, passed and adopted, as presented. Councilmember Chastain seconded. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain.

A copy of the ordinance ordered as read for the second time, passed and adopted, and filed as ORD-20-05222023 To Authorize ACQ P# 24 - 107 Old Albany Road, is attached to the official record of these minutes. The ordinance title follows.

AN ORDINANCE TO AUTHORIZE THE PURCHASE OF A PERMANENT GENERAL UTILITIES EASEMENT OF APPROXIMATELY 1,708.11 SQUARE FEET LOCATED AT 107 OLD ALBANY ROAD IN CONNECTION WITH OLD ALBANY ROAD SIDEWALK PROJECT (GDOT PI #0015394); TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

6. Parcel 33: Acquisition of a permanent utility easement of approximately 1,208.63 square feet located at 801 Old Albany Road from David J. Anderson in exchange for consideration of \$500.00.

Councilmember Chastain motioned to order the ordinance to authorize the acquisition of a permanent utility easement for Parcel 33 as read for the second time, passed and adopted, as presented. Councilmember Warren seconded. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain.

A copy of the ordinance ordered as read for the second time, passed and adopted, and filed as ORD-21-05222023 To Authorize ACQ P# 33 - 801 Old Albany Road, is attached to the official record of these minutes. The ordinance title follows.

AN ORDINANCE TO AUTHORIZE THE PURCHASE OF A PERMANENT GENERAL UTILITIES EASEMENT OF APPROXIMATELY 1,208.63 SQUARE FEET LOCATED AT 801 OLD ALBANY ROAD IN CONNECTION WITH OLD ALBANY ROAD SIDEWALK PROJECT (GDOT PI #0015394); TO REPEAL ALL

ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

7. Parcel 36: Acquisition of a permanent utility easement of approximately 840.95 square feet located on Old Albany Road (Map and Parcel Number 015 002008 D) from Steve Ostrowskii in exchange for consideration of \$500.00.

Councilmember Scott motioned to order the ordinance to authorize the acquisition of a permanent utility easement for Parcel 36 as read for the first time, passed and carried over as presented. Councilmember Warren seconded. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain.

A copy of the ordinance ordered as read for the second time, passed and adopted, and filed as ORD-22-05222023 To Authorize P#36 (M&P# 015 002 8 D), is attached to the official record of these minutes. The ordinance title follows.

AN ORDINANCE TO AUTHORIZE THE PURCHASE OF A PERMANENT GENERAL UTILITIES EASEMENT OF APPROXIMATELY 840.95 SQUARE FEET ON THAT PROPERTY KNOWN AS MAP AND PARCEL NUMBER 015 002008 D LOCATED ON OLD ALBANY ROAD IN CONNECTION WITH OLD ALBANY ROAD SIDEWALK PROJECT (GDOT PI #0015394); TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

NEW BUSINESS

First readings of three separate ordinances in relation to the Downtown Code.

City Planner, Kenny Thompson, reported that in 2017, the City of Thomasville conducted an audit of our current development codes and *found nearly 100 items of concern* within our existing ordinances, many of which have a negative impact on new development and redevelopment in the downtown. Following this Code Audit, the City moved forward with the audit's primary recommendation: create a Unified Development Ordinance (UDO) to address the items of concern. In 2018, the City hired Dover Kohl and Partners (DKP) to assist in creating a UDO that addressed both the concerns of the Code Audit and the community's vision outlined in the Blueprint 2028 Comprehensive Plan. However, based on community feedback, the City determined to approach the UDO process in phases, beginning with an update to the Zoning Code downtown. The Downtown District creates a new zoning code for Downtown Thomasville that makes downtown legal to build again. The code protects the historic character, promotes quality new development, and preserves the existing buildings and businesses within the downtown. The code was developed through several public meetings to capture the community's vision for downtown, and will create high-quality buildings and public spaces that:

- Requires retail storefronts on Broad and Jackson Streets
- Requires all buildings to have doors and windows that face the street
- Sets a limit on how tall buildings can be
- Controls density through building form and height restrictions
- Modifies parking requirements – specifically in the Downtown Core
- Protects on-street parking along Broad and Jackson Streets
- Requires a plan for all vacant commercial buildings
- Encourages small businesses over chain stores
- Allows more flexible reuse of existing downtown buildings.

City Planner Thompson, noted that during the February Planning and Zoning Meeting, the P&Z Commission unanimously recommended the Downtown Code to the City Council, pending additional legal review. Based on this additional legal review and discussions with the Council, the following items were also addressed in the Downtown District:

- Removed language that allowed for the City Planner to grant an exception without specific criteria
- Included an overall building height maximum (85') to ensure that no new building in the downtown core is taller than the Business Exchange

- Clarified that enforcement of the architectural elements of the Code shall only apply to new development or redevelopment.

City Planner Thompson reviewed changes to Chapter 22, Zoning, noting that the Downtown District is the first step in a Comprehensive Zoning Overhaul. As such, elements of the Downtown Code will be incorporated into the greater Zoning Chapter, which will help to streamline future zoning changes and make the zoning code more user friendly. The changes to the zoning chapter include all items necessary to allow the Downtown Code to function, ensuring there is no duplicated or conflicting language, and minor corrections and clarifications to improve user friendliness. In addition to changes to Chapter 22, City Planner Thompson reviewed changes to Chapter 5, Foreclosure and Vacant Real Property Registry. The Downtown Code also includes a section that addresses vacant structures (*Section 22-595.6*). In order to allow for a vacant commercial building registry in the Downtown District, the City will need to adopt an ordinance that follows the *Vacant and Foreclosed Real Property Registries State Statute* (O.C.G.A. 44-14-14). It is recommended that this ordinance be placed in the Building Code, and currently the ordinance will only apply to vacant structures within the Downtown District boundary. City Planner Thompson requested Council approve on first reading three separate ordinances in relation to the Downtown Code as presented. It was noted the ordinances required separate votes of Council.

1. First reading of an ordinance to amend Chapter 22 of the Thomasville Code of Ordinances to provide for the adoption of the Downtown District Code.

Councilmember Warren motioned to order the ordinance to amend Chapter 22 of the Thomasville Code of Ordinances to provide for a Downtown District Code as read for the first time, passed and carried over, as presented. Councilmember Scott seconded. There was no discussion. The motion passed 3-0, with the following votes recorded: AYES: Mobley, Warren, and Scott; NAYS: there were none; and, ABSTAINED: Chastain. The ordinance title ordered read for the first time, passed and carried over follows.

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF THOMASVILLE BY DELETING IN ITS ENTIRETY PROVISIONS SET OUT AS SECTION 22-593 THROUGH 22-595 OF DIVISION 1 CAPTIONED "GENERALLY" OF ARTICLE XV CAPTIONED "OVERLAY DISTRICTS" OF CHAPTER 22 CAPTIONED "ZONING" SO AS TO ADOPT IN ITS ENTIRETY NEW SECTIONS 22-593 THROUGH 22-595; TO AMEND THE CAPTION OF ARTICLE XV, CHAPTER 22; TO AMEND THE CAPTION OF DIVISION 1 OF ARTICLE XV, CHAPTER 22; TO AMEND THE COMPREHENSIVE ZONING MAP OF THE CITY OF THOMASVILLE, AS THE SAME HAS BEEN AMENDED FROM TIME TO TIME, TO CREATE THE REGULATION PLAN, CONSISTING OF THE DOWNTOWN CODE BOUNDARY, DOWNTOWN CORE, DOWNTOWN GENERAL AND DOWNTOWN EDGE TRANSECT ZONES AND REZONE ALL THE PARCELS LOCATED WITHIN THE DOWNTOWN CODE BOUNDARY AS DESCRIBED IN THIS ORDINANCE; TO AMEND THE COMPREHENSIVE ZONING MAP OF THE CITY OF THOMASVILLE, AS THE SAME HAS BEEN AMENDED FROM TIME TO TIME, TO CREATE THE SPECIAL REQUIREMENTS PLAN AND IDENTIFY AND DESIGNATE THE PARCELS THAT ARE SUBJECT TO THE SPECIAL REQUIREMENTS PLAN; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; TO PROVIDE AN EFFECTIVE DATE FOR THIS ORDINANCE; AND FOR OTHER PURPOSES.

2. First reading of an ordinance to amend various sections of Chapter 22 of the Code of Ordinances to provide for support of the Downtown Code.

Councilmember Scott motioned to order the ordinance to amend various sections of Chapter 22 of the Thomasville Code of Ordinances to provide for support of the Downtown District Code as read for the first time, passed and carried over, as presented. Councilmember Warren seconded. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain. The ordinance title ordered read for the first time, passed and carried over follows.

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF THOMASVILLE BY DELETING IN ITS ENTIRETY SECTION 22-6 CAPTIONED "DEFINITIONS" OF

ARTICLE I CAPTIONED "IN GENERAL" OF CHAPTER 22 CAPTIONED "ZONING" SO AS TO ADD A NEW SECTION 22-6 CAPTIONED "DEFINITIONS" OF ARTICLE I CAPTIONED "IN GENERAL" OF CHAPTER 22 CAPTIONED "ZONING"; BY AMENDING SECTION 22-7 CAPTIONED "INTERPRETATION AND APPLICATION" OF ARTICLE I CAPTIONED "IN GENERAL" OF CHAPTER 22 CAPTIONED "ZONING"; BY AMENDING TO SECTION 22-14 CAPTIONED "ENCROACHMENT ON PUBLIC RIGHTS-OF-WAY" OF ARTICLE I CAPTIONED "IN GENERAL" OF CHAPTER 22 CAPTIONED "ZONING"; BY DELETING IN ITS ENTIRETY SECTION 22-25 CAPTIONED "PERMITTED MODIFICATION OF SETBACK REQUIREMENT" OF ARTICLE I CAPTIONED "IN GENERAL" OF CHAPTER 22 CAPTIONED "ZONING" SO AS TO ADD A NEW SECTION 22-25 CAPTIONED "PERMITTED MODIFICATION OF SETBACK REQUIREMENT" OF ARTICLE I CAPTIONED "IN GENERAL" OF CHAPTER 22 CAPTIONED "ZONING"; BY ADDING A NEW SECTION 22-46 CAPTIONED "TOWNHOUSE DEVELOPMENT" OF ARTICLE I CAPTIONED "IN GENERAL" OF CHAPTER 22 CAPTIONED "ZONING"; BY DELETING IN ITS ENTIRETY SECTION 22-91 CAPTIONED "ESTABLISHMENT OF DISTRICTS" OF ARTICLE III CAPTIONED "DISTRICTS" OF CHAPTER 22 CAPTIONED "ZONING" SO AS TO ADD A NEW SECTION 22-91 CAPTIONED "ESTABLISHMENT OF DISTRICTS" OF ARTICLE III CAPTIONED "DISTRICTS" OF CHAPTER 22 CAPTIONED "ZONING"; BY AMENDING SUBSECTION (C), SECTION 22-92 CAPTIONED "ZONING MAP" OF ARTICLE III CAPTIONED "DISTRICTS" OF CHAPTER 22 CAPTIONED "ZONING"; BY DELETING IN ITS ENTIRETY SECTION 22-121 CAPTIONED "SCHEDULE OF PERMITTED USES" OF ARTICLE IV CAPTIONED "PERMITTED USES" OF CHAPTER 22 CAPTIONED "ZONING" SO AS TO ADD A NEW SECTION 22-91 CAPTIONED "PERMITTED USES" OF ARTICLE IV CAPTIONED "PERMITTED USES" OF CHAPTER 22 CAPTIONED "ZONING"; BY DELETING IN ITS ENTIRETY SECTION 22-142 CAPTIONED "SIGN PERMITS" AND SECTION 22-141 CAPTIONED "ZONING ADMINISTRATOR APPOINTED; DUTIES" OF ARTICLE V CAPTIONED "ADMINISTRATION" OF CHAPTER 22 CAPTIONED "ZONING" SO AS TO RENAME AS ARTICLE V "RESERVED" OF CHAPTER 22 CAPTIONED "ZONING" AND RENAME SECTIONSS 22-141 THROUGH 22-167 "RESERVED"; BY AMENDING SECTION 22-210 CAPTIONED "SPECIFICATIONS" OF ARTICLE VII CAPTIONED "DISTRICTING STANDARDS" OF CHAPTER 22 CAPTIONED "ZONING"; BY AMENDING SECTION 22-427 CAPTIONED "SCOPE" OF ARTICLE X CAPTIONED "OFF STREET PARKING AND SERVICE REQUIREMENTS" OF CHAPTER 22 CAPTIONED "ZONING"; BY AMENDING SECTION 22-438 CAPTIONED "OFF-STREET LOADING REQUIREMENTS" OF ARTICLE X CAPTIONED "OFF STREET PARKING AND SERVICE REQUIREMENTS" OF CHAPTER 22 CAPTIONED "ZONING"; BY AMENDING SECTION 22-440 CAPTIONED "RULES AND REGULATIONS FOR PROTECTION OF CITYS OF-WAY" OF ARTICLE X CAPTIONED "OFF STREET PARKING AND SERVICE REQUIREMENTS" OF CHAPTER 22 CAPTIONED "ZONING"; BY AMENDING THE NAME OF THE ARTICLE XV CAPTIONED "OVERLAY DISTRICTS" OF CHAPTER 22 CAPTIONED "ZONING" TO ARTICLE XV CAPTIONED "SPECIAL DISTRICTS" OF CHAPTER 22 CAPTIONED "ZONING"; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE AN EFFECTIVE DATE FOR THIS ORDINANCE; AND FOR OTHER PURPOSES.

3. First reading of an ordinance to amend Chapter 5 to provide for a Foreclosure and Vacant Real Property Registry.

Councilmember Warren motioned to order the ordinance to amend Chapter 5 of the Thomasville Code of Ordinances to provide for a Foreclosure and Vacant Real Property Registry, as read for the first time, passed and carried over, as presented. Councilmember Scott seconded. There was no discussion. The motion passed

4-0, with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain. The ordinance title ordered read for the first time, passed and carried over follows.

AN ORDINANCE TO AMEND THE CODE OF THOMASVILLE, GEORGIA BY ADDING A NEW ARTICLE XI-A (1) TO PROVIDE FOR VACANT AND FORECLOSED PROPERTY REGISTRIES; (2) TO PROVIDE FOR DEFINITIONS; (3) TO PROVIDE FOR GUIDELINES FOR VACANT AND FORECLOSED PROPERTY REGISTRIES; (4) TO PROVIDE FOR EXEMPTIONS; (5) TO PROVIDE FOR MAXIMUM FEES AND PENALITIES FOR REGISTRATION AND FAILURE TO REGISTER; (6) TO PROVIDE FOR APPELLATE RIGHTS; (7) TO PROVIDE FOR SEVERABILITY; (8) TO PROVIDE AN EFFECTIVE DATE; (9) TO REPEAL ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH; AND (10) FOR OTHER PURPOSES.

First reading of an ordinance to amend Chapter 15, “Solid Waste Management” to provide for a Solid Waste District.

Director of Solid Waste & Landfill, Jimmy Smith, Jr. reported the City of Thomasville Solid Waste Department identified several areas of the Chapter 15 Solid Waste Management Code that required updates. The amendments relate to collections for city curbside service, unauthorized disposal of waste, commercial collection requirements and the addition of the Downtown Solid Waste District. The ordinance for the aforementioned district will outline boundaries, required services, subscription categories plus container and collection requirements. Director Smith reviewed the proposed amendments presentation which included details of the following:

- Update Article III titles. “Garbage and Trash” to “Division 1. Generally”.
- Amend Section 15-59 (c) for residential curbside refuse services.
- Amend Section 15 -59 (d) for residential special services.
- Amend Section 15-60 for placement of yard debris.
- Amend 15-63 for commercial services.

Councilmember Warren motioned to order the ordinance to amend Chapter 15 of the Thomasville Code of Ordinances to provide for a Solid Waste District, as read for the first time, passed and carried over, as presented. Councilmember Chastain seconded. It was noted that staff has communicated with affected customers regarding these amendments. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain. The ordinance title ordered read for the first time, passed and carried over follows.

AN ORDINANCE TO AMEND THE CODE OF THOMASVILLE, GEORGIA, BY (1) DESIGNATING SECTIONS 15-58 THROUGH 15-67 AS DIVISION 1, CAPTIONED “GENERALLY,” OF ARTICLE III, CAPTIONED “GARBAGE AND TRASH,” OF CHAPTER 15, CAPTIONED “SOLID WASTE MANAGEMENT,” AND AMENDING SECTIONS 15-58 THROUGH 15-67; (2) DESIGNATING SECTIONS 15-68 THROUGH 15-92 OF ARTICLE III, CAPTIONED “GARBAGE AND TRASH,” OF CHAPTER 15, CAPTIONED “SOLID WASTE MANAGEMENT,” AS A NEW DIVISION 2, CAPTIONED “DOWNTOWN SOLID WASTE DISTRICT” AND REPLACING SECTIONS 15-68 THROUGH 15-92 IN THEIR ENTIRETY; (3) REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; (4) PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE AND FOR OTHER PURPOSES.

First Reading of an ordinance to amend Chapter 11, Offenses, to create new Noise and Loitering Ordinances.

City Attorney, Tim Sanders, reported at the request of Council, the current noise ordinance has been reviewed and is in need of updating. The noise ordinance is currently embodied primarily in Section 11.11 of the Thomasville Code of Ordinances. Section 11-8, Disturbing religious worship unlawful, and 141-9, Disturbing school students unlawful also tie in with the current noise ordinance. The Code of the City also does not address loitering or assemblages of people that obstruct the free passage of pedestrians or vehicles on public property or the parking areas of commercial business or shopping centers. Attorney Sanders reviewed the amendments to Chapter 11:

Section 11-08: This section creates a new ordinance that prohibits loitering and follows O.C.G.A. §16-11-36. In short, loitering is defined as when individuals are “in a place at a time or in a manner not usual for law-abiding individuals under circumstances that warrant a justifiable and reasonable alarm or immediate concern for the safety of persons or property in the vicinity.”

The ordinance enumerates factors that may be considered in determining whether alarm is warranted, such as if the person takes flight upon the appearance of law enforcement, refuses to identify himself or manifestly endeavors to conceal himself or any object.

Unless impracticable, law enforcement officers are required to afford an individual an opportunity to dispel any alarm or immediate concern prior to arrest.

In order to address congregations or assemblages of persons that obstruct pedestrians or vehicular traffic, this section also includes in the definition of loitering assemblages or congregations of persons that:

- (i) hinder or obstruct unreasonably the free passage of pedestrians or vehicles upon any public sidewalk, street, park, public place or passage; or
- (ii) in the parking area of any commercial business or shopping center or for any purpose other than working, shopping or doing business related to the goods or services available at the commercial business or shopping center without specific license from any person authorized to grant permission to use the premises for such assembly or congregation.

A person convicted of committing the offense of loitering or prowling shall be guilty of a misdemeanor and upon conviction punishable in accordance with Section 1-7 of the Code. Section 1-7 provides for punishment of a fine not to exceed \$1,000 or imprisonment for a period not to exceed 6 months.

Section 11-21: This section contains definitions and the largest departure from our current ordinance, in that two new definitions are utilized:

“Noise disturbance” means any sound which disturbs or annoys a reasonable person of normal sensitivities or injures personal or real property.

“Plainly audible” means able to be heard by a person using his or her unaided hearing faculties. Comprehension of musical rhythms, detection of bass reverberations, or comprehension of whether a voice is raised or normal is sufficient to constitute plainly audible sound. Specific words or phrases need not be discernable.

Section 11-22: Based on the forgoing definitions, this section prohibits a noise disturbance.

Section 11-23: This section goes into greater detail to prohibit mechanical sound making devices, human produced sounds, and commercial/business advertising in the following manner:

- (1) at a distance of 300 feet or more from the place, building, structure, vehicle or the boundaries of the real property in which the person is located, whichever is farthest, between
 - a. 7:00 a.m. through 10:00 p.m. Sunday through Thursday; and
 - b. 7:00 a.m. through 11:00 p.m. Friday and Saturday.
- (2) at a distance of 100 feet or more from the place, building, structure, vehicle or the boundaries of the real property in which the person is located, whichever is farthest, between
 - a. 10:00 p.m. through 7:00 a.m. Sunday through Thursday;
 - b. 10:00 p.m. Thursday through 7:00 a.m. Friday;
 - c. 11:00 p.m. Friday through 7:00 a.m. Saturday; and
 - d. 11:00 p.m. Saturday through 7:00 a.m. Sunday.

Additionally, time restrictions are placed on landscape maintenance equipment and construction equipment in subsections (d) and (e) between the hours of 8:00 p.m. and 7:00 a.m. Use of landscape maintenance equipment includes the use or operation of any noise-generating, motorized landscape maintenance devices, including, but not limited to leaf blowers, lawn mowers, or chain saws, within any residential zoning district or in areas within 300 feet of any residential zoning district.

Construction sound is also restricted between the hours of 8:00 p.m. and 7:00 a.m. This includes but is not limited to sounds caused or produced during the erection, demolition, alteration, or repair of any building, as well as the operation of any earth-moving equipment, crane, saw, drill, pile driver, steam shovel, pneumatic hammer, hoist, automatic nailer or stapler, or any similar equipment. They are prohibited from being plainly audible within any residential zoning district more than 100 feet beyond the property boundary of the property from which the noise emanates.

A variance is process is for provided for construction sound and may be granted by the Chief Building Official if the Chief Building Official finds that the application demonstrates an urgent need, adequately provides for mitigation and poses no substantial risk to public health and safety. The variance may be granted for a period not to exceed 10 calendar days. The Chief Building Official may also require the variance applicant to notify affected parties as a condition of the variance.

Section 11-24: This section for additional sound control and contains a subsection particular to apartments, duplexes and similar dwelling units. Except for commercial enterprises adjoining a residential dwelling unit, sounds are prohibited that are plainly audible at a distance of five feet beyond the adjoining property line wall or boundary of any apartment, condominium, townhouse, duplex, or other such residential dwelling units with adjoining points of contact.

Property line or boundary essentially means the points of contact between adjoined residential dwelling units.

Section 11-24 also regulates noise emanating from vehicles and prohibits amplified sound emanating from a vehicle that is plainly audible at a distance of one hundred feet or more from such vehicle.

This section makes an offense dogs barking, howling and the like continuously and/or incessantly for a period of ten minutes or more or intermittently for one-half hour or more, which is plainly audible to any person not its owner/keeper, at any time of day or night regardless of whether the dog is physically situated in or upon private property. There is an exception in the event someone is trespassing on the dog owner's property.

Finally, this section contains subsections that are updated versions of current sections 11-8, Disturbing religious worship, and 11-9, Disturbing school students.

Section 11-25: This section creates a number of exceptions to the noise ordinance for:

- (a) any noise disturbance created by a special event sponsored by the City or for which a permit has been issued by the City (outdoor concerts, parades, etc.);
- (b) sounds originating from an officially sanctioned school event;
- (c) the emission of sound for the purpose of alerting persons to the existence of any emergency (fire alarms, etc.);
- (d) sounds created by emergency work or repair work performed by or for governmental entities or public service utilities;
- (e) sounds created by the sirens, whistles, or bells on law enforcement motor vehicles while in the performance of law enforcement duties;
- (f) sounds created by the sirens, whistles, or bells on emergency medical services vehicles while in the performance of emergency services;
- (g) sounds created by refuse removal equipment approved by the City;
- (h) sounds made by a vehicle horn or other warning device required or permitted by O.C.G.A. § 40-8-70; and
- (i) noise from government road, water, sewer, stormwater construction or maintenance projects or to utility company construction or maintenance projects.

Section 11-26: This section provides that a person who violates this Article II, shall be guilty of a misdemeanor and upon conviction thereof shall be punished in accordance with section 1-7 of this Code.

Councilmember Warren motioned to order the ordinance to amend text of Chapter 11 as read for the first time, passed and carried over. Councilmember Chastain seconded. There was brief discussion regarding the adoption of ordinances. It was noted that ordinances can be reviewed and amended within the legal confines of Council as is necessary. There

was no further discussion. The motion remained unchanged and passed 4-0, with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain. The ordinance title read for the second time passed and adopted follows.

AN ORDINANCE TO AMEND THE CODE OF THOMASVILLE, GEORGIA, BY (1) AMENDING CHAPTER 11, CAPTIONED "OFFENSES," TO DIVIDE AND DESIGNATE SECTIONS 11-1 THROUGH 11-20 AS ARTICLE I, CAPTIONED "MISCELLANEOUS OFFENSES;" (2) DELETING SECTION 11-8, CAPTIONED "DISTURBING RELIGIOUS WORSHIP UNLAWFUL," IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 11-8 CAPTIONED "LOITERING OR PROWLING;" (3) DELETING SECTION 11-9 CAPTIONED "DISTURBING SCHOOL STUDENTS UNLAWFUL" IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 11-9 CAPTIONED "RESERVED;" (4) DELETING SECTION 11-11 CAPTIONED "CREATION OF LOUD OR UNNECESSARY NOISE PROHIBITED;" IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 11-11 CAPTIONED "RESERVED;" (6) DELETING SECTION 11-12 CAPTIONED "SOUND TRUCKS AND SOUND AMPLIFYING DEVICES" IN ITS ENTIRETY AND REPLACING IT WITH A NEW SECTION 11-12 CAPTIONED "RESERVED;" (7) BY ENACTING A NEW ARTICLE II, CAPTIONED "NOISE CONTROL," OF CHAPTER 11 TO PROVIDE FOR THE REGULATION OF NOISE WITH THE CITY OF THOMASVILLE; (8) REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; (9) PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE AND FOR OTHER PURPOSES.

Resolution to approve FY 2022 Budget Amendment.

Chief Financial Officer, Ashley Cason, reported each year, the City of Thomasville is required to obtain approval to amend the budget for any funds with revenues and expenditures/expenses that exceed the budget. This action is completed when the year-end is over and present to the Council all final amounts that are required to be amended at one time. The image below provides a comparison of the City of Thomasville's *budgeted* revenues, expenses and net income and the City's *actual* revenues, expenses and net income based on preliminary financial statements as of 12/31/22, which are subject to audit adjustments. This worksheet illustrates that we received more revenues than budgeted, and in turn, incurred slightly more expenses than budgeted. One of the major unbudgeted revenue items is the \$3.2 million received for the sale of the City's joint investment in the Georgia Public Web (GPW). The expenses were only slightly higher due to the overall increase in supply and fuel costs. The increase was minimal due to prioritization and deferral in several capital projects. Overall, the City's actual net income was greater than budgeted net income by \$9,500,890. This difference includes income that is currently already assigned and restricted for projects within our SPLOST, ARPA, Recreation, CHIP, and General Fund. CFO Cason reviewed the City of Thomasville 2022 Budget amendment as follows:

CITY OF THOMASVILLE 2022 NET INCOME			
*Subject to Audit Adjustments			
	<u>2022 BUDGET</u>	<u>2022 ACTUAL</u>	<u>OVER/UNDER</u>
REVENUES	\$162,044,980	\$173,529,538	\$11,484,558
EXPENSES	\$158,619,211	\$160,602,879	\$1,983,669
NET INCOME	\$3,425,769	\$12,926,659	\$9,500,890
<u>RESTRICTED/ASSIGNED NET INCOME</u>			
			(3,700,976)
			(3,217,395)
			(2,190,278)
			(670,894)
			(122,725)
			(9,902,268)
		<i>DIFFERENCE</i>	<i>(401,377)</i>

Councilmember Warren motioned to approve the 2022 Budget for all appropriate funds where revenues and expenses exceed budget, including any necessary audit adjustments as presented. Councilmember Scott seconded. It was noted

the final Audit Adjustments are anticipated by the end of June. There was no further discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain.

Resolution to accept the award for funding from the Georgia Department of Natural Resources FY 2022 Land & Water Conservation Fund (LWCF) Grant for Paradise Park.

Manager Parks & Recreation, Golf, Mike Owens, reported the Land & Water Conservation Fund (LWCF) is a Federal-aid assistance program that the Georgia Department of Natural Resources (GA DNR) administers as a reimbursement grant program. These funds are intended to help state and local governments acquire, develop, and renovate outdoor recreational facilities. The City of Thomasville originally applied for this LWCF grant with Council approval in October of 2020 and was invited to submit a 2nd level application in April of 2021. The original grant award date was scheduled for October of 2021, but delays at the Federal level delayed the actual grant agreement delivery until May of 2023. The Planning Department held a planning charrette to gather public input for Paradise Park in November of 2018. Using that input, a high level master plan was formulated that included enhanced parking and park entrances, updated benches and picnic tables, updated playground equipment, renovation of the historic bandstand, updated lighting, a ¾ mile walking loop (trail), and enhanced multi-use pathways. A resolution is required to accept the RTP grant award stating the City is committed to completing the Paradise Park Master Plan; we understand that we will finance 100% of the project and be reimbursed for up to 50% of the project cost with a maximum reimbursement of \$200,000. Current estimates for construction are \$400,000 and staff will follow the procurement process outlined in the Thomasville Purchasing Policies and Procedures to procure qualified construction services to complete this project. This project is in the 2023 budget using SPLOST funds.

Councilmember Chastain motioned to approve the resolution to accept the award for funding from the Georgia Department of Natural Resources as presented. Councilmember Scott seconded. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain. The approved resolution follows.

STATE OF GEORGIA
COUNTY OF THOMAS

WHEREAS, at the REGULAR meeting of the CITY OF THOMASVILLE of THOMASVILLE Georgia held on 22nd day of May, 2023 a motion was made and duly seconded that CITY OF THOMASVILLE agree to the terms of the contract for a state grant between the Georgia Department of Natural Resources and CITY OF THOMASVILLE for a grant of financial assistance to MAKE UPDATES TO PARADISE PARK AS OUTLINED IN AGREEMENT P22AP01132/12-0165, TODD E. MOBLEY, MAYOR PRO TEM to execute said contract on behalf of CITY OF THOMASVILLE, and accept the grant provided for in said contract in the amount of TWO HUNDRED THOUSAND DOLLARS (\$200,000).

NOW, THEREFORE BE IT RESOLVED by the CITY OF THOMASVILLE of THOMAS County, Georgia that the terms and conditions of the contract between the Georgia Department of Natural Resources and the CITY OF THOMASVILLE are hereby agreed to, that the MAYOR OR MAYOR PRO TEM is authorized and empowered to execute said contract and any subsequent amendments thereto on behalf of the CITY OF THOMASVILLE, and the grant provided for in said contract in the amount of \$200,000 is hereby accepted to be used under the terms and conditions of said contract, and that sufficient funds have been designated to assure the acquisition and/or development, operation and maintenance of the facilities and/or delivery of services as identified in said contract.

Read and unanimously adopted in the REGULAR meeting of the CITY OF THOMASVILLE held on 22nd day of May, 2023.

Resolution to submit an application to the Georgia Department of Transportation (GDOT) for Local Maintenance Infrastructure Grant Safety Action Program funds.

Executive Director of Engineering & Inspections, Mark Harmon, reported on 12 April 2023, the City of Thomasville was notified by our district GDOT office of additional money in the 2023 LMIG budget to be used for 2023 SAP projects. Eligible safety items include signing and marking and raised pavement markers (RPM's); centerline and shoulder rumble strips; rectangular rapid flashing beacons (RRFB); pedestrian hybrid beacons (PHB); guardrail (may require engineer study); and minor shoulder widening. Additionally, there are 27 eligible city roads based on crash data. The total grant cost of the projects selected shall not exceed \$300,000, and there is a 30% local match requirement. The LMIG application and project list is due 05/31/2023. All projects must be under formal contract by 03/30/2024. Payment of funds will be made through the normal LMIG process once the application and project list have been approved. City staff has reviewed current and near projects, and the intent is to maximize the use of the \$300,000 that meet the LMIG SAP grant requirements. Project 1 includes restriping and signage for the Remington Streetscape project valued at \$171,926. Project 2 includes speed limit sign replacements throughout the city valued at \$5,825. Project 3 includes miscellaneous street safety improvements valued at no more than \$122,249.

Councilmember Chastain motioned to approve the resolution to submit an application to the GDOT for LMIG SAP funds, as presented. Councilmember Warren seconded. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain. The approved resolution follows.

RESOLUTION

WHEREAS the FY2023 Local Maintenance Infrastructure Grant (LMIG) Safety Action Plan (SAP) Safe Streets for All Grant Program is a state program that is distributed by the Georgia Department of Transportation,

WHEREAS the Council of the City of Thomasville, Georgia, desires to support low-cost safety improvements that are likely to reduce the frequency and severity of crashes and road departures; and,

WHEREAS the Council of the City of Thomasville, Georgia, desires to submit a FY2023 LMIG SAP application so as to obtain funding assistance to develop to implement low-cost safety improvements; and,

WHEREAS the Council of the City of Thomasville, Georgia, desires to commit funding in the FY2023 budget to provide for the provision of the reimbursable funds as a requirement of the FY2023 LMIG SAP application; and,

WHEREAS the Council of the City of Thomasville, Georgia, desires to authorize the Mayor or Mayor Pro Tem to sign all necessary and related documents, as shall be necessary in relation to the F2023 LMIG SAP application.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Thomasville, Georgia, hereby authorizes the submittal of an application for the FY2023 LMIG SAP, or before, the application's deadline of May 31, 2023 to obtain funding toward low-cost safety improvements; and

BE IT FURTHER RESOLVED that the Council of the City of Thomasville, Georgia, further authorizes the provision of commitment of funds in the FY2023 Budget so as to provide the reimbursable funds as required in the FY2023 LMIG SAP; and

BE IT FURTHER RESOLVED that the Council of the City of Thomasville, Georgia, further authorizes the Mayor or the Mayor Pro Tem of the City of Thomasville, or his/her successor, as the signatory on all necessary and related documents as shall be necessary in relation to the FY2023 LMIG SAP application and grant agreement.

PASSED, APPROVED AND ADOPTED by the Council of the City of Thomasville, Georgia, on this, the 22nd day of May 2023.

Resolution to approve citizen appointment to the Library Board.

Mayor Pro Tem, Todd Mobley, reported the terms for the Library Board expire June 30th each year, unlike the other boards whose terms expire on December 31st each year. Each appointing body reserves the right to review their representatives annually and make new appointments at their discretion, if deemed necessary, or upon the expiration of the term. Terms are limited to two successive, three-year terms. The Library Board is comprised of nine members appointed as follows:

- 3 appointed by City (city residence is required)
- 4 appointed by County
- 2 appointed by small towns with Libraries

It was noted that currently, two of the three City appointed members' terms expire June 30, 2023. Debra Abrams, who is fulfilling an unexpired term; and, Curnell Henry, who is completing his 2nd term and is therefore ineligible for reappointment. Applications from interested citizens were provided to Council prior to the meeting for review.

Councilmember Warren motioned to approve a resolution to reappoint Debra Abrams. Councilmember Scott seconded. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain.

Council member Chastain motioned to approve a resolution to appoint Janet Cable. Councilmember Scott seconded. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain.

The approved resolutions follow.

RESOLUTION

BE IT RESOLVED by the Council of the City of Thomasville, and it is hereby resolved by the authority of the same, that Debra Abrams is reappointed to serve on the Library Board for a three-year term expiring on June 30, 2026.

SO RESOLVED, this the 22nd day of May, 2023.

RESOLUTION

BE IT RESOLVED, by the Council of the City of Thomasville, and it is hereby resolved by the authority of the same, that Janet Cable is appointed to serve on the Library Board for a three-year term expiring on June 30, 2026.

SO RESOLVED, this the 22nd day of May, 2023.

Bids and Award for purchase of Municipal Parking Lot Resurfacing contract.

Executive Director of Engineering & Inspections, Mark Harmon, reported the Municipal Parking Lot is in need of base repair, resurfacing, island landscaping, and an improved accessibility and egress from Remington Avenue. The work on this project includes placing 485 tons of asphalt, constructing concrete curb & gutter, striping and island landscaping. Proposals were opened on May 11, 2023 for the above project, which includes furnishing all labor and equipment to perform all work required to complete the Municipal Parking Lot resurfacing. This project was advertised for 30 days with postings on both the City's website, and the Georgia Procurement Registry website. There were a total of four potential bidders, however only two proposals were received. The work is to be completed within 45 consecutive calendar days of the Notice to Proceed. Green's Backhoe of Thomasville was determined to be qualified to perform the services, and also the lowest price proposal received with a total base bid of \$235,642.50. It was noted that the work will be funded utilizing 2018 SPLOST funds. A summary of bids received follows.

<u>BIDDER</u>	<u>BID AMOUNT</u>
Green's Backhoe, Thomasville, Georgia	\$235,642.50
Capital Asphalt, Tallahassee, Florida	\$296,006.68
Reemes and Sons, Valdosta, Georgia	No Bid Received
David Taylor Construction, Moultrie, Georgia	No Bid Received

Councilmember Chastain motioned to award the bid for the purchase of Municipal Parking Lot Resurfacing project to Green's Backhoe, in the amount of \$235,642.50, as presented. Councilmember Warren seconded. There was brief discussion regarding the size of landscape plants used in landscaping. It was noted that it would be best if mature plantings could be used so as to ensure proper and timely growth. There was no further discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Warren, Scott and Chastain.

REPORTS

City Manager Carson thanked Councilmembers for recognizing Public Works Crews for their efforts during the recent heavy rain events in recent weeks. He and Assistant City Manager White reported the current system can handle approximately 3.5" of sudden stormwater before experiencing significant flooding issues due to aging stormwater infrastructure.

Councilmember Warren requested citizens be mindful of children out and about in the community as summer vacation has begun. She also indicated the YMCA is in need of lifeguards to ensure safety for those enjoying their pool facilities for the summer.


Councilmember Chastain commended City of Thomasville staff for assisting citizens in peril during the sudden torrential rains.

Councilmembers collectively thanked citizens for their participation and comments regarding agenda items.

ADJOURNMENT

Having no further business for consideration at this meeting, the Thomasville City Council Meeting was adjourned at 6:50 PM.

CITY OF THOMASVILLE, GEORGIA



 Mayor John H. Flowers



 ATTEST: City Clerk

