

City of Thomasville Council Meeting, December 11, 2023

The Council of the City of Thomasville met in regular session on the above date. Mayor John H. "Jay" Flowers presided, and the following Councilmembers were 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, Timothy C. 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 Jay Flowers 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 Warren motioned to approve the Regular Meeting Minutes of November 13, 2023, as presented. Mayor Pro Tem Mobley seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

RECOGNITIONS

1. Thomasville Police Chief John Letteney recognized Officer Rachel Pineda, who was among officers responding to a situation of an armed and suicidal individual. Officer Pineda recognized the volatile nature of the situation and spent time conversing with the individual to build a rapport in an attempt to deescalate the situation. Recognizing a need for physical intervention to prevent tragedy, Officer Pineda shared a personal experience with the individual. Her act of humanity created the critical time needed for other officers to subdue the individual. Officer Pineda's calm in the storm, recognition of the individual's needs and her concern for another resulted in no injuries during this encounter. Chief Letteney noted that Officer Pineda's lifesaving efforts that day are in keeping with the highest traditions of law enforcement. Chief Letteney presented Officer Pineda with a Thomasville Police Department's Life Saving Award.
2. Councilmember Warren recognized John Michael Allen for his service as the Honorary Councilmember for the month of December. She commended his efforts in the creation of a future Youth Council within the Thomasville community. Councilmember Warren presented Mr. Allen with a commemorative Honorary Councilmember plaque.

CITIZENS TO BE HEARD

Mayor Flowers reported no citizens listed on the Citizens to be Heard sign in form for this meeting.

ADOPT AGENDA

Councilmember Scott motioned to adopt the agenda as presented. Councilmember Chastain seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

OLD BUSINESS

Second reading of an ordinance to amend text in sections of Article IV. "Boards and Commissions".

City Attorney, Tim Sanders, reported there were no changes to this ordinance since its passage on first reading. He briefly reviewed the amendments and their purposes, as was discussed during the first reading of the ordinance.

Mayor Pro Tem Mobley motioned to order the ordinance to amend text in Sections 2-103, 2-104, and 2-106 of Article IV, Chapter 2 of the Thomasville Code of Ordinances as read for the second time passed and adopted as presented. Councilmember Scott seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

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

AN ORDINANCE TO AMEND THE CODE OF THOMASVILLE, GEORGIA, (1) BY AMENDING SECTION 2-103, CAPTIONED "GENERAL QUALIFICATIONS; ATTENDANCE RECORDS AND ATTENDANCE; AND VACANCIES"; (2) BY AMENDING SECTION 2-104, CAPTIONED "TERMS GENERALLY; REMOVAL"; (3) BY AMENDING SECTION 2-106, CAPTIONED "TRAINING AND EDUCATION"; (4) REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; (5) PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE AND FOR OTHER PURPOSES.

SECTION I

BE IT ORDAINED by the Council for the City of Thomasville, Georgia, and it is hereby ordained by the authority of the same, that Section 2-103, "General qualifications; attendance records and attendance; and vacancies" is hereby amended to provide as follows:

"Sec. 2-103. – General qualifications; attendance records and attendance; and vacancies.

(a) General qualifications. In order to be considered for appointment to any of the bodies enumerated in section 2-101(a) an individual (i) must be a resident of the city, except for the members of the Pension Board of Trustees, any members of the Thomas County Board of Commissioners, any members appointed by a body other than the City Council, and any members who serve as an ex-officio member; and (ii) shall not hold any public office, whether elected or appointed, of the city or any other municipality, county, or of the State, other than those councilmembers appointed pursuant to this Code, any members of the Thomas County Board of Commissioners, any members appointed by a body other than the City Council, and any members who serve as an ex-officio member. Further, such individual must generally demonstrate an interest, experience, or education based on the type of board, commission, or like body for which their appointment may be considered, subject to any specific requirements concerning appointment by the City Council as otherwise provided for in this Code.

(b) Attendance records and attendance.

(1) The official minutes of each body enumerated in section 2-101(a) shall be recorded and reflect the full names of those members present and absent in the minutes of each meeting. Upon approval by each such body, a signed copy of the minutes will be submitted to the city clerk. An attendance record shall also be maintained and shall be provided to the chairperson of each body enumerated in section 2-101(a), the city clerk, and such other city staff members as may be designated by the city manager within seven (7) days after each meeting. An official record of attendance will be maintained by the city clerk, who shall provide a quarterly report to city council informing them of the attendance record of the membership of each such body.

(2) Absences from any three (3) consecutive regular meetings of any of the bodies enumerated in section 2-101(a) will automatically result in a member's seat being vacated and the same shall be declared vacant by the city clerk, without any action necessary on the part of the city council. Upon a member being absent from two (2) consecutive regular meetings, the city clerk will inform such member that his or her seat is in jeopardy of being vacated. Absences from more than twenty-five percent (25%) of all regular meetings over any twelve (12) consecutive month period will automatically result in a member's seat being vacated and the same shall be declared

vacant by the city clerk, without any action necessary on the part of the city council. The City Clerk will inform a member when his or her seat is in jeopardy of being vacated upon an additional absence. Upon a seat being vacated, the city clerk will notify the affected member in writing. The city council will be notified of the vacancy so that a new member may be appointed. Provided however, this subsection (b)(2) shall not apply to the members of the Pension Board of Trustees, councilmembers, ~~or councilmembers~~ serving as members of the Utilities Commission, any members of the Thomas County Board of Commissioners, any members appointed by a body other than the City Council, or any members who serve as an ex-officio member.

(c) Vacancies. Upon a vacancy on any of the bodies enumerated in 2-101(a) for any reason whatsoever, such vacant seat shall be filled by the city council as soon as practicable in the same manner as the initial appointment for the unexpired term, unless otherwise specifically provided for in this Code. Vacancies on any of the bodies enumerated in 2-101(b) shall be filled according to the organizational documents of those bodies, as may be provided by state law or otherwise.”

SECTION II

BE IT ORDAINED by the Council for the City of Thomasville, Georgia, and it is hereby ordained by the authority of the same, that Section 2-104 captioned “Terms generally; removal” is hereby amended to provide as follows:

“Sec. 2-104. – Terms generally; removal.

(a) Terms generally. Individuals appointed to the bodies enumerated in section 2-101(a) shall serve for the term of their appointment and until their successors are appointed and may serve multiple successive terms, unless otherwise specifically provided for in this Code.

(b) Removal. Except for the members of the Pension Board of Trustees, councilmembers, and councilmembers serving as members of the Utilities Commission, members of the bodies enumerated in section 2-101(a) may be removed for cause by the affirmative vote of four (4) members of the city council, upon written charges and after a public hearing conducted by the city council.

(1) For cause shall include the following reasons with respect to the bodies enumerated in section 2-101(a):

a. The member failing to meet the then applicable training and education requirements of the body to which such member has been appointed;

b. The member failing to adhere to the conflicts of interest and code of ethics provisions of section 2-105 and the provisions of 2-14 of the Charter;

c. The member changing their primary residence to a location outside the corporate limits of the city, if the residency requirements of section 2-103(a) are applicable;

d. Such other reasons that relate to the discharge of a member’s duties with respect to the body on which such member serves or otherwise relate to the requirements of this Code with respect to members and service on boards, including any violations of this Article or failure to meet the requirements of this Article.”

SECTION III

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

SECTION IV

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

SECTION V

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

SECTION VI

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

SECTION VII

BE IT FURTHER ORDAINED and it is hereby declared that in the event that any phrase, clause, sentence, paragraph or section of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgement or decree of any court of competent jurisdiction, it is the express intent of the Mayor and the Council of the City of Thomasville that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs or sections of this ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION VIII

This ordinance was introduced and read at a lawful meeting of the City council for the City of Thomasville, Georgia, held November 13, 2023, and read the second time, passed and adopted in like meeting held on December 11, 2023.

Consider four separate ordinances authorizing demolition of unfit structures located within the City limits of Thomasville, Georgia.

Executive Director of Engineering and Inspections, Mark Harmon reported there were no changes to any of the four ordinances as presented since their passage on first reading. He briefly reviewed the unfit structures and their varying states of dilapidation.

1. Second reading of an ordinance to authorize demolition of an unfit structure located at 122 Reid Street.

Councilmember Warren motioned to order the ordinance to authorize demolition of an unfit structure at 122 Reid Street, Thomasville, Georgia, as read for the second time, passed and adopted, as presented. Mayor Pro Tem Mobley seconded the motion. There was no 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 time passed and adopted follows.

AN ORDINANCE TO PROVIDE FOR THE DEMOLITION OF THE STRUCTURE LOCATED AT 122 REID STREET, THOMASVILLE, GEORGIA; OWNED BY TT FRAZIER (EST), ALL HEIRS KNOWN & UNKNOWN; TO PROVIDE THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH, AND FOR OTHER PURPOSES.

SECTION I

WHEREAS, pursuant to Sub-section 5-381c of the City of Thomasville Municipal Code (the "Code"), the City of Thomasville has previously ordered the owner of the property located at 122 Reid Street, Thomasville, Georgia; to either repair, alter, improve, or demolish the structure located on the property; and

WHEREAS, the owner of such property has failed to comply fully with such order.

NOW, THEREFORE, BE IT ORDAINED by the Council of The City of Thomasville that the City Manager of the City of Thomasville is hereby authorized and directed to demolish the structure(s) and clean up the property located at 122 Reid Street, Thomasville, Georgia, being more particularly described as follows:

All and only that parcel of land designated as Tax Parcel 009 037036, 13th Land District, In the City of Thomasville, Thomas County, Georgia, being 0.15 acre, more or less, shown in Deed Book 2550, Page 47, 122 Reid Street.

SECTION II

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

SECTION III

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

SECTION IV

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

SECTION V

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

SECTION VI

BE IT FURTHER ORDAINED and it is hereby declared that in the event that any phrase, clause, sentence, paragraph or section of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgement or decree of any court of competent jurisdiction, it is the express intent of the Mayor and the Council of the City of Thomasville that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs or sections of this ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION VII

This ordinance was introduced and read at a lawful meeting of the City council for the City of Thomasville, Georgia, held November 13, 2023, and read the second time, passed and adopted in like meeting held on December 11, 2023.

2. Second reading of an ordinance to authorize demolition of an unfit structure located at 123 Seward Street.

Councilmember Chastain motioned to order the ordinance to authorize demolition of an unfit structure at 123 Seward Street, Thomasville, Georgia, as read for the second time passed and adopted, as presented. Councilmember Scott seconded the motion. Director Harmon reported the owner had secured a permit for demolition; however, he requested Council move forward with the ordinance as it would take time to process the demolition. If the owner does follow through with their intent to demolish, the City would only lien the property for recuperation of expenses spent prior to demolition. There was no further discussion. The motion remained unchanged. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

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

AN ORDINANCE TO PROVIDE FOR THE DEMOLITION OF THE STRUCTURE LOCATED AT 123 SEWARD STREET, THOMASVILLE, GEORGIA; OWNED BY JOHN AVE-LALLEMANT, ALL HEIRS KNOWN & UNKNOWN; TO PROVIDE THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH, AND FOR OTHER PURPOSES.

SECTION I

WHEREAS, pursuant to Sub-section 5-381c of the City of Thomasville Municipal Code (the "Code"), the City of Thomasville has previously ordered the owner of the property located at 123 Seward Street, Thomasville, Georgia; to either repair, alter, improve, or demolish the structure located on the property; and

WHEREAS, the owner of such property has failed to comply fully with such order.

NOW, THEREFORE, BE IT ORDAINED by the Council of The City of Thomasville that the City Manager of the City of Thomasville is hereby authorized and directed to demolish the structure(s) and clean up the property located at 123 Seward Street, Thomasville, Georgia, being more particularly described as follows:

All and only that parcel of land designated as Tax Parcel 006 006025, 13th Land District, In the City of Thomasville, Thomas County, Georgia, being 0.51 acre, more or less, shown in Deed Book 522, Page 282, described in Deed Book 2565, Page 369, known as 123 Seward Street.

SECTION II

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

SECTION III

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

SECTION IV

BE IT FURTHER ORDAINED and it is hereby declared to be the intention of the Mayor and Council of the City of Thomasville that all sections, paragraphs, sentences,

clauses, and phrase of this Ordinance are and were, upon their enactment, believed by the Mayor and the Council to be fully valid, enforceable, and constitutional.

SECTION V

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

SECTION VI

BE IT FURTHER ORDAINED and it is hereby declared that in the event that any phrase, clause, sentence, paragraph or section of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgement or decree of any court of competent jurisdiction, it is the express intent of the Mayor and the Council of the City of Thomasville that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs or sections of this ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION VII

This ordinance was introduced and read at a lawful meeting of the City council for the City of Thomasville, Georgia, held November 13, 2023, and read the second time, passed and adopted in like meeting held on December 11, 2023.

3. Second reading of an ordinance to authorize demolition of an unfit structure located at 809 Lester Street.

Mayor Pro Tem Mobley motioned to order the ordinance to authorize demolition of an unfit structure at 809 Lester Street, Thomasville, Georgia, as read for the second time, passed, and adopted, as presented. Councilmember Warren seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

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

AN ORDINANCE TO PROVIDE FOR THE DEMOLITION OF THE STRUCTURE LOCATED AT 809 LESTER STREET, THOMASVILLE, GEORGIA; OWNED BY WILLIE JAMES GASKINS; TO PROVIDE THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH, AND FOR OTHER PURPOSES.

SECTION I

WHEREAS, pursuant to Sub-section 5-381c of the City of Thomasville Municipal Code (the "Code"), the City of Thomasville has previously ordered the owner of the property located at 809 Lester Street, Thomasville, Georgia; to either repair, alter, improve, or demolish the structure located on the property; and

WHEREAS, the owner of such property has failed to comply fully with such order.

NOW, THEREFORE, BE IT ORDAINED by the Council of The City of Thomasville that the City Manager of the City of Thomasville is hereby authorized and directed to demolish the structure(s) and clean up the property located at 809 Lester Street, Thomasville, Georgia, being more particularly described as follows:

All and only that parcel of land designated as Tax Parcel 007 004056, 13th Land District, In the City of Thomasville, Thomas County, Georgia, being 0.11 acre, more or less, shown in Deed Book 9, Page 172, 809 Lester Street.

SECTION II

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

SECTION III

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

SECTION IV

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

SECTION V

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

SECTION VI

BE IT FURTHER ORDAINED and it is hereby declared that in the event that any phrase, clause, sentence, paragraph or section of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgement or decree of any court of competent jurisdiction, it is the express intent of the Mayor and the Council of the City of Thomasville that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs or sections of this ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION VII

This ordinance was introduced and read at a lawful meeting of the City council for the City of Thomasville, Georgia, held November 13, 2023, and read the second time, passed and adopted in like meeting held on December 11, 2023.

- 4. Second reading of an ordinance to authorize demolition of an unfit structure located at 1717 North Martin Luther King, Jr. Drive.**

Councilmember Warren motioned to order the ordinance to authorize demolition of an unfit structure at 1717 North Martin Luther King, Jr. Drive, Thomasville, Georgia, as read for the second time, passed, and adopted, as presented. Councilmember Scott seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

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

AN ORDINANCE TO PROVIDE FOR THE DEMOLITION OF THE STRUCTURE LOCATED AT 1717 N MARTIN LUTHER KING JR. DR., THOMASVILLE, GEORGIA; OWNED BY EMMA H. HAYES, ALL HEIRS KNOWN & UNKNOWN, TO PROVIDE THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH, AND FOR OTHER PURPOSES.

SECTION I

WHEREAS, pursuant to Sub-section 5-381c of the City of Thomasville Municipal Code (the "Code"), the City of Thomasville has previously ordered the owner of the property located at 1717 N Martin Luther King Jr. Dr., Thomasville, Georgia; to either repair, alter, improve, or demolish the structure located on the property; and

WHEREAS, the owner of such property has failed to comply fully with such order.

NOW, THEREFORE, BE IT ORDAINED by the Council of The City of Thomasville that the City Manager of the City of Thomasville is hereby authorized and directed to demolish the structure(s) and clean up the property located at 1717 N Martin Luther King Jr Dr., Thomasville, Georgia, being more particularly described as follows:

All and only that parcel of land designated as Tax Parcel 001 026002, 13th Land District, In the City of Thomasville, Thomas County, Georgia, being 0.17 acre, more or less, shown in Deed Book 174, Page 358, 1717 N Martin Luther King Jr. Dr.

SECTION II

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

SECTION III

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

SECTION IV

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

SECTION V

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

SECTION VI

BE IT FURTHER ORDAINED and it is hereby declared that in the event that any phrase, clause, sentence, paragraph or section of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgement or decree of any court of competent jurisdiction, it is the express intent of the Mayor and the Council of the City of Thomasville that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs or sections of this ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION VII

This ordinance was introduced and read at a lawful meeting of the City council for the City of Thomasville, Georgia, held November 13, 2023, and read the second time, passed and adopted in like meeting held on December 11, 2023.

Second reading of an ordinance to authorize acquisition of permanent general easement for construction and maintenance of utilities from 1019 Old Albany Road in connection with the Old Albany Road 12-Inch Water Main Project.

Project Manager, Eve Geyer reported there were no changes to the ordinance since its passage on first reading. She briefly reviewed the location and the need for acquisition.

Councilmember Chastain motioned to order the ordinance to authorize acquisition of permanent general easement for construction and maintenance of utilities from 1019 Old Albany Road in connection with the Old Albany Road 12-Inch Water Main Project, as read for the second time, passed and adopted, as presented. Councilmember Scott seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

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

AN ORDINANCE TO AUTHORIZE THE PURCHASE OF A PERMANENT GENERAL UTILITY EASEMENT OF APPROXIMATELY 0.09 ACRES LOCATED AT 1019 OLD ALBANY ROAD IN CONNECTION WITH THE OLD ALBANY ROAD 12 INCH WATER MAIN PROJECT; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

SECTION I

WHEREAS, the acquisition by the City of a permanent general utilities easement of approximately 0.09 located at 1019 Old Albany Road (“Utilities Easement”) from STORE Master Funding, XXI, LLC (“Owner”) in the name of the City is necessary in connection with the connection with the construction and maintenance of the Old Albany Road 12 Inch Water Main Project (“Project”), and such Utilities Easement is more particularly described on Exhibit “A” attached hereto and made a part hereof;

WHEREAS, the City Council of Thomasville, Georgia, recognizes that the purchase of the Utilities Easement is necessary to and in furtherance of the Project, is a valid public purpose, and the Project is of significant benefit to the citizens of the City and their health and safety; and

WHEREAS, the purchase of the Utilities Easement will be a cost effective measure for the goals and objectives in furtherance of the Project.

SECTION II

NOW, THEREFORE, BE IT ORDAINED by the Council of Thomasville, Georgia, and it is hereby ordained by the authority of the same (i) that the acquisition of the Utilities Easement by

the City in the name of the City, more particularly shown on Exhibit "A", is hereby authorized for a purchase price of Three Thousand Fifty-Six Dollars (\$3,056.00); (ii) that the utilities easement attached hereto and incorporated herein as "Exhibit "B" is hereby ratified and approved; (iii) that the Mayor is authorized to take all actions and to do all things necessary to carry out the purposes and intent set forth in this ordinance and to effect the purchase of the Utilities Easement, under such other terms and conditions as may be necessary and appropriate in his judgement and discretion, in consultation with the City Attorney, including but not limited to the execution of settlement statements and other related closing documents;

SECTION III

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon its final adoption.

SECTION IV

BE IT FURTHER ORDAINED that the provisions of this ordinance shall not be made a part of the official codified ordinances of the City of Thomasville but will nevertheless be spread upon the public minutes and records of the City of Thomasville.

SECTION V

This ordinance was introduced and read at a lawful meeting of the Council of Thomasville, Georgia, held on November 13, 2023, and read a second time, passed, and adopted in a like meeting held on December 11, 2023.

Second reading of an ordinance to amend Chapter 12, "Public Safety" of Thomasville Code of Ordinances to provide for a new Article II, "Alarm Systems - Law Enforcement".

Police Chief, John Letteney reported there had been no changes to the ordinance since its passage on first reading. He further reported that following the adoption of the ordinance there would be a process of education for several months provided to commercial and residential community.

Mayor Pro Tem Mobley motioned to order the ordinance to amend Chapter 12, "Public Safety" of the Thomasville code of ordinances to provide for a new Article II, "Alarm Systems – Law Enforcement" as read for the second time, passed and adopted as presented. Councilmember Scott seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

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

AN ORDINANCE TO AMEND THE CODE OF THOMASVILLE, GEORGIA, BY (1) DELETING IN ITS ENTIRETY ARTICLE II, ALARM SYSTEMS, OF CHAPTER 12, PUBLIC SAFETY, TO ENACT A NEW ARTICLE II TO BE CAPTIONED ALARM SYTEMS – LAW ENFORCEMENT; (2) REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND (3) PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE AND FOR OTHER PURPOSES.

SECTION I

BE IT ORDAINED by the Council for the City of Thomasville, Georgia, and it is hereby ordained by the authority of the same, that Article II, captioned "Alarm Systems," of Chapter 12, Public Safety, is hereby deleted in its entirety and replaced with a new Article II, captioned "Alarm Systems – Law Enforcement," to provide as follows:

"Article II. – ALARM SYSTEMS – LAW ENFORCEMENT

Sec. 12-19. - Purpose.

(1) The City Council of the City of Thomasville finds that excessive false alarms unduly burden the Thomasville Police Department's limited law enforcement resources and otherwise wastes public resources. The purpose of this Ordinance is to establish reasonable standards for users and to ensure that alarm users are held responsible for their use of alarm systems. Nothing in this Article will be construed as to restrain any duly sworn peace officer from enforcing the provisions of The Code of Thomasville, Georgia or Georgia Law. The City reserves the right to contract with outside parties to manage and operate specified portions of the processes established and governed by this Article as may be determined by the City Council.

(2) This Article does not govern calls made directly to the emergency communications center by residents, businesses, or guests of the City of Thomasville. This Article shall apply only to calls made to the emergency call center by contracted third parties not physically present at the alarm site.

Sec. 12-20. - Definitions.

The following words, terms, and phrases, when used in this ordinance, shall have the meanings ascribed to them, except where the context clearly indicates a different meaning:

Alarm administrator means a person or persons designated by the City Manager to administer the provisions of this ordinance.

Alarm company means a person, company, firm, or corporation subject to the licensing requirements, and engaged in selling, leasing, installing, servicing, or monitoring alarm systems shall be licensed in compliance with city, county and state laws.

Alarm permit means a permit issued to an alarm user by the City allowing the operation of an alarm system within the City.

Alarm signal means a detectable signal; audible or visual, generated by an alarm system, to which law enforcement is requested to respond.

Alarm system means any single device or assembly of equipment designed to signal the occurrence of an illegal or unauthorized entry or other activity to which law enforcement is requested to respond, but does not include motor vehicle or boat alarms, , domestic violence alarms, or alarms designed to elicit a medical response.

Alarm user means any person, corporation, partnership, proprietorship, governmental or educational entity or any other entity that is not a natural person owning, leasing, or operating an alarm system, or on whose premises an alarm system is maintained for the protection of such premises.

Alarm user awareness class means a class conducted for the purpose of educating alarm users about the responsible use, operation, and maintenance of alarm systems and the problems created by false alarms.

Cancellation means termination of response by the Police Department when the alarm company notifies the Police Department that there is not an existing situation at the alarm site requiring police response after an alarm dispatch request. If cancellation occurs prior to police arriving at the scene, this is not a false alarm as defined in this Article, and no penalty will be assessed.

City means the City of Thomasville.

Communications center means the Thomas County E-911 Communications Center, or another entity performing the functions of a public safety answering point (PSAP).

False alarm means the activation of an alarm system when, upon inspection by the Thomasville Police Department, there is no evidence of unauthorized entry, robbery, or other such crime attempted in or on the premises which would have activated a properly functioning alarm system.

Notwithstanding the foregoing, a false alarm does not include an alarm which can reasonably be determined to have been caused or activated by unusually violent conditions of nature.

Key holder means any person(s) authorized by the alarm user to enter an alarmed building or premises by key or other like instrument or any person(s) authorized by the alarm user to activate and/or de-activate an alarm system.

Local alarm means an alarm system that emits a signal at an alarm site that is audible or visible from the exterior of a structure and is not monitored by a remote monitoring facility, whether installed by an alarm company or user.

Permit year means a 12-month period beginning on the day and month on which an alarm permit is issued.

Public safety answering point (PSAP) means an emergency communications center accepting, processing and dispatching emergency and non-emergency calls for service to a public safety agency.

Runaway alarm means an alarm system that produces repeated alarm signals that, upon inspection by the Thomasville Police Department, do not appear to be caused by separate human action and there is no evidence of unauthorized entry, robbery, or other such crime attempted in or on the premises which would have activated a properly functioning alarm system.

Compliance standards means equipment and installation methods shall comply with all appropriate nationally recognized testing laboratories and American National Standards Institute (ANSI) requirements.

Verify means an attempt by the alarm system monitoring company to contact the alarm site and/or alarm user by telephone and/or other means, whether or not actual contact with a person is made, to determine whether an alarm signal is valid before requesting law enforcement response. For the purposes of verification, a second call is required to be made to an alternate number provided by the alarm user if the first attempt fails.

Sec. 12-21. - Permitting.

(1) No person shall use an alarm system without first obtaining a permit for such alarm system from the City. A fee shall be required for the initial registration and annual renewals. Such fee shall be set by the city council and kept on file and maintained in the office of the clerk of the city. Each alarm permit shall be assigned a unique permit number, and the user shall provide the permit number to the alarm company to facilitate law enforcement dispatch.

(2) The permit shall be requested on an application form provided by the City. An alarm user shall obtain an application from the City.

(3) Applications for permits shall be submitted to the alarm administrator on forms approved by the City Manager or designee, along with all reasonable information necessary to complete such applications.

(4) When the possession of the premises at which an alarm system is maintained is transferred, the user obtaining possession of the property shall file an application for an alarm permit within 30 days of obtaining possession of the property. Alarm permits are not transferable.

(5) Whenever the information provided on the alarm permit application changes, the alarm user shall provide updated and correct information to the alarm administrator within 30 days of the change. In addition, each year after the issuance of the permit, alarm users who have permits will receive from the alarm administrator a form requesting updated information. The alarm user holding such permit shall complete and return this form to the alarm administrator whether or not any of the requested information has changed.

(6) If an alarm user maintains one or more alarm systems protecting more than one premises having different addresses, a separate permit shall be required for each premises.

Sec. 12-22. - Duties Concerning Use.

(1) Duties of Alarm User. Alarm users shall:

(a) Maintain the premises and the alarm system in a manner that will reduce or eliminate false alarms and runaway alarms;

(b) Provide the alarm company the permit number for each permit issued by the City to the alarm user;

(c) Absent exigent circumstances that prevent a response, as may be determined in the discretion of the Chief of Police, respond or cause a representative to respond to the alarm system's location within a reasonable amount of time when notified or requested by the Thomasville Police Department or the communications center of a need to provide entry to the premises for any reason, including but not limited to the need to deactivate a malfunctioning or runaway alarm. For purposes of this section, "reasonable amount of time" shall mean no more than twenty (20) minutes from time the alarm user is contacted by either the Thomasville Police Department or the communications center; and

(d) Not manually activate an alarm for any reason other than an occurrence of an event that the alarm system was intended to report, except in the event of testing as part of regular maintenance when advance notice of such testing has been provided to the Thomasville Police Department prior to such testing.

(e) Upon taking possession of premises upon which an alarm system is maintained, obtain a new permit and pay any associated fees as provided for in this Article.

(2) Duties of Alarm Companies. Alarm companies shall:

(a) Obtain and maintain the required state, county and/or City license(s);

(b) Provide name, address, and telephone numbers of the alarm company license holder and a representative who can be called in an emergency, 24 hours a day; and be able to respond to an alarm call, when notified, within a reasonable amount of time; and,

(c) Maintain and have available upon request the current contact information for all alarm users for which the alarm company has installed alarm systems or provided services; and to contact a key holder for a response, if requested.

(d) Prior to activation of the alarm system, alarm companies must provide instructions explaining the proper operation of the alarm system to the alarm user, along with a copy of this Article.

(e) Provide written information of how to obtain service from the alarm company for the alarm system.

(f) In addition to the above requirements, alarm companies performing monitoring services shall:

(i) Attempt to verify, by calling the alarm site and/or alarm user by telephone, to determine whether an alarm signal is valid before requesting dispatch. Telephone verification shall require, at a minimum, that a second call be made to a different number if the first attempt fails to reach an alarm user who can properly identify themselves. The requirements of this subsection do not apply in the case of a panic or robbery-in-progress alarm, or in cases where a crime-in-progress has been verified by video and/or audible means.

(ii) Provide all alarm users permit numbers to the communications center to facilitate dispatch and/or cancellations.

(iii) Communicate any available information about the location of the alarm upon receiving an alarm signal.

(iv) Communicate a cancellation to the communications center as soon as possible following a determination that response is unnecessary.

Sec. 12-23. - Unlawful acts.

(1) It shall be unlawful to activate an alarm system for the purpose of summoning law enforcement when no burglary, robbery, or other crime concerning threat to life or property is being committed or attempted on the premises, or otherwise to deliberately and intentionally cause a false alarm.

(2) It shall be unlawful to install, maintain, or use an audible alarm system which can sound continually for more than 15 minutes.

(3) It shall be unlawful to install, operate, or maintain an alarm system that transmits directly to police, especially through an automatic, continuous dialing device, any signal, message, warning, or other indication of any occurrence requesting police.

(4) It shall be unlawful to cause or permit any alarm system to operate in a manner which would cause it to be a runaway alarm, or to allow such runaway alarm to continue through means of negligence or failure to seek maintenance to prevent such alarm.

Sec. 12-24. - Enforcement and Remedies.

(1) It is hereby found and determined that three or more false alarms within a permit year is excessive, constitutes a public nuisance, and shall be unlawful. Civil penalties for false alarms within a permit year, or failing to register an alarm system, shall be assessed against an alarm user as follows:

Third, fourth and fifth false alarm	\$25.00
Sixth and seventh false alarm	\$50.00
Eighth and ninth false alarm	\$100.00
Tenth and over false alarms	\$250.00

(a) However, in the case of an alarm user and permit holder that is required to pay occupation tax pursuant to Chapter 18, Article III of the Thomasville Code or is otherwise a corporation, limited liability company, partnership, trust or other entity that is not a natural person, the penalties assessed in subsection (1) of this section will be double the amount listed above this subsection (1).

(b) Whenever an alarm or alarm system has been determined to be a runaway alarm as defined in this Article, multiple occurrences in the same 24-hour period from the time of the first alarm signal recorded will be considered as one singular alarm signal for purposes of enforcement under this subsection. Each subsequent 24-hour period in which a runaway alarm has transmitted a signal or otherwise requested a police response will be considered as one additional alarm signal regardless of the actual number of signals transmitted during that period.

(2) Intentional and deliberate false alarms described in section 12-23(1) shall be punishable in Municipal Court pursuant to section 1-7 or as offenses in violation of Georgia Law.

(3) The Police Department, may at the direction and in the discretion of the Chief of Police, refuse to respond to any runaway alarm, or repeated alarm where the alarm user or key holder refuses to respond to the alarm system's location.

(4) All other violations not specifically addressed in this section 12-24 shall be subject to assessment of fines in the amount of \$100.00 per violation.

(5) Civil fines shall be paid in full within (30) days from the date of the invoice.

(6) The failure of an alarm user to make payment of any civil fines assessed under this ordinance within 30 days from the date of the invoice shall result in discontinuance of law enforcement response to alarm signals that may occur at the premises described in the alarm user's permit until payment is received. In addition, failure to register and obtain a permit shall result in a \$100 fine invoice along with an alarm registration. If registration is completed the fine can be waived.

(7) The Chief of Police may, in his or her discretion, refuse police response to any unregistered alarm, whether through means of direct action or general order, or other like order, to officers of the Police Department.

(8) Except as otherwise provided, any violation of any of the provisions of this subsection shall be a civil violation and shall not constitute a misdemeanor, infraction, or other violation of criminal law.

(9) The forgoing fines and remedies may be combined and combined with any other legal or equitable remedy available to the City. Nothing in this section shall limit the City from enforcement of its Code, state, or federal law by any other legal remedy available to the City. Nothing in this section shall be construed to limit or supplant the power of any City official or other duly empowered officer under the City's ordinances, rules, and regulations or the authority granted under state law, as amended, to take necessary action, consistent with the law, to protect the public from an alarm system as a nuisance, including abatement thereof by lawful means.

Sec. 12-25. - Alarm User Awareness Class.

(1) The City may establish an Alarm User Awareness Class and may request the assistance of the area alarm companies to assist in developing and conducting the class. The class shall inform alarm users of the problems created by false alarms and instruct alarm users how to help reduce false alarms. The alarm administrator may grant the option of attending a class in lieu of paying one assessed fine, not to exceed \$100.

Sec. 12-26. - Appeals.

(1) Assessments of fines and other enforcement decisions made under this ordinance may be appealed by filing a written notice of appeal with the Thomasville Police Department within 30 days after the date of notification of the assessment of civil fines or other enforcement decisions. The written notice of appeal shall contain the cause for the appeal and any other pertinent information relevant to the case. The failure to give notice of appeal within this time period shall constitute a waiver of the right to contest the assessment of fines or other enforcement decisions. Appeals shall be heard through an administrative process conducted pursuant to this article.. The City Manager shall designate a hearing officer to hear appeals of the assessment of civil fines or other enforcement decisions.

(2) Within 15 days of the filing of an appeal, the hearing officer shall review an appeal from the assessment of civil fines or other enforcement decisions using a preponderance of the evidence standard and shall render a decision and give written notification to the appellant. Notwithstanding a determination that the preponderance of the evidence supports the assessment of civil fines or other enforcement decisions, the hearing officer shall have the discretion to dismiss or reduce civil

finer or reverse any other enforcement decisions where warranted. The hearing officer's decision is subject to review in the district court by proceedings in the nature of certiorari.

Sec. 12-27. - Confidentiality.

To the extent allowed by law and specifically O.C.G.A. 50-18-72(a)(19), information contained and gathered in any manner pursuant to this Article, including but not limited to, alarm system registration and enforcement, no response records, and appeals records, will be held in confidence by the City.

Sec. 12-28. - Government Immunity

Alarm registration is not intended to, nor will it, create a contract, duty or obligation, either expressed or implied, of response. Any and all liability and consequential damage resulting from the failure to respond to a notification is hereby disclaimed and governmental immunity as provided by law is retained. By applying for an alarm permit, the alarm user acknowledges that the Thomasville Police Department's response may be influenced by factors such as: the availability of police units, priority of calls, weather conditions, traffic conditions, emergency conditions, staffing levels and prior response history.

Sec. 12-29 through 12-51 Reserved."

SECTION II

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

SECTION III

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

SECTION IV

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

SECTION V

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

SECTION VI

BE IT FURTHER ORDAINED and it is hereby declared that in the event that any phrase, clause, sentence, paragraph or section of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgement or decree of any court of competent jurisdiction, it is the express intent of the Mayor and the Council of the City of Thomasville that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs or sections of this ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION VII

This ordinance was introduced and read at a lawful meeting of the City council for the City of Thomasville, Georgia, held November 13, 2023, and read the second time, passed and adopted in like meeting held on December 11, 2023.

NEW BUSINESS

Consideration of Ordinance to authorize acquisition of property from 1217 Old Albany Road in connection with the Lift Station 10 Project.

Project Manager, Eve Geyer reported that the Sanitary Sewer Department will be replacing an existing flooded suction canned lift station at Lift Station 10 with a new submersible pumping system, which is located on Old Albany Road just north of Plantation Oaks. This is part of an on-going program to upgrade all of the canned stations with submersible units, which are much safer for employees to maintain and are much more reliable than the existing canned stations. This is the last lift station with a flooded suction canned station. It is necessary to acquire property in connection with this project on a portion of 1217 Old Albany Road. The acquisition of property is 0.034 acres located at 1217 Old Albany Road from Lem Properties, Inc. and is necessary for furtherance of the improvements for the Lift Station 10 Project. The consideration paid will be One Thousand Four Hundred Eighty-Nine and 20/100 Dollars (\$1,489.20). In the interest of completing the improvements in a timely and cost-effective manner, City Staff requests that City Council approve the acquisition of the property under emergency resolution on first and second reading.

1. Resolution of Emergency to consider an ordinance on first and second reading to authorize acquisition of property in connection with the Lift Station 10 Project.

Councilmember Warren motioned to adopt the resolution of emergency as presented. Mayor Pro Tem Mobley seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

The adopted Resolution of Emergency follows.

RESOLUTION OF EMERGENCY

WHEREAS, the City of Thomasville ("City") is constructing sewer lift station improvements along Old Albany Road specifically as to Lift Station 10 ("Improvements"), which are also in the area of the Old Albany Road Sidewalk Project (GDOT PI #0015394) ("Project") being constructed by the City in conjunction with the Georgia Department of Transportation;

WHEREAS, in connection with the improvements City has determined that is necessary to acquire in fee simple 0.034 acres of land located at 1217 Old Albany Road ("Property"), currently owned by Lem Properties, Inc. ("Owner");

WHEREAS, Owner is willing to sell the Property to the City of Thomasville in connection with the Improvements for One Thousand Four Hundred Eighty Nine and 20/100 Dollars (\$1,489.20);

NOW THEREFORE BE IT RESOLVED, that in the interest of completing the Improvements in a timely and cost effective manner, the Mayor and Council of the City of Thomasville hereby determine that there exists an emergency requiring the adoption of an ordinance to authorize the acquisition of the Property described above on first and second readings at this one meeting pursuant to City of Thomasville Ordinance Section 2-2.

SO DONE this the 11th day of December, 2023.

2. First and second reading of an ordinance to authorize acquisition of 0.034 acres of property located at 1217 Old Albany Road in connection with Lift Station 10 Project.

Councilmember Scott motioned to order the ordinance to authorize acquisition of property located at 1217 Old Albany Road in connection with Lift Station 10 Project, as read for the first and second times, under resolution of emergency, passed and adopted as presented. Councilmember Chastain seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

The ordinance ordered as read for the first and second times, under resolution of emergency, passed and adopted follows.

AN ORDINANCE TO AUTHORIZE THE ACQUISITION IN FEE SIMPLE 0.034 ACRES OF LAND LOCATED AT 1217 OLD ALBANY ROAD IN CONNECTION WITH THE LIFT STATION 10 PROJECT; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

SECTION I

WHEREAS, the acquisition by the City of approximately 0.034 located at 1217 Old Albany Road ("Property") from Lem Properties, Inc. ("Owner") in the name of the City is necessary in connection with the connection with the improvements for the Lift Station 10 Project ("Project"), and such property is more particularly described on Exhibit "A" attached hereto and made a part hereof;

WHEREAS, the City Council of Thomasville, Georgia, recognizes that the purchase of the Property is necessary to and in furtherance of the Project, is a valid public purpose, and the Project is of significant benefit to the citizens of the City and their health and safety; and

WHEREAS, the purchase of the Property will be a cost effective measure for the goals and objectives in furtherance of the Project.

SECTION II

NOW, THEREFORE, BE IT ORDAINED by the Council of Thomasville, Georgia, and it is hereby ordained by the authority of the same (i) that the acquisition of the Property by the City in the name of the City, more particularly shown on Exhibit "A", is hereby authorized for a purchase price of One Thousand Four Hundred Eighty Nine and 20/100 Dollars (\$1,489.20); (ii) that the preliminary acquisition notice attached hereto and incorporated herein is hereby ratified and approved; (iii) that the Mayor is authorized to take all actions and to do all things necessary to carry out the purposes and intent set forth in this ordinance and to effect the purchase of the Property, under such other terms and conditions as may be necessary and appropriate in his judgement and discretion, in consultation with the City Attorney, including but not limited to the execution of settlement statements and other related closing documents.

SECTION III

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon its final adoption.

SECTION IV

BE IT FURTHER ORDAINED that the provisions of this ordinance shall not be made a part of the official codified ordinances of the City of Thomasville but will nevertheless be spread upon the public minutes and records of the City of Thomasville.

SECTION V

Following the passage of a resolution of emergency, this ordinance was introduced and read at a lawful meeting of the Council of the City of Thomasville, Georgia,

held on Monday, December 11, 2023, and read a second time, passed and adopted that same meeting.

Consideration of Ordinance to authorize acquisition of permanent utility easement in connection with the Old Albany Road Sidewalk Project (GDOT PI #0015394).

City Attorney, Tim Sanders reported that on December 7, 2021, the City of Thomasville was selected to be awarded by the Georgia Department of Transportation for fiscal year 2022 funding for right-of-way (ROW) funds for the Old Albany Road Sidewalk Project (GDOT PI #0015394). It is necessary to acquire a permanent utility easement of approximately 449.30 square feet at 720 Old Albany Road from Eddie Hill in exchange for consideration of \$720.00. A map of the acquisition area was reviewed. Attorney Sanders further reported that this is the final acquisition to be closed by a purchase in connection with this Project and requested that in the interest of completing the acquisition in a timely and cost-effective manner, it is requested that City Council approve the acquisition of the property under emergency resolution on first and second reading.

1. Resolution of Emergency to consider an ordinance on first and second reading to authorize acquisition of permanent utility easement in connection with Old Albany Road Sidewalk Project.

Councilmember Warren motioned to adopt the Resolution of Emergency as presented. Councilmember Scott seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

The adopted Resolution of Emergency follows.

RESOLUTION OF EMERGENCY

WHEREAS, the City of Thomasville was awarded funding for right-of-way acquisition in connection with the Old Albany Road Sidewalk Project (GDOT PI #0015394) ("Project") by the Georgia Department of Transportation for the fiscal year 2022;

WHEREAS, the acquisition by the City of a permanent utilities easement of 449.30 square feet at 720 Old Albany Road ("Easement") from Eddie Hill ("Owner") in the name of the City of Thomasville is necessary in connection with the construction and maintenance of the Project;

WHEREAS, the acquisition of the Easement is the last and final easement to be acquired by purchase in connection with the Project.

NOW THEREFORE BE IT RESOLVED, that in the interest of completing the Project in a timely and cost effective manner, the Mayor and Council of the City of Thomasville hereby determine that there exists an emergency requiring the adoption of an ordinance to authorize the Easement described above on first and second readings at this one meeting pursuant to City of Thomasville Ordinance Section 2-2.

SO DONE this the 11th day of December, 2023.

2. Parcel #38: First and second reading, under resolution of emergency, of an ordinance to authorize acquisition of permanent utility easement in connection with Old Albany Road Sidewalk Project (GDOT PI #0015394).

Councilmember Chastain motioned to order the ordinance to authorize acquisition of permanent utility easement in connection with Old Albany Road Sidewalk project as read for the first and second times, under resolution of emergency, passed and adopted as presented. Mayor Pro Tem Mobley seconded the motion. There was no 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 under resolution of emergency as passed and adopted follows.

AN ORDINANCE TO AUTHORIZE THE PURCHASE OF A PERMANENT GENERAL UTILITIES EASEMENT OF APPROXIMATELY 449.30 SQUARE FEET LOCATED AT 720 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.

SECTION I

WHEREAS, the City of Thomasville was awarded funding for right-of-way acquisition in connection with the Old Albany Road Sidewalk Project (GDOT PI #0015394) (“Project”) by the Georgia Department of Transportation (“GDOT”) for the fiscal year 2022;

WHEREAS, the acquisition by the City of a permanent general utilities easement of approximately 449.30 square feet located at 720 Old Albany Road (“Utilities Easement”) from Eddie Hill (“Owner”) in the name of the City is necessary in connection with the construction and maintenance of the Project, and such Utilities Easement is more particularly described on **Exhibit “A”** attached hereto and made a part hereof;

WHEREAS, the City Council of Thomasville, Georgia, recognizes that the purchase of the Utilities Easement is necessary to and in furtherance of the Project, is a valid public purpose, and the Project is of significant benefit to the citizens of the City and their health and safety; and

WHEREAS, the purchase of the Utilities Easement will be a cost effective measure for the goals and objectives in furtherance of the Project.

SECTION II

NOW, THEREFORE, BE IT ORDAINED by the Council of Thomasville, Georgia, and it is hereby ordained by the authority of the same (i) that the acquisition of the Utilities Easement by the City in the name of the City, more particularly shown on **Exhibit “A”**, is hereby authorized for a purchase price of Seven Hundred Fifty and 00/100 Dollars (\$750.00); (ii) that the general agreement attached hereto and incorporated herein as **Exhibit “B”** is hereby ratified and approved; (iii) that the Mayor is authorized to take all actions and to do all things necessary to carry out the purposes and intent set forth in this ordinance and to effect the purchase of the Utilities Easement, under such other terms and conditions as may be necessary and appropriate in his judgment and discretion, in consultation with the City Attorney, including but not limited to the execution of settlement statements and other related closing documents; and (iv) that the forgoing (i-iii) are conditioned upon and subject to Owner executing a general utilities easement in a form and substance as approved by the City Attorney and substantially similar to that which is attached hereto and made a part here of as **Exhibit “C.”**

SECTION III

BE IT FURTHER ORDAINED that this ordinance shall become effective immediately upon its final adoption.

SECTION IV

BE IT FURTHER ORDAINED that the provisions of this ordinance shall not be made a part of the official codified ordinances of the City of Thomasville but will nevertheless be spread upon the public minutes and records of the City of Thomasville.

SECTION V

Following the passage of a resolution of emergency, this ordinance was introduced and read at a lawful meeting of the Council of the City of Thomasville, Georgia, held on

Monday, December 11, 2023, and read a second time, passed and adopted that same meeting.

Public Hearing and first reading of an ordinance to close a portion of Roddenberry Street between Alexander Street and McKinley Street.

City Attorney, Tim Sanders reported a portion of Roddenberry Street bordered on the north by Alexander Street and on the south by McKinley Street is overgrown and inaccessible for purposes of ingress and egress. He reviewed the steps that must be taken in order for the City to close a street or alley, with the Council finding that the street or alley has for any reason ceased to be used by the public to the extent that no substantial public purpose is served by it or that its removal from the municipal street system is otherwise in the best public interest as follows:

1. Perform title work to determine owners of property adjoining portion of the street or alley that will be closed, as well as other interested parties of record, such as lien holders.
2. Set a date for a public hearing (first reading of ordinance).
3. Provide notice directly to adjoining property owners and any lien holders of record at least 10 days in advance of public hearing.
4. Run a notice in paper two consecutive weeks to provide 10 days advance notice of the hearing.
5. Conduct the public hearing and first reading of the ordinance.
6. Consider the second reading of the ordinance at following Council meeting.
7. Once passed on second reading, record the ordinance in the real estate records of the Clerk of Superior Court.

Under Georgia law, once closed the full ownership of the former street or alley reverts to the adjoining landowners, each to the center line. Adjoining property owners petitioned the City to close this portion of Roddenberry Street and in accordance with Georgia law, a notice of the proposed closure has been published twice for two consecutive weeks in Thomasville Times-Enterprise, as well as being mailed to owners and other interested parties of record by certified mail.

Councilmember Warren motioned to order the ordinance to close a portion of Roddenberry Street between Alexander Street and McKinley Street, as read for the first time, passed and carried over. Mayor Pro Tem Mobley seconded the motion. Councilmember Warren asked if the City was required to have the property appraised prior to closing the portion of street. Attorney Sanders noted it was not as the roadway closes, ceases to exist and property reverts to adjacent owners to the center line. There was no further discussion. The motion remained unchanged. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

The title of the ordinance ordered as read for the first time, passed and adopted follows.

AN ORDINANCE TO CLOSE THAT PORTION OF RODDENBERRY STREET BOUNDED BY
ALEXANDER STREET ON THE NORTH AND MCKINLEY STREET ON THE SOUTH

Public Hearing and first reading of an ordinance to close an unused alley between East Jefferson Street and East Jackson Street.

City Attorney, Tim Sanders reviewed the steps listed above for the closing of an alley or street. Under Georgia law, once closed the full ownership of the former street or alley reverts to the adjoining landowners, each to the center line. Adjoining property owners petitioned the City to close the alley and in accordance with Georgia law, a notice of the proposed closure has been published twice for two consecutive weeks in Thomasville Times-Enterprise, as well as being mailed to owners and other interested parties of record by certified mail.

Councilmember Scott motioned to order the ordinance to close an unused alley between East Jefferson Street and East Jackson Street, as read for the first time, passed and carried over. Councilmember Chastain seconded the motion. Mr. John Wood, resident of Jefferson Street, was present and spoke in favor of closing this alley. 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 ordered as read for the first time, passed and adopted follows.

AN ORDINANCE TO CLOSE THAT CERTAIN ALLEY LOCATED IN THE CITY OF
THOMASVILLE RUNNING PARALLEL BETWEEN E. JEFFERSON STREET AND E.
JACKSON STREET, THE NORTHEAST END OF WHICH IS BORDERED BY N. HANSELL

STREET AND THAT RUNS IN A SOUTHWESTERLY DIRECTION TOWARD N. LOVE STREET

Resolution to approve revised City of Thomasville Procurement Policy.

City Attorney, Tim Sanders reported the current procurement policy contains provisions in need of amendment as follows:

Preferences for Minority and Women Owned Businesses:

The current procurement policy contains provisions that extend preferential treatment to minority owned, businesses, women owned business, as well as local businesses. In short, the provisions extending preferential treatment to minority and women owned businesses have been struck from the revised policy because they would not survive a legal challenge. In order to survive a legal challenge, race-centric or gender-centric preferences must be remedial in nature and supported by actual, statistical evidence that there is a past history of discrimination in the awarding of public contracts. There is no documented history of the City of Thomasville engaging in discriminatory practices with respect to the awarding of public contracts and therefore no basis upon which to defend the need for race-centric or gender-centric preferences.

Preferences Locally Owned Businesses:

With regard to provisions extending preferences to local businesses, such provisions are technically permissible under the law, except where preempted by Georgia or Federal law, as is the case with contracts falling under Georgia's Public Works Construction Law and Public Roads Construction Law. However, after review and consideration of the time, effort, and documentation necessary to define what constitutes a local business, determine and document whether bidders and other parties are in fact local businesses, staff recommends removing the local preference provisions. In staff's final analysis, the determination and documentation has been judged to be too difficult and time consuming to attempt to fully implement the local preference provisions. The local business preference provision has been removed from the revised policy.

Leases of Personal Property and Non-Responsive Invitations to Bid:

In addition, since adoption of the current policy staff has identified a need to authorize the City Manager, or his or her designee, to enter leases for personal property as long as the total monetary obligation of the City for the term of the lease, including any renewal terms, is less than One Hundred Thousand Dollars (\$100,000). This authorization does not extend to real property in any way. The revised provision appears on page twelve (12) of the revised policy under the heading "Leases (Personal Property)."

Finally, staff has experienced a number of instances in which the policy requires the purchase of vehicles or equipment through a competitive process, either invitations to bid or requests for proposals and either no responses are received, the responses exceed the budgeted amount, or the delivery time is incompatible with the documented needs of the City.

A new provision, appearing on page eleven (11) of the revised policy, captioned "Purchases of Vehicles and Equipment in Non-Responsive and Other Circumstances," authorizes the City Manager, or his or her designee, to direct the acquisition of such vehicles or equipment that meet the documented needs of the City from any available source upon such terms and conditions as the City Manager deems reasonable and in the best interest of the City. In the event a purchase is made pursuant to this section and the negotiated amount exceeds the amount budgeted for such item, the purchase must be ratified by the Council at the next Council meeting.

Councilmember Warren motioned to adopt the resolution to approve the revised City of Thomasville Procurement Policy, as presented. Councilmember Scott seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

The adopted resolution follows.

CITY OF THOMASVILLE, GEORGIA

RESOLUTION

WHEREAS, the City Council of the City of Thomasville approved a procurement policy and now desires to approve a revised procurement policy.

NOW THEREFORE BE IT RESOLVED, that the recitals set forth above are incorporated herein by reference as if set forth fully herein.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Procurement Policy attached hereto as Exhibit A is hereby approved by the City Council of the City of Thomasville.

SO RESOLVED, this 11th day of December, 2023.

This resolution shall be effective immediately upon its adoption.

Consider Resolutions in reference to the adoption of the City of Thomasville FY2024 Proposed Budget.

Chief Financial Officer, Ashley Cason reported Council was previously presented with the City of Thomasville Proposed budget FY 2024, which includes proposed fees and utility rates for fiscal year 2024. It was noted that three separate resolutions in reference to the adoption of the City of Thomasville FY2024 Proposed Budget were required.

1. Resolution to adopt City of Thomasville FY 2024 Departmental Fee Schedules.

Every year when preparing the budget, each of the Utilities and Enterprise Funds are reviewed to determine whether rates and fees need to be adjusted to cover the cost of providing services. These costs include operating and capital costs along with any applicable debt and reserve obligations. On November 13th, 2023, the Proposed Budget was presented to Council at a scheduled budget review meeting. The following Funds requested proposed changes to their current fee schedule, which are all represented in the 2024 Proposed Budget.

- Cemetery
- Electric
- Fire
- Golf Course
- Landfill
- Natural Gas
- Planning and Zoning
- Special Facilities (Auditorium)
- Solid Waste
- Wastewater
- Water

CFO Cason reported there had been no changes to the City-Wide Fee Schedule since its presentation at the Workshop prior to this meeting.

Councilmember Warren motioned to approve the City-Wide fee Schedule as presented. Mayor Pro Tem Mobley seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

The adopted resolution follows; the City-Wide Fee Schedule will be made a part of the permanent record of this meeting.

City of Thomasville City Wide Fees Resolution Fiscal Year 2024

WHEREAS, the City of Thomasville provides certain services which are deemed to be for the general welfare and in the best interest of its citizens; and

WHEREAS, the provisions of these services require the collection of revenue and the appropriation of expenditures; and

WHEREAS, the fiscal year of the City of Thomasville begins on the 1st day of January, and ends on the 31st day of December of each year; and

WHEREAS, a city-wide fee schedule has been prepared and itemized by Enterprise Fund for the projected revenues for the fiscal year 2024:

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Thomasville that the city-wide fees be adopted as presented by the Chief Financial Officer and attached.

SO DONE, in regular session of the Council of the City of Thomasville this the 11th day of December 2023.

2. **Resolution to adopt City of Thomasville FY 2024 Utility Rates.**

CFO Cason reported that Every year when preparing the budget, each of the Utilities and Enterprise Funds are reviewed to determine whether rates and fees need to be adjusted to cover the cost of providing services. These costs include operating and capital costs along with any applicable debt and reserve obligations. On November 13th, 2023, the Proposed Budget was presented to Council at a scheduled budget review meeting. At this meeting, we provided the Council with the following proposed utility rate adjustments, which are all represented in the 2024 Proposed Budget.

- 5% Utility Rate Increase for Water
- 10% Utility Rate Increase for Wastewater
- 15% Utility Rate Increase for Solid Waste
- 5% Utility Rate Increase for Electric

CFO Cason noted there were no changes to the Utility Rate Schedule as presented at the Workshop prior to this Council Meeting. It was noted that collectively, the average residential customer could see roughly a \$20.13 per month increase.

Councilmember Chastain motioned to adopt the resolution to adopt the City of Thomasville FY2024 Utility Rates as presented. Councilmember Warren seconded the motion. Councilmember Scott asked what customers could expect as an increase in monthly bills. CFO Cason reiterated it would be an approximate \$20.00+/- increase.

The adopted resolution follows; the adopted FY2024 Utility Rates will be made a part of the permanent record of this meeting.

City of Thomasville Utility Rates Resolution Fiscal Year 2024

WHEREAS, the City of Thomasville provides certain services which are deemed to be for the general welfare and in the best interest of its citizens; and

WHEREAS, the provisions of these services require the collection of revenue and the appropriation of expenditures; and

WHEREAS, the fiscal year of the City of Thomasville begins on the 1st day of January, and ends on the 31st day of December of each year; and

WHEREAS, a utility rate schedule has been prepared and itemized by Utility Fund for the projected revenues for the fiscal year 2024:

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Thomasville that the Water, Wastewater, Electric, and Solid Waste utility rates be adopted as presented by the Chief Financial Officer and attached.

SO DONE, in regular session of the Council of the City of Thomasville this the 11th day of December 2023.

3. **Resolution to adopt the City of Thomasville FY2024 Budget.**

CFO Cason reported that the operating and capital budgets are one of the most important documents a government can produce. The budget works as a financial planning tool, a policy and legally binding document, a guide for operations and capital, and a communication device that expresses to the citizens the Council's vision for the City. Each year, the City is responsible for adopting the operating and capital budgets for the upcoming fiscal year. It was noted that on November 13th, 2023, the Proposed Budget was presented

to Council at a scheduled budget review meeting. At this meeting, the Council discussed the budget timeline and the process to develop the budget and the number of new positions (net 0 additional positions) for 2024. The council was also provided with a high-level overview of some key takeaways in the Proposed Budget. This included the following:

1. No Property Tax Included in Proposed Budget
2. 5% Utility Rate Increase for Water
3. 10% Utility Rate Increase for Wastewater
4. 15% Utility Rate Increase for Solid Waste
5. 5% Utility Rate Increase for Electric
6. Electric Transfers to the General Fund is \$12.4 million.
7. Implementation of Pay and Class Study Recommendations for Public Safety
8. The following Budget Cuts were made to the 2024 Budget Requests:
 - a. 23% of Mainstreet Events
 - b. Most of the Travel and Training budgets were cut unless certification required.
 - c. Remington Project downgraded to resurfacing only.
 - d. Modified Medical Insurance Plan
 - e. 47 Vacant Positions were Unfunded.
 - f. Postponed Food Truck Lot, Hansell Street Sidewalk Project, Downtown Bathrooms, and Administrative Building Repairs

The Proposed Budget for 2024 includes \$155,747,214 in revenues and \$135,369,460 in operating expenses. The budget also includes transfers from the utility funds to the general fund of \$12,919,000 and no ad valorem taxes. A public hearing was held on November 30th, 2023, for citizens' input.

Councilmember Scott motioned to adopt the resolution to adopt the City of Thomasville FY2024 Budget, as presented. Mayor Pro Tem Mobley seconded the motion. Councilmember Warren asked if the proposed budget was a balanced budget. CFO Cason stated that it was. There was no further discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

The adopted resolution follows.

City of Thomasville Budget Resolution Fiscal Year 2024 Operating and Capital Budget

WHEREAS, the City of Thomasville provides certain services which are deemed to be for the general welfare and in the best interest of its citizens; and

WHEREAS, the provisions of these services require the collection of revenue and the appropriation of expenditures; and

WHEREAS, the fiscal year of the City of Thomasville begins on the 1st day of January, and ends on the 31st day of December of each year; and

WHEREAS, a budget has been prepared which itemizes projected revenue and proposed expenditures for the fiscal year 2024:

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Thomasville that for the following budget be adopted for the various funds of the City of Thomasville and for the various Utilities funds as presented by the Chief Financial Officer and attached.

BE IT FURTHER RESOLVED, that certain appropriations as outlined in the capital budget document are contingent upon the receipt of federal and state grant funds and other revenues and those appropriations will be disbursed only as those funds become available.

BE IT FURTHER RESOLVED, that the revenue from the Utilities Department of the City of Thomasville be transferred on an as needed basis.

SO DONE, in regular session of the Council of the City of Thomasville this the 11th day of December 2023.

Resolution to authorize submission of grant application to the Environmental Protection Department (EPD) for the Solid Waste Trust Fund Grant Program Recycling and Waste Diversion (RWD) Grant.

Director of Landfill & Solid Waste, Jimmy Smith, Jr. reported the Solid Waste Trust Fund (SWTF) Grant Program furthers the goals of the applicant by providing financial support for projects that meet the requirements described in O.C.G.A. § 12-8-27.1 and O.C.G.A. § 12-8-37.1 of the Georgia Comprehensive Solid Waste Management Act (Act), and Rule 391-3-21.17 of Rules and Regulations of the State of Georgia (Rules). The Recycling and Waste Diversion (RWD) Grant, created as a part of the SWTF Grant Program, will reduce solid waste in Georgia, recover valuable materials, support manufacturing, and encourage innovation. Currently, the equipment used at the recycling center has reached its end of life and needs to be replaced to provide safe and efficient use. While recycling has gone down since 2019, there was an increase in 2022. With the new equipment, the recycling program can once again become self-sustaining while reducing the amount of waste going into our landfill. No matching funds are required, however, existing staff salaries related to this project will be included in the application as leverage in the amount of approximately \$245,000. It is requested that the Council approve a maximum of \$585,000 toward this project and take appropriate action and authorize the Mayor or Mayor Pro Tem to sign all necessary documents related to the Recycling and Waste Diversion (RWD) Grant Program application.

Councilmember Scott motioned to adopt the resolution to authorize submission of grant application to the EPD for the Solid Waste Trust Fund Grant Program RRWD Grant, as presented. Councilmember Chastain seconded the motion. Director Smith commended the efforts of Grants Administrator and Solid Waste Administrative Staff on data collection for this application. There was no further discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

The adopted resolution follows.

RESOLUTION

WHEREAS, the Council of the City of Thomasville, Georgia, desires to provide waste reduction and increased recycling opportunities for our community; and,

WHEREAS, the Council of the City of Thomasville, Georgia, desires to apply to the Environmental Protection Department's (EPD) Solid Waste Trust Funds Recycling and Waste Diversion (RWD) grant program for the purchase of recycling equipment to assist with improving the function of the local waste management facilities; and,

WHEREAS, the City of Thomasville Solid Waste Department has an opportunity to submit an EPD RWD application for a grant of up to five hundred-eighty-five thousand (\$585,000) so as to obtain funding assistance; 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 RWD grant application; and,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Thomasville, Georgia, hereby authorizes the submission of an EPD RWD grant application in an amount up to \$585,000; and,

BE IT FURTHER RESOLVED, by the Council of the City of Thomasville, Georgia, hereby authorizes the allocation of FY 2024 Budget funds for this project; and,

BE IT FURTHER RESOLVED that the Council of the City of Thomasville, Georgia, further authorizes the Mayor or Mayor Pro Tem of the City of Thomasville, as the signatory on all necessary and related documents as shall be necessary in relation to the EPD RWD grant application.

PASSED, APPROVED, AND ADOPTED by the Council of the City of Thomasville, Georgia, on this, the 11th day of December 2023.

Motion to approve renewal of 2024 Group Health Coverage Plan.

Executive Director-HR, Risk Management & Community Outreach, Dominic Ford reported that Council had requested to review the new year’s renewal information. The group benefits and insurance broker, J. Smith Lanier/Marsh & McLennan published a request for proposal for the City of Thomasville’s 2024 Group Health Plan renewal rates and presented the staff with the best renewal options. Director Ford reviewed the PowerPoint presentation provided to Councilmembers in their packet.

Councilmember Warren motioned to approve the renewal of 2024 Group Health Coverage Plan as presented. Mayor Pro Tem Mobley seconded the motion. There was no discussion the motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

Motion to approve Beer, Wine and Liquor Package License for J’s Wine & Spirits.

Customer Service Manager, Melissa Creel reported Yash Raj Liquor LLC., DBA J’s Wine and Spirits at 1414 E Jackson Street, has applied for a Beer, Wine and Liquor Package License. It was noted that there has been a change of ownership, and the applicant has been through the proper procedures and has completed all applications and paperwork for approval. This license issued by the City is conditioned upon the applicant obtaining a like permit from the Georgia Department of Revenue, Alcohol, and Tobacco Tax unit.

Councilmember Scott motioned to approve the Beer, Wine and Liquor Package License as presented. Councilmember Chastain seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott, Chastain.

REPORTS

Councilmember Warren commended city staff on the coordination of successful holiday events held downtown and offered best wishes to City Council Candidate Elects Brown and Baker. She thanked Honorary Councilmember John Michael Allen for his service. Mr. Allen thanked Councilmembers for allowing him to participate.

Mayor Pro Tem Mobley, Councilmember Scott and Councilmember Chastain thanked Mayor Flowers and Councilmember Warren for their service as Councilmembers for the community.

Mayor Flowers noted that while the Council provides guidance, it is the solid leadership of the City Manager, Assistant City Managers, and others who are in leadership roles with the City, that run the City on a day-to-day basis. He noted that the community is blessed to have strong leadership who know what they are doing.

Mayor Flowers also encouraged the community to cheer on Thomas County Central Yellow Jackets as they compete in the 2023 State Championship Football Game in Atlanta, Georgia on Tuesday, December 12, 2023.

EXECUTIVE SESSION

Council Member Chastain motioned to close the public meeting and enter into an Executive Session for discussion of personnel and pursuant to O.C.G.A. § 50-14-3(b)(2). Councilmember Scott seconded. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

The meeting closed to the public at 6:30 PM.

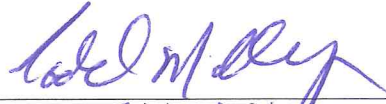
Following the duly held and adjourned Executive Session, the City Council Meeting was reopened to the public at 6:48 PM.

ADJOURNMENT

Having no further business for consideration, the Thomasville City Council Meeting was adjourned at 6:49 PM.

{Signature Page Follows}

CITY OF THOMASVILLE, GEORGIA



Mayor, Todd Mobley



ATTEST: City Clerk

