

## City of Thomasville Council Meeting, November 12, 2024

The Council of the City of Thomasville met in regular session on the above date. Mayor Todd Mobley presided, and the following Councilmembers were present: Mayor Pro Tem Terry Scott and Councilmembers Scott Chastain, and Royal Baker. Also present were the City Manager, Chris White; Assistant City Manager, Sheryl Sealy; City Attorney, Timothy C. Sanders; Chief Financial Officer, Ashley Cason; other city staff; citizens and members of the media. It shall be noted that Councilmember Lucinda Brown was not present at this meeting. 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 unable to attend the meeting via the City of Thomasville's online live stream feed located at [www.thomasville.org](http://www.thomasville.org).

### **CALL TO ORDER**

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

### **INVOCATION**

Mayor Todd Mobley gave the Invocation.

### **PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Terry Scott led the Pledge of Allegiance.

### **APPROVAL OF MINUTES**

Councilmember Chastain moved to approve the Regular City Council Meeting Minutes of October 28, 2024, as presented. Mayor Pro Tem Scott seconded the motion. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, Baker.

### **PROCLAMATION**

Mayor Mobley recognized the critical role recycling plays in caring for our environment and addressing the existential threat of climate change. He proclaimed November 15, 2024, as America Recycles Day and presented a proclamation to Executive Director of Keep Thomas County Beautiful, Julie Murphree, and Director of Solid Waste & Landfill, Jimmy Smith, Jr.

### **CITIZENS TO BE HEARD**

Mayor Mobley acknowledged the following citizen as listed on the Citizens to be Heard Sign-in Form.

1. Keith Thomas, resident of Woods Gate Lane, Thomasville, Georgia, commended City of Thomasville Inspectors and members of the City of Thomasville Planning and Zoning Staff for their service, dedication and hard work for Thomasville residents and business owners. He encouraged Councilmembers to reach out to Tim Watkins, the new candidate elect for Sherriff of Thomas County to show their support. Mr. Thomas also suggested that additional signs be placed on South Pinetree Boulevard to address the excess litter in the area.

### **ADOPT AGENDA**

Mayor Pro Tem Scott moved to adopt the agenda as presented. Councilmember Chastain seconded the motion. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, Baker.

**OLD BUSINESS**

**Second reading of an ordinance to rezone 610 North Stevens Street from R-1, Single-Family Residential to DE, Downtown Edge-Limited use (Residential).**

City Planner Kenny, Thompson reported there had been no changes to the ordinance since its passage on first reading. It was noted that Councilmembers had indicated their desire to change the proposed zoning; however, the requested change could not be considered without properly disposing of the current proposed ordinance at hand. Mayor Mobley called for a motion to be made for the consideration of the second reading of the ordinance as presented. There was no motion made. Mayor Mobley noted that the motion is no longer before Council and considered dead.

**NEW BUSINESS**

**Show Cause Hearing – Alcohol Beverage Violations.**

City Attorney, Timothy C. Sanders, opened the meeting for Show Cause Hearings regarding Mystery Shopper Alcoholic Beverage Violations pursuant to the provisions set forth within Thomasville Municipal Code Chapter 3 “Alcoholic Beverages”. Attorney Sanders reported on June 1, 2024, the Thomasville Police Department conducted the annual Mystery Shopper detail in Thomasville, Georgia to assure all businesses licensed in the city limits are within Georgia law. As a result of this investigative detail, and its subsequent actions, a total of twelve (12) establishments had employees who have pled guilty or been adjudicated guilty. Following the adjudication of the establishment’s employee, the establishment’s license holder is subject to a fine levied by the City Council pursuant to Section 3-31 of the Municipal Code. The Alcoholic Beverage License Holder has the right to request a show cause hearing to be held before the Council of the City of Thomasville, Georgia, as to why their license to sell alcoholic beverages at the establishment should not be suspended or revoked by Council because of the sale of alcoholic beverage to an underage person. Attorney Sanders reported that each of the establishments have provided proof that an Alcohol Beverage training program is in place and proof of the employee’s participation in the required alcohol beverage training program pursuant to Section 3-62 of the Municipal Code. Attorney Sanders reported four establishments were disposed of by Council during the October 28, 2024, Council Meeting, four establishments will be disposed of at this meeting and the remaining establishments will have their hearings at a later date. Attorney Sanders further reported the offenses are considered as first offenses as each establishment had no violations in the twelve months prior to this citation. Attorney Sanders reported representatives for following four establishments were present, chose not to contest the citation and have elected to pay the levied fine.

**ESTABLISHMENT**

1. The Billiard Academy, 121 South broad Street
2. Bob and Jeff’s IGA, 309 Smith Avenue
3. The Tavern on Broad, 112 North Broad Street
4. La Fogata, 14418 US Highway 19 South

**LICENSE HOLDER**

- L H Brock  
Jeff Hendricks  
Stephanie Jones  
Santiago R. Soloria

Councilmember Chastain moved to approve the levied fine of \$500.00 for each establishment, as a first offender for Alcohol Beverage Violation - License holder Sales to Underage persons pursuant to City of Thomasville Municipal Code § 3-31 as presented. Councilmember Baker seconded the motion. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, and Baker.

**Consider first reading of an ordinance to rezone 610 North Stevens Steet from R-1, Single-Family Residential, to DE, Downtown Edge-Limited Use (Single-Family Residential).**

City Planner, Kenney Thompson reported as per Council’s request this item has been revised to accommodate additional restrictions. He further reported that zoning was first applied to this property in 1958, when it was zoned R-1, Residential along with the surrounding area. However, the historic properties in the neighborhood are generally



smaller than what is allowed under the R-1 zoning, with lot widths ranging from 38'-60' and lot areas ranging from 4,500 sq. ft. to 6,000 sq. ft. In 2023 the City adopted a new set of zoning requirements for the downtown and adjacent areas, which includes the Downtown Edge zone. This district is primarily characterized by a mix of commercial and residential building types that are compatible with Thomasville's traditional neighborhoods. Buildings include pedestrian-oriented frontages with access via porches, stoops, and forecourts. After further discussion to limit the potential negative impact of commercial uses on the property and for the protection and benefit of neighboring properties and neighbors to ameliorate the potential negative effects of a zoning change, the Council expressed a desire to place a Limited Use designation on the property.

- The rezoning request has been modified to Downtown Edge, Limited Use (Single-Family Residential).
- The Limited Use (LU) zoning only allows for the prescribed uses (in this case, single-family residential).
- The Single-Family Residential designation will prohibit any other use of the property that would otherwise be allowed by the Downtown Edge zoning district.
- All other development standards within the Downtown Edge district will still apply to the property.

Mayor Pro Tem Scott moved to order the ordinance to rezone 610 North Stevens Street from R-1, Residential to DE, Downtown Edge-Limited Use (Single-Family Residential) as read for the first time passed and carried over, as presented. Councilmember Chastain seconded the motion. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Scott, Chastain and Baker.

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

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF THOMASVILLE, GEORGIA, OF 1971, AS AMENDED WHICH IS SET FORTH IN THE CODE OF THE CITY OF THOMASVILLE AS CHAPTER 22, CAPTIONED "ZONING", BY EXCLUDING A CERTAIN TRACT OF LAND FROM PARCEL 4 OF SECTION 22-91 CAPTIONED "R-1, SINGLE FAMILY RESIDENTIAL", TO DESCRIBE SAID EXCLUDED TRACT AND TO DESIGNATE THE SAID SAME TRACT AS PARCEL 2 OF SECTION 22-91 CAPTIONED "DE-DOWNTOWN EDGE-LIMITED USE (SINGLE-FAMILY RESIDENTIAL)". TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

**Consider first reading of an ordinance to amend Chapter 3, Alcoholic Beverages Approval and Issuance of Licenses by City Manager.**

City Attorney, Timothy C. Sanders reported the City's current ordinance provides that the City Council will issue alcoholic beverage licenses. The proposed amendments to Article II, Licenses, of the Alcoholic Beverage ordinance, would vest in the City Manager the authority to issue licenses and approve of the transfer of existing licenses. Violations of the City's Alcoholic Beverages ordinance would continue to come before the City Council to make any determination as to whether no action should be taken or whether the licenses should be suspended or revoked.

Councilmember Baker moved to order the ordinance to amend Chapter 3, Alcoholic Beverages as presented. Councilmember Chastain seconded the motion. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Scott, Chastain and Baker.

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

AN ORDINANCE TO AMEND THE CODE OF THOMASVILLE, GEORGIA, BY (1) AMENDING CHAPTER 3, ARTICLE II, LICENSES, SECTION 3-27, CAPTIONED "REQUIRED; CONSIDERATION AND APPROVAL; SUBSEQUENT ISSUANCE; CONDITIONAL APPROVAL;" (2) AMENDING CHAPTER 3, ARTICLE II, LICENSES, SECTION 3-28, CAPTIONED "DISQUALIFICATION PROVISIONS;" (3) AMENDING CHAPTER 3, ARTICLE II, LICENSES, SECTION 3-29, CAPTIONED "APPLICATION FORMS; LICENSE NOT TO ISSUE UNDER CERTAIN CONDITIONS;" (4) AMENDING CHAPTER 3, ARTICLE II, LICENSES, SECTION 3-31, CAPTIONED "PENALTIES, SUSPENSION; REVOCATION; DENIAL OF RENEWAL OR TRANSFER;" (5) AMENDING CHAPTER 3, ARTICLE II, LICENSES, SECTION 3-32, CAPTIONED "TRANSFERS;

CHANGES OF OWNERSHIP; LOCATIONS;" (6) REPEALING ALL ORDINANCES IN CONFLICT HERewith; AND (7) PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE AND FOR OTHER PURPOSES.

**Consider first reading of an ordinance to amend Chapter 18, Article IV, Hotel/Motel Excise Tax Collection Expenditures.**

City Attorney, Timothy C. Sanders reported the City collects an eight percent (8%) hotel motel tax that was authorized by a local act of the Georgia Legislature in 2016. There are three purposes for which hotel motel tax may be expended:

1. TCT: "Promoting tourism, conventions, and trade shows" means planning, conducting, or participating in programs of information and publicity designed to attract or advertise tourism, conventions, or trade shows." (O.C.G.A. §48-13-50.2(4))
  - a. (Example: TCT funds could be used to promote a fireworks show, but the TCT funds could not be used to buy the fireworks.)
2. TPD: "Tourism product development" means the expenditure of funds for the creation or expansion of physical attractions which are available and open to the public and which improve destination appeal to visitors, support visitors' experience, and are used by visitors. Such expenditures may include capital costs and operating expenses." (O.C.G.A. §48-13-50.2(6))
  - a. Tourism product development may include, but is not limited to:
    - i. Meeting, convention, exhibit, and public assembly facilities;
    - ii. Sports stadiums, arenas, and complexes;
    - iii. Visitor information and welcome centers;
    - iv. Wayfinding signage;
    - v. Museums, planetariums, art galleries, botanical gardens, aquariums, or zoological gardens;
    - vi. Parks, trails, and other recreational facilities; and
    - vii. Performing arts facilities.
3. Any other legal purpose.

Attorney Sanders further reported that of the eight percent (8%) collections of hotel motel tax, the TCT, TPD, and any other legal purpose represent the following portions of the collections:

1. TCT: 3.5%
2. TPD: 1.5%
3. Any Legal Purpose: 3%

The TCT portions may not be expended by the City and must be expended by either the Destination Thomasville Tourism Authority or another entity specified under Georgia law. The TPD portions and any other legal purpose portions may be expended by the City. Based on a review of Georgia law, it became apparent that certain changes should be made to bring the ordinance more closely in line with Georgia law and the uses of the various portions, as well as to address the reference to the old Roses department store property, which was previously a prospective site for an events center. Currently, Sec. 18-105 provides that the collections are allocated as follows:

1. TCT: 3.5% DTTA
2. TPD: 1.5% DTTA (for event center to be constructed at 207 S. Dawson)
3. Any Legal Purpose: DTTA

While the ordinance provides that the funds were to be expended by the DTTA, the past relationship between the DTTA and the City has been such that the Mainstreet/Tourism office of the City has overseen the actual expenditure of hotel motel tax collections through the City's budget process. As the City and the DTTA move forward, the DTTA will be taking a more independent role in the management and expenditure of the tax funds allocated to the DTTA. The proposed changes to the ordinance provide for an allocation of the collections of the eight percent (8%) as follows:

1. TCT: DTTA 3.5%
2. TPD: City 1.5%
3. Any Legal Purpose: City 3%

In connection with this ordinance amendment, the Council will also be asked to approve an agreement between the City and the DTTA concerning the expenditures of hotel motel tax collections. Additionally, at a later date there will be an amendment to the local act of the Legislature to bring the City's ordinance and the local act of the Legislature in line.



Mayor Pro Tem Scott moved to order the ordinance to amend Sec. 18-105 of Article IV, Chapter 18 concerning the expenditures of hotel motel tax collections, as presented. Councilmember Chastain seconded the motion. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, and Baker.

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

AN ORDINANCE TO AMEND THE CODE OF THOMASVILLE, GEORGIA, BY (1) AMENDING CHAPTER 18, ARTICLE IV, HOTEL/MOTEL EXCISE TAX, SECTION 18-105, CAPTIONED IMPOSITION AND RATE OF TAX; EXPENDITURE; (2) REPEALING ALL ORDINANCES IN CONFLICT HEREWITH; AND (3) PROVIDING FOR THE EFFECTIVE DATE OF THIS ORDINANCE AND FOR OTHER PURPOSES.

**Consideration of approval of agreement between the City and the Destination Thomasville Tourism Authority for expenditure of specified Hotel/Motel Tax Collections.**

City Attorney, Timothy C. Sanders reported that in connection with the amendment to Sec. 18-105 concerning the allocation and expenditure of the hotel motel tax collections, it is also necessary to update the agreement between the City and the DTTA. As previously mentioned, the DTTA will be taking on a more independent role in connection with pursuing the purposes for which the DTTA was formed, including the expenditure of the hotel motel tax collections allocated to the DTTA. The portion of the tax collections allocated to the DTTA by the amended ordinance will be 3.5% that is the TCT portion. The TCT portion may be expended for the “planning, conducting, or participating in programs of information and publicity designed to attract or advertise tourism, conventions, or trade shows.” (O.C.G.A. §48-13-50.2(4)). Again, as an example, TCT funds could be used to promote a fireworks show, but TCT funds could not be used to buy the fireworks. The proposed agreement, effective January 1, reflects the TCT funds comprising 3.5% of the hotel motel tax collections being allocated to the DTTA. The agreement also follows OCGA § 48-13-51(e)(2), which outlines a process by which the DTTA proposes a budget plan for the expenditure of the TCT funds allocated to the DTTA, which is then incorporated into the City’s budget to reflect the allocation and expenditure of the TCT funds by the DTTA. The DTTA is required to only expend the funds from the City “for and only for planning, conducting, or participating in programs of information and publicity designed to attract or advertise tourism, conventions, or trade shows within the corporate boundaries of the City” in accordance with the budget plan. The agreement provides for audit obligations on the DTTA regarding the use of the TCT funds and allows the City to verify that the funds have been spent appropriately.

Councilmember Chastain moved to approve the agreement between the City and the Destination Thomasville Tourism Authority and to authorize the Mayor to sign the agreement, as presented. Councilmember Baker seconded the motion. Councilmember Chastain reported that the DTTA Board agreed with the agreement and that the City can request any information regarding how the funds are being spent. There was no further discussion. The motion passed 4-0, with the following votes recorded: AYES; Mobley, Scott, Chastain, and Baker.

**Consider resolution requesting transfer of Lapham-Patterson House from the State of Georgia to the City.**

City Attorney, Timothy C. Sanders reported the Lapham-Patterson House, located at 626 N. Dawson Street, Thomasville, Georgia and situated on approximately one (1) acre (“House”), was built in approximately 1884 and placed on the National Register of Historic Places in 1970 having been designated by the Secretary of the Interior as a National Historic Landmark. The City purchased the House in 1970, conveyed it to the State of Georgia in 1971 and the House was then designated as a heritage preserve pursuant to O.C.G.A. §12-3-75. For the past several years, the House has been maintained and operated by the Thomasville History Center through an arrangement with the State. The State has expressed interest in transferring the House out of State hands. The History Center has expressed interest in owning and operating the House in connection with its operations, which entail continuing to keep the House open to tourists who visit Thomasville. Because of the heritage preserve designation, Georgia law, places a number of requirements and steps that must be met and taken in order to lift the heritage preserve designation and ultimately transfer the House out of State hands. In short, the City must make a request to the State DNR Board to remove the heritage preserve designation and transfer the House to the City. The resolution is the first step in a long process and provides, among other things, that the City may rescind its request at any time prior to formal acceptance of the House by an ordinance, which is required by Sec. 2-1 of the City’s Code of Ordinances. Simultaneously with the transfer to the City, the City is required by Georgia law to convey a conservation easement on the House to the

State, placing certain development restrictions on the House. The History Center, as the intended ultimate owner of the House, has reviewed the easement and is comfortable with the terms of the easement. At this point, the City would transfer the House to the Thomasville Payroll development Authority, which in turn would convey the House to the Center. The PDA would serve an intermediary role in this process because it was created to support industry and the general welfare of Thomasville and Thomas County, the tourism industry is an important component of the Thomasville/Thomas County economy, and the PDA is better equipped legally to transfer the House to the History Center. In 2025 the City, PDA and the History Center would enter into an agreement through which the City, PDA and History agree that upon transfer of the House to the City, there would be simultaneous closings that day to transfer the House to the History Center. The History Center would be legally obligated to accept the House and close the same day the House is transferred to the City. The History Center would also agree to indemnify and hold harmless the City and the PDA from any claims arising from the transactions and the City's and PDA's ownership of the House. The agreement would be entered into in 2025 to avoid the legal complications of the agreement straddling a calendar year and the issues that arise as to whether the agreement is still binding. Attorney Sanders provided the below summary of all of the steps that would be taken from start to finish:

1. The City requests by resolution that the House be transferred, the heritage preserve designation be lifted and describes in the resolution the intended uses of the House.
2. The resolution and request are then considered by the Board of the Dept. of Natural Resources, in this case at the Board's next meeting on December 3, 2024.
3. The City, PDA and the History Center enter into an agreement through which the History Center agrees to accept the House from the PDA once the House is transferred to the City and agrees to indemnify and hold the City and the PDA harmless from any and all claims associated with the House and the transfer of the House.
4. If the Board approves the request, the Board would pass its approval along to the State Properties Commission, who must also approve the request, along with the Legislature.
5. The Legislature would consider and approve the request to remove the heritage preserve designation and convey the House through the passage of a bill.
6. Once the bill is passed by the Legislature, the stage is set for the Governor to sign the bill into law, lifting the designation and conveying the House to the City.
7. The City would consider an ordinance on two readings to accept the House and convey the conservation easement to the State on the House.
8. Simultaneously with the conveyance of the House to the City, the City would also execute a conservation easement back to the State, as required by O.C.G.A. §12-3-76.\*
9. The City would convey the House to the PDA.\*
10. Finally, the PDA will convey the House to the History Center.\*

*\*Steps 8, 9 and 10 will occur all in one day and the City's and PDA's ownership of the House will be momentary and purely to facilitate the transfer of the House to the History Center.*

Mayor Pro Tem Scott moved to approve the resolution requesting the removal of the heritage preserve designation and transfer of the Lapham Patterson House to the City to be ultimately conveyed to the History Center, as presented. Councilmember Baker seconded the motion. Discussion ensued regarding the importance of the Lapham-Patterson House (affectionately called The LP House by locals) has in the Thomasville community. The motion remained unchanged and there was no further discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Scott, Chastain and Baker.

The approved resolution follows.

### **CITY OF THOMASVILLE, GEORGIA RESOLUTION**

WHEREAS, the Lapham-Patterson House, located at 626 N. Dawson Street, Thomasville, Georgia and situated on approximately one (1) acre ("House"), was built in approximately 1884 and placed on the National Register of Historic Places in 1970 having been designated by the Secretary of the Interior as a National Historic Landmark;



WHEREAS, the City of Thomasville (“City”) purchased the House in 1970, conveyed it to the State of Georgia in 1971 and the House was then designated as a heritage preserve pursuant to O.C.G.A. §12-3-75;

WHEREAS, the Department of Natural Resources of the State of Georgia (“DNR”) no longer desires to own and maintain the House and the Thomas County Historical Society, Inc., also known as the Thomasville History Center, a Georgia nonprofit corporation (“History Center”), desires to own and maintain the House in connection with and in furtherance of the History Center’s charitable purposes;

WHEREAS, the House is a tourist attraction and tourism is a vital component of the economy of the Thomasville;

WHEREAS, the Thomasville Payroll Development Authority (“PDA”) was created in 1960 by a local constitutional amendment to the Constitution of 1945 (Ga. L. 1960, p. 1329) (“1960 Amendment”);

WHEREAS, the PDA was created for the purpose of expanding and developing industry in the City of Thomasville and Thomas County and for improving the general welfare of Thomas County;

WHEREAS, O.C.G.A. §12-3-76(b) sets forth the procedures by which the State of Georgia and DNR may convey property subject to a heritage preserve designation, including but not limited to the requirement that such property may only be conveyed to a county or local government, subject to a perpetual conservation easement in turn being conveyed to the State of Georgia by the requesting county or local government;

WHEREAS, the City desires to request that the heritage preserve designation be lifted from the House, that the House be conveyed to the City, in accordance with the procedures set forth in O.C.G.A. §12-3-76(b), subject to a perpetual conservation easement being immediately thereafter conveyed to the State of Georgia in a form and substance substantially similar to the easement attached hereto and made a part hereof as Exhibit A (“Easement”);

WHEREAS, the City thereafter desires to in turn convey the House to the PDA in furtherance of the purposes of the PDA and the PDA will in turn convey the House to the History Center to be used and maintained by the History Center in connection with and in furtherance of the History Center’s charitable purposes.

NOW, THEREFORE, BE IT RESOLVED, as follows:

Section 1. Incorporation of Recitals. The Recitals set forth above are incorporated herein by this reference as if set forth fully in this Section 1.

Section 2. Request to Remove Heritage Preserve Designation. The City Council hereby requests that the State of Georgia and DNR remove the heritage preserve designation from the House.

Section 3. Request to Convey the House Subject to Conveyance of Conservation Easement. The City Council hereby requests that the State of Georgia and DNR convey the House to the City in accordance with the procedures set forth in O.C.G.A. §12-3-76(b), subject to the Easement being immediately thereafter executed and recorded in favor of the State of Georgia.

Section 4. Right to Terminate Requests. The preceding requests are subject to the unqualified right of the City to terminate both the request to remove the heritage preserve designation and the request to convey the House at any time prior to the City’s official acceptance of the House, as required by Sec. 2-1 of the Code of Ordinances of the City of Thomasville.

Section 5. General Authority. From and after the approval of this Resolution, the Mayor, Mayor Pro Tempore, City Manager, officers and employees of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be

necessary to comply with the purposes and intents of this Resolution, subject to the right to terminate the requests described herein, and all of the forgoing in consultation with the City Attorney.

Section 6. Actions Approved and Confirmed. All acts and doings of the City Council, Mayor, Mayor Pro Tempore, City Manager, officers and employees of the City that are in conformity with the purposes and intents of this Resolution and in the furtherance of this Resolution shall be, and the same hereby are, in all respects approved and confirmed.

Section 7. Severability of Invalid Provisions. If any one or more of the provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such provisions shall be null and void and shall be deemed separable from the remaining provisions and shall in no way affect the validity of any of the other provisions hereof or of the actions authorized, approved and confirmed hereunder.

Section 8. Repealing Clause. All resolutions or parts thereof in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 9.

Section 10. Effective Date. This resolution shall be effective immediately upon its adoption.

Adopted and approved this 12<sup>th</sup> day of November, 2024.

**Ratify resolution to authorize submittal of US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, FY24 Edward Byrne Memorial Justice Assistance Grant (JAG) and to authorize the Grants Administrator as the signatory for the online application.**

Thomasville Police Department Major, Shane Harris reported The Edward Byrne Grant Program provides investments in technology and equipment to allow law enforcement to more efficiently and effectively respond to the rise of crime and community violence. The purpose of this project is to add surveillance cameras to the department's existing Flock camera network. The Condor cameras offer two key features not present in the existing Falcon cameras. The Condor can detect human movement while alerting officers through the Flock software. The Condor also works with the Falcon cameras to detect vehicles of interest in criminal investigations. Lastly, the camera can be remotely operated by officers in the field. Officers can pan, tilt, and zoom in on objects up to 25 times magnification. Integrating the camera systems will increase the department's capability in detecting and solving crime. Data derived from the equipment will be used throughout Thomasville and Thomas County to help develop strategies to reduce crime. The outreach partners will also use the data and community-oriented strategies to reach communities throughout southwest Georgia with programs that target underserved communities plagued by disinvestment and crime. The expected outcome is a reduction in crime and an increase in prosecutions of the perpetrators based on the evidence collected. An increase in public outreach through education events and one-on-one mentoring is also expected. Intended beneficiaries are residents living in high-crime areas as well as adjacent businesses. Other beneficiaries include residents who are victims of violent crime through counseling and education regarding alternative behaviors to prevent and resolve conflicts. Primary activities will include the purchase of the Flock Safety Condor surveillance system. The Condor will assist officers in monitoring and determining causes of crime and providing evidence for prosecution. The Flock system Condor cost is \$102,000 and the data and strategies developed from this system will benefit approximately 44,000 Thomas County Residents.

Mayor Pro Tem Scott moved to approve and ratify the resolution to authorize the submittal of the grant as presented. Councilmember Chastain seconded the motion. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, and Baker.

The approved resolution follows.

**RESOLUTION**

WHEREAS, the Council of the City of Thomasville, Georgia, is committed to advancing work that promotes civil rights and equity, increases access to justice, supports crime victims and individuals impacted by the justice system, strengthens community safety, protects the public from crime and evolving threats, and builds trust between law enforcement and the community; and,



WHEREAS, the Council of the City of Thomasville, Georgia, desires to submit an application to the US Department of Justice, Office of Justice Programs, Bureau of Justice Assistance, FY24 Edward Byrne Memorial Justice Assistance Grant (JAG) to obtain funding for eight (8) Condor cameras to decrease crime and provide a safe community environment; and,

WHEREAS, the Council of the City of Thomasville, Georgia, desires to authorize authorizes the Grant Administrator, Pam Schalk, to make representation on behalf of the City of Thomasville, Georgia on all necessary and related documents as shall be necessary in relation to the FY24 Edward Byrne Memorial JAG online application; and,

WHEREAS, pursuant to the City of Thomasville's Grants Policies and Procedures, the application deadline for submission of the FY24 Edward Byrne Memorial JAG grant created the need for the application to be submitted prior to Council approval; therefore, the approval shall be ratified by the Mayor and Council.

NOW, THEREFORE, BE IT RESOLVED, by the Council of the City of Thomasville, Georgia, hereby ratifies the authorization for the submission of a FY24 Edward Byrne Memorial JAG application in an amount up to one hundred-two thousand dollars (\$102,000); and,

BE IT FURTHER RESOLVED, that the Council of the City of Thomasville, Georgia, further authorizes the Grant Administrator, Pam Schalk, to make representation on behalf of the City of Thomasville, Georgia on all necessary and related documents as shall be necessary in relation to the online FY24 Edward Byrne Memorial JAG online application: and,

PASSED, APPROVED, AND ADOPTED by the Council of the City of Thomasville, Georgia, on this, the 12<sup>th</sup> day of November 2024.

**Resolution to authorize submission of Environmental Protection Agency (EPA) Grant Application for the Solid Waste Infrastructure for Recycling (SWIFR) Grant Program.**

Director of Landfill & Solid Waste, Jimmy Smith, Jr., reported that approximately half of global greenhouse gas emissions are the result of natural resource extraction and processing. Increasing recycling reduces climate, environmental, and social impacts of materials use, and keeps valuable resources in use instead of in landfills. Some communities that lack waste management infrastructure do not have recycling programs, which increases the burden on our landfills and decreases their capacity. To reduce the impacts of materials and strengthen the U.S. recycling system, the EPA and others have undertaken significant efforts to advance the circular economy in the United States. The National Recycling Strategy proposes building a circular economy to reduce material use, redesign materials to be less resource intensive, and recapturing "waste" as a resource to manufacture new materials and products. The Solid Waste for Infrastructure (SWIFR) grant program funded through the BIL is an historic investment in the health, equity, and resilience of American communities. The unprecedented funding provided by the BIL through the SWIFR grants will assist local waste management authorities by supporting improvements to local post-consumer materials management, including municipal recycling programs, and assisting local waste management authorities in making improvements to local waste management systems. Currently the recycling bale center lacks the infrastructure needed to efficiently process recyclable materials. The lack of cover for the cardboard materials leads to water damage and contamination. There are no facilities for staff to get out of bad weather. The site is not fenced, and some materials are blown off-site by the wind resulting in a permitting violations. While recycling has gone down since 2019, there was an increase starting in 2022. Additional contractual staff is needed to meet and handle the increase in materials for sorting and processing. With the new facilities and additional staff, 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, a 20% contingency for this project will be included in the application. It is requested that Council approve the following:

1. Submission of an EPA SWIFR grant application, a maximum amount of \$500,000.00 for funding assistance towards infrastructure and staffing needs for improvements to the Solid Waste Recycling Bale Center; and
2. To authorize allocation of FY 2025 Budget funds for project; and

3. To authorize the Mayor, or his successor, to sign all necessary and related documents to the Solid Waste Infrastructure for Recycling Grant Program application and grant agreement.

Councilmember Chastain moved to approve the resolution as presented. Councilmember Baker seconded the motion. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, and Baker.

The approved 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 Agency's (EPA) Solid Waste Infrastructure for Recycling (SWIFR) grant program for the purchase of recycling infrastructure to assist with making improvements to local waste management facilities; and,

WHEREAS, the City of Thomasville Solid Waste Department has an opportunity to submit an EPA SWIFR application for a grant of up to seven hundred eighty-two thousand (\$500,000) in funding assistance so as to obtain funding assistance; and,

WHEREAS, the Council of the City of Thomasville, Georgia, desires to authorize the Mayor to sign all necessary and related documents as shall be necessary in relation to the SWIFR grant application; and,

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Thomasville, Georgia, hereby authorizes the submission of an EPA SWIFR grant application in an amount up to \$500,000; and,

BE IT FURTHER RESOLVED, by the Council of the City of Thomasville, Georgia, hereby authorizes the allocation of FY 2025 Budget funds as for this project; and,

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

PASSED, APPROVED, AND ADOPTED by the Council of the City of Thomasville, Georgia, on this, the 12<sup>th</sup> day of November 2024.

#### **Resolution to accept funding from the Natural Gas Infrastructure Safety and Modernization Grant Program and Authorize the Mayor or Mayor Pro Tem to sign all necessary and related documents.**

Assistant Utilities Superintendent, Eric Gossett reported the Infrastructure Investment and Jobs Act (IIJA) (Pub. L. 117-58) administered by the US Department of Transportation provides funding for the Natural Gas Distribution Infrastructure Safety and Modernization (NGDISM) Grant Program. NGDISM funds are available for municipality- or community-owned utilities (not including for-profit entities) to repair, rehabilitate, or replace their natural gas distribution pipeline system or portions thereof, or to acquire equipment to (1) reduce incidents and fatalities and (2) avoid economic losses. Through the NGDISM Grant Program, PHMSA seeks to reduce the risk profile of existing pipeline systems with pipe prone to leakage of methane, create related good-paying jobs and promote economic growth, and benefit disadvantaged rural and urban communities with safe provision of natural gas. Original application consisted of rehabilitating two regulator stations, replacing steel services and equipment in the sum of \$2.3 million. An application was submitted June 2024 for the Natural Gas Infrastructure Safety and Modernization Grant Program. The bulk of the application was not funded. However, all requested equipment was approved in the sum of \$74,200.



The equipment will consist of leak detection equipment, GIS equipment and GIS software. There is no match for this grant. It is requested that Council approve the resolution to accept the FY2024 Natural Gas Infrastructure Safety and Modernization Grant and authorize the Mayor or Mayor Pro Temp to sign all necessary documents related to the acceptance. The resolution also requests a budget amendment for FY2024 to allow for the acceptance of the grant award and expenditures related to the purchase of leak detection equipment, GIS equipment and GIS software.

Councilmember Baker moved to approve the resolution as presented. Mayor Pro Tem Scott seconded the motion. There was no discussion. The motion passed 4-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, and Baker.

The approved resolution follows.

## **RESOLUTION**

WHEREAS the FY2024 Natural Gas Infrastructure Safety and Modernization Grant Program is a federal program that is distributed by the U.S. Department of Transportation; and,

WHEREAS the Council of the City of Thomasville, Georgia, desires to support the repair, rehabilitation, or replacement of the natural gas distribution pipeline system or portions thereof, or to acquire equipment to reduce incidents and fatalities and avoid economic losses.; and,

WHEREAS the Council of the City of Thomasville, Georgia, desires to accept a FY2024 Natural Gas Infrastructure Safety and Modernization Grant Program award so as to obtain funding assistance for leak detection equipment, GIS equipment and GIS software; and,

WHEREAS the Council of the City of Thomasville, Georgia, desires to commit funding in the FY2025 budget to provide for the provision of the reimbursable funds as a requirement of the FY 2024 Natural Gas Infrastructure Safety and Modernization Grant Program Grant application; and,

WHEREAS, the Council of the City of Thomasville, Georgia, desires to authorize the Mayor to sign all necessary and related documents, as shall be necessary in relation to the FY2024 Natural Gas Infrastructure Safety and Modernization Grant Program.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Thomasville, Georgia, hereby authorizes the acceptance of an award in the amount of seventy-four thousand two hundred dollars (\$74,200) from the FY2024 Natural Gas Infrastructure Safety and Modernization Grant Program on, or before, the application' s deadline of June 20, 2024, to obtain assistance in purchasing leak detection equipment, GIS equipment and GIS software; and

BE IT FURTHER RESOLVED that the Council of the City of Thomasville, Georgia, further authorizes the amendment of the FY2024 Budget in the amount of seventy-four thousand two hundred dollars (\$74,200) so as for the commitment and appropriation of funds in the FY2024 Natural Gas Infrastructure Safety and Modernization Grant Program and for expenditures related to the purchase of leak detection equipment, GIS equipment and GIS software; and

BE IT FURTHER RESOLVED that the Council of the City of Thomasville, Georgia, further authorizes the Mayor or Mayor Pro Tempore of the City of Thomasville as the signatory on all necessary and related documents as shall be necessary in relation to the FY2024 Natural Gas Infrastructure Safety and Modernization Grant Program application and grant agreement.

PASSED, APPROVED AND ADOPTED by the Council of the City of Thomasville, Georgia, on this, the 12<sup>th</sup> day of November 2024.

**REPORTS**

City Manager White reported that the City of Thomasville’s Proposed FY2025 Budget will be presented to Councilmembers in a public meeting to be held on Monday, November 18, 2024, at 2:00 PM in Council Chambers.

Councilmembers collectively thanked Veterans and current service men and women for their service. It was reported there were several Veterans Day presentations within the Thomasville community on November 11, 2024.

**ADJOURNMENT**

Having no further business for consideration, the Thomasville City Council Meeting was adjourned at 6:22 PM.

**CITY OF THOMASVILLE, GEORGIA**



\_\_\_\_\_  
Mayor, Todd Mobley



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ATTEST: City Clerk

