

MINUTES OF A SPECIAL CALLED MEETING OF THE
THOMASTON MAYOR AND CITY COUNCIL

A special called (virtual) meeting of the Thomaston Mayor and City Council was held on Friday, March 26, 2021, at 10:00 a.m. in the city-county meeting room of the Thomaston-Upson Government Complex.

Mayor J. D. Stallings presided at the meeting with Councilmembers Don Greathouse, Doug Head, Jeff Middlebrooks, Lakeitha Reeves and Ryan Tucker. Others attending were Russell Thompson, City Manager and Deann Wheeler, City Attorney.

Mayor Stallings called meeting to order.

Approval of Modification to Alcohol Ordinance and Set Hearings for Alcohol Suspension – Mr. Thompson stated that we have received a request from a business owner that will be out of the country and has asked for an early hearing. He stated that the tentative dates are April 16th, April 21st or April 23rd. He noted that there are fourteen (14) businesses total.

Ms. Wheeler stated that she would not be able to present these cases since there would be a conflict since she represents the City Council. She noted that she has spoken with an attorney that has agreed to present the cases.

Mr. Thompson noted that he and the Police Chief Could presented the cases if Council so chooses. Ms. Wheeler noted that the DA's office will not since it is non-criminal. She noted that it is similar as to the Ethics Committee when a separate attorney represented the committee. She noted that there are three businesses that have their own attorney.

Mr. Thompson noted that Council needs to consider the following: 1st is to authorize to acquire legal presentation; 2nd is to set a hearing for the cases possibly April 16th and April 23rd and 3rd consider amending the alcohol for modification to the penalty. He noted that the current ordinance was adopted in 2001 and the penalty calls for 90 days suspension.

Mr. Thompson noted that Ms. Wheeler drew up the amendment that includes a penalty schedule; First violation – six-month probation period and suspension of license not to exceed 30 days; Second violation – one year probation period and suspension of license not to exceed 60 days; and Third violation – if violation occurs during one year probation period for second violation, said occurrence shall be cause for revocation of license and result in inability of the licensee to obtain a license from the City for a term of three years from the date of revocation.

There was discussion by Council.

Mr. Thompson stated that will need authorization to obtain legal representation, set the hearing dates and consider amendment to the alcohol ordinance in separate motion.

A motion was made by Councilmember Head, seconded by Councilmember Reeves, to approve the appointment of legal representation for Council for the alcohol hearings and to set hearings dates.

Those voting: Councilmember Greathouse – yes, Councilmember Middlebrooks – yes, Councilmember Reeves – yes, Councilmember Tucker – yes, Councilmember Head – yes
All votes were aye. The motion carried unanimously.

Mr. Thompson presented the amendment to the alcohol ordinance for Council consideration. Councilmember Head noted that he is in favor. Mayor Stallings noted that they are given the current ordinance when they apply for license. Councilmember Middlebrooks noted to leave it as is.

Councilmember Tucker noted concerns about voting due to conflict with some of the businesses on financial basis. Councilmember Head noted that the same concerns about abstaining.

Councilmember Greathouse made a motion to table the amendment and so they could study it further. There was no second. The motion failed due to lack of a second.

A motion was made by Councilmember Reeves, seconded by Councilmember Middlebrooks, to approve the amendment to the alcohol ordinance.

Those voting: Councilmember Greathouse – no, Councilmember Middlebrooks – yes, Councilmember Reeves – yes, Councilmember Tucker – abstained, Councilmember Head – abstained

A motion was made by Councilmember Middlebrooks, to take short break in the meeting for the City Attorney to the review City Charter and Roberts Rules of Order due to the vote. The meeting session closed at 10:45 a.m.

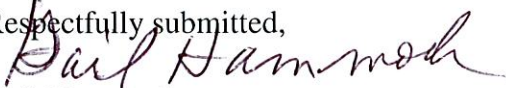
Council reopened the meeting at 11:05 a.m.

Ms. Wheeler stated that after reviewing the City Charter and Robert Rules of Order, the amendment to the alcohol ordinance passes in favor of amending the alcohol ordinance. Ms. Wheeler referred to Robert's Rules of Order Seventeen – "For further government of the city council, the rules of parliamentary usage as laid down by Robert's Rules of Order, short edition, shall be used, except where they conflict with any law, ordinance, resolution or rule of the city."

It was consensus of Council to tentatively agreed to hold the hearings on April 16th and April 23rd beginning at 9:00 a.m.

There being no further business, a motion was made by Councilmember Reeves, seconded by Councilmember Middlebrooks, to adjourn. The meeting adjourned at 11:09 a.m.

Respectfully submitted,



Gail Hammock
City Clerk