

## City of Thomasville Council Meeting, February 11, 2019

The Council of the City of Thomasville met in regular session with Mayor Greg Hobbs presiding and the following Councilmembers present: Mayor Pro Tem Terry Scott, Councilmembers Jay Flowers, David Hufstetler, and Todd Mobley. Also present were the City Manager, J. Alan Carson; City Attorney, Tim Sanders; Honorary Councilmember, Mandy Flowers; other staff, members of the press and citizens. The meeting was held in Council Chambers at 144 East Jackson Street in Thomasville, Georgia.

### **CALL TO ORDER**

Mayor Greg Hobbs called the meeting to order at 7:00 PM.

Councilmember Flowers gave the invocation. Mayor Pro Tem Scott led those present in the Pledge of Allegiance.

### **APPROVAL OF MINUTES**

Mayor Hobbs called for a motion to approve minutes of the regular City Council Meeting of January 28, 2019 as presented. Mayor Pro Tem Scott motioned and Councilmember Flowers seconded. The motion passed 5-0, with the following votes recorded:

AYE: Mayor Hobbs, Mayor Pro Tem Scott and Councilmembers Flowers, Hufstetler and Mobley.

### **ADOPT AGENDA**

City Manager Carson reported Council will be asked to formally adopt the agenda prepared by staff and discussed by Council from this meeting forward. City Manager Carson acknowledged public concern regarding recent events involving the Mayor and reported the City of Thomasville and its Council will follow the process as set forth by the Governor's office for such matters.

Mayor Hobbs called for a motion to adopt the printed agenda as presented. Councilmember Hufstetler motioned and Councilmember Mobley seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYE: Mayor Hobbs, Mayor Pro Tem Scott and Councilmembers Flowers, Hufstetler and Mobley.

### **CITIZENS TO BE HEARD**

Mayor Hobbs acknowledged the following four citizens who signed in to address Council:

1. Joe Brown, 1112 Gordon Avenue, Thomasville, Georgia, voiced concerns regarding leadership roles of Council and Payroll Development Authority in the midst of the Mayor's legal matters.
2. Wallace Goodman, 116 North Dawson Street, Thomasville, Georgia, also voiced concerns regarding responsibilities of the Mayor during the process of legal matters.
3. Tyrone White, Douglas Alumni, Thomasville, Georgia, addressed Council regarding rehabilitation concerns of Weston Park in Dewey City. He requested the competition track be placed as the priority of the rehabilitation and noted the Dewey City community was looking forward to seeing progress in that area.
4. Keith Thomas, (710 Raleigh Avenue and owner of Jackson Street Carwash), Thomasville, Georgia, addressed Council regarding his concerns of diversity in the Building Inspections office.

There being no further Citizens to be Heard and no Old Business to discuss, the Mayor moved on to New Business.

### **NEW BUSINESS**

#### **Consider a resolution to distribute LOST Funds for recreation to the cities of Barwick, Boston, Coolidge, Meigs, Ochlocknee and Pavo.**

Chief Financial Officer, Ashley Cason, presented. On November 3, 1992, the voters of Thomas County, Georgia approved a referendum for Local Option Sales Tax (LOST) in the amount of 1%. Certain funds are designated for the purposes of miscellaneous recreation activities for the City of Thomasville and for the cities of Barwick, Boston, Coolidge, Meigs, Ochlocknee, and Pavo of Thomas County. The Thomas County Recreation Advisory Board has recommended the sum of \$5,000 each be distributed to the cities of Barwick, Boston, Coolidge, Meigs, Ochlocknee, and Pavo. Appropriations for these distributions are included in the 2019 Parks & Recreation's operating budget. It is requested that Council consider a resolution for distribution of LOST funds of \$5,000 each for recreation purposes to the cities of Barwick, Boston, Coolidge, Meigs, Ochlocknee, and Pavo.

Councilmember Flowers motioned to approve the resolution as presented. Councilmember Mobley seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYE: Mayor Hobbs, Mayor Pro Tem Scott and Councilmembers Flowers, Hufstetler and Mobley.

The approved resolution follows.

### **RESOLUTION**

WHEREAS, on November 3, 1992, the voters of Thomas County, Georgia, approved by referendum a Local Option Sales Tax (the "LOST"), also known as a Joint County and Municipal Sales and Use Tax, in the amount of one percent (1%); and

WHEREAS, from the proceeds of the LOST, certain funds are designated to be remitted to the City of Thomasville to be administered for purposes of miscellaneous recreation activities for the City of Thomasville and for the cities of Barwick, Boston, Coolidge, Meigs, Ochlocknee and Pavo; and

WHEREAS, from those funds, the sum of \$5,000.00 per fiscal year, as appropriated by the City Council for the City of Thomasville, may be allocated to the cities of Barwick, Boston, Coolidge, Meigs, Ochlocknee and Pavo for use in the recreation programs of these cities; and

WHEREAS, the Thomasville – Thomas County Recreation Advisory Board has recommended that the sum of \$5,000.00 be distributed as soon as possible hereafter to each of the smaller cities referred to above, to be used by each such city for miscellaneous recreation purposes during the balance of fiscal year 2019; and

WHEREAS, upon review and consideration by the City Council for the City of Thomasville of the recommendation of the Thomasville-Thomas County Recreation Advisory Board as described above, the City Council deems the recommendation to be prudent and consistent with the objectives of the LOST with respect to funding miscellaneous recreation activities in Thomas County, Georgia;

NOW, THEREFORE, be it resolved by the City Council for the City of Thomasville that the recommendation of the Thomasville-Thomas County Recreation Advisory Board be, and it is hereby, accepted and adopted.

BE IT FURTHER RESOLVED that City Manager Alan Carson and Chief Financial Officer Ashley Cason are authorized to make the distributions set out above from LOST monies remitted to the City of Thomasville and to forward those distributions to the mayors of the cities of Barwick, Boston, Coolidge, Meigs, Ochlocknee, and Pavo, along with appropriate instructions on the conditions under which the funds are distributed, as soon as practicable hereafter.

SO RESOLVED this 11th day of February, 2019.

**Consider resolutions regarding 2019 CDBG Application.**

City Planner, Kenny Thompson, presented. The Community Development Block Grant (CDBG) Program is a federally funded program that focuses on providing resources for livable neighborhoods, economic empowerment, and decent housing. This grant is administered by the Georgia Department of Community Affairs (DCA), and provides funding for a wide range of community activities such as water and sewer lines, community facilities, and improving homes to substantially benefit moderate and low income neighborhoods. As a designated PlanFirst Community, the City of Thomasville is eligible to apply for CDBG funding every year. For the past two years, the City has received a CDBG grant that was used to repair and replace infrastructure within the Fletcherville neighborhood. Last year, the City also considered pursuing funding for housing within the CDBG target area. This process was postponed with the intent of pursuing a full CDBG housing grant in 2019. It is now the intent of the City to submit an application to the DCA for CDBG funding within the area that received an infrastructure grant in 2018. Staff has requested Council to approve two resolutions regarding the CDBG application. The first resolution authorizes the submittal of the CDBG application with the assistance of the Southwest Georgia Regional Commission. The second resolution commits the use of City funds in the amount of \$35,000 to leverage toward the CDBG grant for the purpose of housing rehabilitation and reconstruction. These funds will be utilized only if the grant is awarded.

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

AYE: Mayor Hobbs, Mayor Pro Tem Scott and Councilmembers Flowers, Hufstetler and Mobley.

The approved resolution for CDBG services follows.

**RESOLUTION BY CITY OF THOMASVILLE**

WHEREAS, City of Thomasville will submit a 2019 Community Development Block Grant (CDBG) application to the State of Georgia Department Community Affairs and,

WHEREAS, the Southwest Georgia Regional Commission (RC) has provided technical assistance and support to the City in identifying a project which demonstrates the greatest need and will most benefit low-to-moderate income residents in the City of Thomasville.

BE IT THEREFORE RESOLVED, that the City of Thomasville Council Members have elected to use the services of the Southwest Georgia Regional Commission for the development and preparation of

the City's 2019 Community Development Block Grant application and, the re-submittal of said grant if not funded;

BE IT FURTHER RESOLVED that the City of Thomasville Council Members of Commissioners has elected to use the services of the Southwest Georgia Regional Commission to administer said grant should it be awarded.

Adopted the 11<sup>th</sup> day of February, 2019.

Mayor Pro Tem Scott motioned to approve the resolution to commit leverage funds towards the CDBG application as presented. Councilmember Mobley seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYE: Mayor Hobbs, Mayor Pro Tem Scott and Councilmembers Flowers, Hufstetler and Mobley.

The approved resolution to commit leverage funds towards the CDBG application follows.

**RESOLUTION BY THE CITY OF THOMASVILLE CITY COUNCIL  
Leverage Funds**

WHEREAS, the City of Thomasville Mayor and Council are considering applying for a Community Development Block Grant application of up to \$750,000. The activities for funds may be used in the areas of housing, public facilities and economic development and the funds must be used to primarily benefit low-and moderate-income persons.

WHEREAS, the City of Thomasville Mayor and Council will submit a single activity 2019 Community Development Block Grant to assist with housing rehabilitation and reconstruction within a target neighborhood and a cash match is not required for single-activity housing grants;

WHEREAS the City of Thomasville Mayor and Council must show evidence of homeowner participation and amounts over and above homeowner participation will be counted as leverage and will be calculated in the scoring of the City of Thomasville's application,

THEREFORE, BE IT RESOLVED by the City of Thomasville Mayor and Council to commit \$35,000 in leverage funds, towards the Community Development Block Grant application for the purpose of Housing Rehabilitation and Reconstruction should the grant be funded.

Adopted on the 11<sup>th</sup> day of February, 2019.

**Consider resolution authorizing continued administration of the collection of hotel/motel taxes from online travel companies.**

Assistant City Manager/Economic Development & Communication, Lynn Williams, presented. On June 5, 2012, United States District Court Judge Harold L. Murphy preliminarily approved a partial settlement in a class action excise tax case brought by the City of Rome, Hart County, and other cities, including the City of Thomasville, and counties against the online travel companies, such as Expedia, Travelocity, Priceline and Orbitz. The lawsuit forced the online travel agencies to pay local hotel/motel taxes based on the retail rate they charge their customers instead of the wholesale rate they pay the hoteliers. The tax payments began on May 16, 2011, and are administered by the City of Rome's attorneys, the firm of Brinson, Askew, Berry, Seigler, Richardson & Davis, LLP. As a participant in this action, the City of

Thomasville receives hotel motel tax collected and administered by the firm of Brinson, Askew, Berry, Seigler, Richardson & Davis, LLP. According to the Court's Order, this firm is to continue to administer the Class funds through December 2020. The City of Thomasville received a letter recently notifying us that, per the Court Order, Brinson, Askew, Berry, Seigler, Richardson & Davis, LLP will administer the funds through December 2020. The firm proposed that we allow them after this date to continue to administer the collection of funds from the online travel agencies on the City of Thomasville's behalf for a fee of 12.5 percent of the funds received, processed and distributed, plus expenses, an amount substantially less than the rate for the current attorneys' fees and administration. Staff recommends that the City continue to allow Brinson, Askew, Berry, Seigler, Richardson & Davis, LLC to administer the collection of hotel motel tax from the online agencies. With the firm's continued administration through the Class Action, should a problem arise, the firm has the power of contempt and enforcement provisions of the U S District Court. Staff requests that Council adopt a resolution to authorize Askew, Berry, Seigler, Richardson, & Davis, LLP of Rome, Georgia, to continue to administer the collection of hotel-motel taxes from Online Travel Companies past 2020 and further to authorize the Mayor to sign the Ballot electing the Continuation of Administration After December 2020.

Councilmember Flowers motioned to approve the resolution authorizing Askew, Berry, Seigler, Richardson, & Davis LLP of Rome, Georgia, to continue to administer the collection of Hotel-Motel taxes from online travel companies past 2020 and further to authorize the Mayor to sign the ballot electing the continuation of administration after December 2020. Mayor Pro Tem Scott seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYE: Mayor Hobbs, Mayor Pro Tem Scott and Councilmembers Flowers, Hufstetler and Mobley.

The approved resolution follows.

### **RESOLUTION**

BE IT RESOLVED by the Council of the City of Thomasville, and it is hereby resolved by the authority of the same, that the Council of the City of Thomasville hereby agrees that Askew, Berry, Seigler, Richardson, & Davis, LLP of Rome, Georgia are hereby authorized to continue to administer the collection of hotel-motel taxes from Online Travel Companies past 2020 as outlined in the letter referencing same to the City dated January 7, 2019; and

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign the Ballot electing the Continuation of Administration After December 2020.

SO DONE, this the 11<sup>th</sup> day of February 2019.

### **Consider approval of a motion to renew the DDA Loan with TNB and the City Guarantee.**

Chief Financial Officer, Ashley Cason, presented. In December 2001, the Downtown Development Authority (DDA) purchased 403 North Broad Street. At that time, the DDA obtained a loan from Thomasville National Bank, which was guaranteed by the City of Thomasville. Each year, the city renews that guaranty on the loan. Currently, the loan balance is \$1,866,950.89 with a fixed interest rate of 4.05% for four more years, with monthly payments of \$16,000 amortized over 12.7 years. Staff requests Council approve a guarantee for 2019 as similar to what has been done in the past.

Councilmember Hufstetler motioned to approve renewal of the DDA loan with TNB and the City Guarantee as presented. Mayor Pro Tem Scott seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYE: Mayor Hobbs, Mayor Pro Tem Scott and Councilmembers Flowers, Hufstetler and Mobley.

**Consider motion to approve Cemetery Lot Transfer of Titles.**

City Clerk, Felicia Brannen, presented. Pursuant to Thomasville Municipal Code Chapter 6 – Cemeteries, Transfer of Titles for Cemetery Lots require Council approval. It was noted the Cemetery Administrator had received and verified appropriate documentation to complete Transfer of Titles for the following Cemetery Lots:

1. Lot 30, Section GG in Peaceful Rest Cemetery, from Larry and Deborah Roberson to Tanya Jones Andrews and George Andrews with an affidavit dated January 1, 2019.
2. Lot 33, Section Q, Kentucky Street in Laurel Hill Cemetery, from Joseph M. Barnes III, sole survivor of Joe and Burnett Barnes, to Joseph M. Barnes III and Amanda Ann Barnes with an affidavit dated January 15, 2019.

Councilmember Mobley motioned to approve the cemetery transfer of titles as presented. Councilmember Flowers seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYE: Mayor Hobbs, Mayor Pro Tem Scott and Councilmembers Flowers, Hufstetler and Mobley.

**REPORTS**

There were none given.

**ADJOURNMENT**

Having no further discussion, the Thomasville City Council meeting was adjourned at 7:19 PM.



Mayor, Greg Hobbs



Attest: City Clerk