

## City of Thomasville Council Meeting, December 9, 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; and Councilmembers Jay Flowers, David Hufstetler, and Todd Mobley. Also present was City Manager, J. Alan Carson; City Attorney, Tim Sanders; November 2019 Honorary Councilmember, Bishop Joe Burns; other staff, members of the press and citizens. The meeting was held in Council Chambers at 144 East Jackson Street, Thomasville, Georgia.

### **CALL TO ORDER**

Mayor Greg Hobbs called the meeting to order at 6:00 PM.

### **INVOCATION**

Given by Councilmember Jay Flowers.

### **PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Terry Scott led the Pledge of Allegiance.

### **APPROVAL OF MINUTES**

Mayor Pro Tem Scott motioned to approve the minutes of the regular City Council Meeting of November 12, 2019 as presented. Councilmember Flowers seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

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

### **PRESENTATIONS**

Mayor Pro Tem Scott recognized Bishop Joe Burns as the November 2019 Honorary Councilmember and presented him with a commemorative plaque thanking him for his willingness to serve. Bishop Burns was invited to be seated with Council for the duration of the meeting and to provide comments at the conclusion of the meeting.

### **CITIZENS TO BE HEARD**

Mayor Hobbs acknowledged the following citizens as listed on the Citizens to be Heard sign in sheet:

1. LaQuan Howard Bryant, 722 Young Street, Thomasville, Georgia, addressed Council with her concerns regarding the lack of sidewalks on Georgia Highway 3 (between US Highway 84 and the 84 Bypass). She noted that this route is unsafely traveled daily by pedestrians. City Manager Carson reported the City of Thomasville has reviewed the area and is working closely with the State of Georgia to resolve the concerns. Councilmember Hufstetler reported having spoken with Georgia Representative Taylor regarding this issue as well. Mayor Hobbs noted a plan will be proposed to State officials; however, that would not automatically guarantee immediate commencement of project.
2. Keith Thomas, 432 Woods Gate Lane, Thomasville, Georgia, commended Council for their service to the community and encouraged everyone to work together in the coming New Year.
3. Lucinda Brown, 103 Halcyon Way, Thomasville, Georgia, also commended Councilmembers for their service to the community. She noted she was looking forward working with Candidate Elect, Wanda Warren, in the coming years.
4. Nolah Shotwell, Habitat for Humanity Executive Director, Post Office Box 6925, Thomasville, Georgia, addressed Council on behalf of Habitat for Humanity and requested Council to temporarily postpone the vote

on the agenda item relating to the Valdosta Housing Authority until more information could be obtained. She reported the residents of the facility (Wood Valley Apartments) had not received proper notice and have voiced concerns which need to be addressed. The City Attorney noted these concerns could be addressed during the TEFRA public hearing on the matter at this meeting and the resolution for consideration was a separate matter.

### **ADOPT AGENDA**

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

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

### **OLD BUSINESS**

Mayor Hobbs reported there was no old business for consideration at this meeting.

### **NEW BUSINESS**

#### **Valdosta Housing Authority (TEFRA Public Hearing and Resolution Authorizing issuance of Bonds to Finance Improvements to Wood Valley Apartments).**

Mayor Greg Hobbs opened the Tax Equity and Fiscal Responsibility Act (TEFRA) Public Hearing and acknowledged Attorney Tim Tanner of Coleman Tanner Attorneys. Attorney Tanner explained this is an opportunity for Valdosta Housing Authority (VHA) to rehabilitate 88 residential units of Wood Valley Apartments, located at 1325 Warner Street, Thomasville, Georgia. He reported the proposed project is considered to be an in place rehabilitation of the outdated facility, meaning the residents would not be displaced from the property. The project plans are currently under review by the Department of Community Affairs and the assigned specialist has reviewed the plans. Attorney Tanner reported the mechanism of issuance bonds to fund the rehabilitation is being utilized in a total of three VHA properties. Tanner then requested questions from those in attendance. The questions/comments/answers were as follows:

1. Councilmember Flowers inquired if the rents would remain the same for the residents. Attorney Tanner reported there were strict governing covenants and the rents would remain unchanged. Tanner reported the rents are currently based upon tenants' income and federal guidelines for subsidized housing.
2. Nolah Shotwell, Habitat for Humanity Director, Post Office Box 6925, Thomasville, Georgia noted the residents of the facility were not aware of the proposed rehabilitation project and requested Council to not vote on this matter until further information could be obtained. It was suggested that a representative of the VHA or the DCA assigned specialist meet with residents at the facility to discuss the process. Attorney Tanner agreed to pursue such a meeting for the desired communications.
3. Sharon Edwards, Community Outreach Training Center, requested clarification of "in place, rehabilitation". Attorney Tanner reported it has been determined that should residents need to be relocated during the rehabilitation of an area directly affecting them, the relocation would take place within the facility; meaning residents would be temporarily rehomed in unaffected units on the property. Attorney Tanner reiterated that that residents affected by rehabilitation within their individual units would not be relocated to other areas of the community during the rehabilitation.
4. Lucinda Brown, 103 Halcyon Way, Thomasville, Georgia inquired if all units would be rehabilitated. Attorney Tanner confirmed all 88 units would receive rehabilitation improvements in some manner. Brown also inquired if the facility will remain as subsidized housing. Attorney Tanner confirmed the facility would remain as such and not be privatized; he did note that there will be private contractors working on the project.
5. LaQuan Howard Bryant, 722 Young Street, Thomasville, Georgia, inquired as to when the tenants would receive communication regarding this project. Attorney Tanner noted it was his understanding that communications had been sent to all tenants.

There being no further comments from the public, Mayor Hobbs closed the public hearing; Councilmembers then made additional inquiries to Attorney Tanner of the project. Attorney Tanner noted that tenants have been notified

and holding the public hearing to receive public comment satisfied the requirements for the tax benefits. Attorney Tanner noted that a construction beginning date had not yet been determined and he would like to meet with concerned tenants for additional input. Discussion ensued amongst Councilmembers in regards to tabling the approval of resolution related to this matter until further information could be communicated to the tenants of the facility. City Manager Carson inquired of Attorney Tanner if a delay of approval of the resolution authorizing VHA to Issue Bonds to Finance Improvements to Wood Valley Apartments would cause any hardship to the project. Attorney Tanner reported a delay would not cause any issues and would allow the necessary communication as requested. Consensus of Council was to table the approval of the resolution related to this matter and consider this item at the first Council meeting in January 2020.

**Resolution to adopt the City of Thomasville 2020 Budget.**

Chief Financial Officer, Ashley Cason, presented. Cason reviewed the presentations of proposed 2020 Budget and reported there were no changes to the budget since it was reviewed and a public hearing held on Monday, December 2, 2019. It was noted the proposed 2020 Budget was void of any utility rate increases.

Councilmember Flowers motioned to approve the resolution to adopt the City of Thomasville 2020 Budget. Councilmember Mobley seconded. Discussion ensued. Councilmember Hufstetler read from the following prepared statement, which he also distributed to Councilmembers, City Attorney, City Manager and City Clerk:

"I'm confident that our city manager and our CFO are as, or more capable than most in their capacities. And that they, along with the various direct reports and other staff participating in the budgeting process have carefully scrutinized the budget as presented to us for consideration tonight. And you, Mr. Carson, Ashley and staff are to be commended for reexamining numbers, types and uses of any additional vehicles being requested. Further, holding staff additions to two more vs the fifteen requested is commendable.

However, I can't, in good conscious vote for the 2020 budget as presented. I will restate my concerns:

There is no way myself or any other council member can possibly absorb this 125 million dollar budget as it has been presented to us.

Simply put, the amount of time allotted, or lack thereof, for council involvement in the budget process, in addition to the amount of the budget (125 million dollars) could not possibly allow for any of us, individually nor collectively to make an intelligent vote either way.

However, ultimately, in the end, when we, the council put our "stamp of approval" by virtue of a vote, that buck stops with us. Good or bad.

Further, to renew another budget related concern, in January 2019, I was asked to go along with an approximate 6% increase in utility rates (not including electric). I did so and in fact made the motion to do that. However, there was a tacit agreement that we would probably be able to find savings at least equal to that amount, \$700,000.00 at the very least by budget time 2020 if not before. So that the council could rescind the increase.

I will repeat my request that I have made repeatedly in some shape form or fashion over the past few months; find me ½ of 1% cost savings and/or in amount of transfers, whatever form necessary to be able to rescind that utility rate increase. Of course that ½% equates to approximately \$700,000.00. The amount of revenues generated by the increased rate.

To put my request in perspective, if you had an annual budget of \$10.00 I would be asking you to try to find one nickel in savings. One nickel. Five cents! On a \$100 budget my request would be to find cost reductions or additional revenues in the amount of 50 cents!

I have other specific budgetary concerns but the principle remains the same.

Now in the hands of mere mortals, this might be an unreasonable request!?! However, I am convinced you Mr. City Manager along with the outstanding resources and personnel provided to you by this great city, this menial task should be a piece of cake!”

Mayor Hobbs noted the budget can be amended following its adoption. Councilmember Flowers commended staff on their efforts to present a balanced budget in which the City of Thomasville can operate efficiently. Councilmember Mobley noted the budget contains necessary and mandatory funding for infrastructure improvements and raises to employee compensation that will enable the City of Thomasville to be competitor for employee recruitment. Further discussion ensued regarding the requests of Council to address infrastructure challenges and employee pay. City Manager Carson noted all departments worked diligently to present requests merited by need and not the unnecessary. Carson further noted that if the presented 2020 budget, with no rate increases, had not included infrastructure improvements and compensation increases; the budget would have boasted an approximate decrease of \$8million. There was discussion also regarding the amount of time it has taken Mauldin & Jenkins to perform a completed audit of the budget.

Following the discussion, Councilmember Flower’s motion to adopt the City of Thomasville’s 2020 Budget as presented remained unchanged; with Councilmember Mobley’s second. There was no further discussion. The motion passed 4-1, with the following votes recorded:

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

NAY: Councilmember Hufstetler.

The approved resolution follows:

**City of Thomasville Budget Resolution Fiscal Year 2020  
Utilities and General Government**

***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 requires 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 2020:

***NOW, THEREFORE, BE IT RESOLVED***, by the Council of the City of Thomasville that for the following General Government Budget and Thomasville Utilities 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 9th day of December 2019.

**Resolution to amend the plan documents of the City of Thomasville Defined Contribution Plan.**

Chief Financial Officer, Ashley Cason, presented. Cason reported the employment agreement between the City Manager and City of Thomasville provides that in addition to the base salary paid by Employer to Employee, Employer agrees to pay an amount equal to five percent (5%) of Employee's annual base salary as deferred compensation into a deferred compensation plan either currently offered by Employer or of Employee's choosing, in an unequal proportionate amount each pay period. Currently, the plan documents related to the City's defined contribution plan does not provide for this provision, which would allow for one employee to receive an additional contribution amount in addition to the matching contribution policies that are currently in place. Cason reported consultant, Tim Wright with Wright Retirement Services, LLC, reviewed and recommended amendments to the plan in order to uphold our terms of the employment agreement. The amendments were reviewed.

Councilmember Hufstetler motioned to approve the resolution to amend the plan documents of the City of Thomasville Defined Contribution Plan as presented with no exceptions. Mayor Pro Tem Scott seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

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

The approved resolution follows:

**CITY OF THOMASVILLE, GEORGIA  
RESOLUTION**

**WHEREAS**, the City of Thomasville maintains the City of Thomasville Profit Sharing Plan ("Profit Sharing Plan") and a City of Thomasville Retirement Savings Plan ("Retirement Savings Plan");

**WHEREAS**, after presentations from and consultations with City staff and the engagement of professionals in the area of qualified retirement plans, the City Council of the City of Thomasville ("City Council") has determined that certain changes should be made to the Profit Sharing Plan and the Retirement Savings plan, and such changes will be in the best interests of the Employees enrolled and participating in the Retirement Savings Plan and the Profit Sharing Plan;

**WHEREAS**, in order to effect such changes, (i) it is necessary to merge the assets held under the Profit Sharing Plan into the Retirement Savings plan as described in the Merger and Transfer Agreement, a copy of which is attached hereto and incorporated herein as Exhibit A ("Merger Agreement") and (ii) it is necessary to enter into the Adoption Agreement #003 Volume Submitter Profit Sharing Governmental Plan for the Retirement Savings Plan, a copy of which is attached hereto and incorporated herein as Exhibit B ("Retirement Savings Plan Adoption Agreement").

**NOW, THEREFORE**, it is hereby resolved by the City Council of the City of Thomasville, Georgia as follows:

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

Section 2. The Merger Agreement and the Retirement Savings Plan Adoption Agreement and the actions contemplated thereby are hereby approved and the execution, delivery and performance of the Merger Agreement and the Retirement Savings Plan Adoption Agreement by the Mayor and the respective trustees and administrators of the Profit Sharing Plan and the Retirement Savings Plan are hereby authorized and approved.

Section 3. From and after the approval of this Resolution, the Mayor, proper officers, agents, trustees administrators and employees of the City of Thomasville, the Profit Sharing Plan and the Retirement Savings Plan are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary and proper to carry out the purposes and actions of the Merger Agreement and the Retirement Savings Plan Adoption Agreement and comply with the provisions of said documents as executed and are further authorized to take any and all further actions and execute and deliver any and all other documents and certificates as may be necessary or desirable in connection with such agreements and the execution and delivery of the Merger Agreement and the Retirement Savings Plan Adoption Agreement and any related documents.

Section 4. All acts and doings of the Mayor, proper officers, agents, employees of the City of Thomasville, and trustees and administrators the Profit Sharing Plan and the Retirement Savings Plan that are in conformity with the purposes and intents of this Resolution and in the furtherance of the Merger Agreement and the Retirement Savings Plan Adoption Agreement and the execution, delivery, and performance of the Merger Agreement and the Retirement Savings Plan Adoption Agreement and related documents shall be, and the same hereby are, in all respects approved and confirmed.

Section 5. If any one or more of the agreements or 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 covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the agreements ratified hereunder.

Section 6. All resolutions or parts thereof in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 7. This resolution shall be effective immediately upon its adoption.

SO RESOLVED, this 9<sup>th</sup> day of December, 2019

#### **CONSENT AGENDA**

Mayor Hobbs noted Consent Agenda items were presented in Council Workshop on December 4, 2019 and were considered as a routine and/or non-controversial item.

Councilmember Mobley motioned to adopt the Consent Agenda as presented, with no exceptions and thereby approving each item as presented collectively with one motion. Councilmember Hufstetler seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

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

The following items were approved under the Consent Agenda as presented and discussed on December 4, 2019 Council Workshop meeting:

1. **Approval of two separate Cemetery Lot Transfer of Titles for Grave Spaces at Laurel Hill Cemetery Peaceful Rest Cemetery.**

City Clerk, Felicia Brannen, presented. The Cemetery Administrator received and verified appropriate documentation to complete Transfer of Titles for the following:

- a. Avis Butler, daughter and Trustee of Josephine L. White, requests to transfer ownership of the three remaining grave spaces on Lot 15, Section X in Peaceful Rest Cemetery to Ben Hatcher.
- b. Steven Luka, sole survivor of Paul E Luka and Patricia Luka, requests to transfer ownership of Grave Space 1, Lot 22, Section N, Georgia Street in Laurel Hill Cemetery to Allen & Allen Funeral Home.

With the approval of the Consent Agenda, with no exceptions, the Cemetery Lot Transfers were approved as presented.

2. **Bids and award for purchase of one (1) 4x4 tractor with Loader and Rotary Mower for Water Department.**

Water Superintendent, Stacey Thomas, presented. This purchase consists of (1) 4x4 Tractor with front loader & rotary mower for Water Department. This tractor will replace existing unit 1041, a 2003 model that is nearing the end of its service life. (3) Bids were received and reviewed by purchasing. The 2019 Water Capital budget includes \$50,000 for this purchase. Bids received were checked for accuracy. An image of the unit to be purchased was displayed at the Council's request. The summary of bids received follows:

**BIDDER**

Ag-Pro (Thomasville, GA)  
Ag-Pro (Cairo, GA)  
Construction Sales & Service (Crestview, FL)

**BID AMOUNT**

\$44,035.00 In-stock  
\$44,480.00 10- 45 days  
\$43,306.51 60-90 days

With the approval of the Consent Agenda, with no exceptions, Council approved the award of bid to purchase a John Deere Tractor 4x4 with loader & rotary mower to Ag-Pro of Thomasville, Georgia, in the amount of \$ 44,035.00, utilizing 2019 Water Capital funds with third party financing if necessary.

**REPORTS**

City Manager Carson encouraged everyone to attend the annual Victorian Christmas celebration and noted if there were any changes due to the impending inclement weather, those changes would be announced through Social Media the day prior to the event.

Honorary Councilmember, Bishop Joe Burns, thanked Councilmembers and Citizens for giving him the opportunity to serve with Council during the month of November.

Councilmembers collectively thanked citizens in attendance for their participation during this meeting and wished everyone Happy Holidays. Councilmembers also acknowledged and congratulated Candidate Elect Wanda Warren and thanked Mayor Pro Tem Scott for his service on Council.

**ADJOURNMENT**

Having no other business to discuss, the City of Thomasville Council meeting was adjourned at 6:52 PM.

  
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Mayor, Greg Hobbs

  
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ATTEST: City Clerk

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