

## City of Thomasville Council Meeting, January 13, 2020

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; Councilmember Elect, Wanda Warren; 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 December 9, 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**

Councilmember Mobley recognized Mayor Pro Tem Scott with the reading of a proclamation honoring Mayor Pro Tem Scott's service as Councilmember and Mayor Pro Tem. Mayor Pro Tem Scott stepped down and Councilmember-Elect Wanda Warren took her seat on the Dias with Council.

### **CITIZENS TO BE HEARD**

Mayor Hobbs reported no citizens signed in to address Council at this meeting.

### **OATHS OF OFFICE**

City Attorney Tim Sanders noted that it was time administer the Oaths of Office required by law to the Councilmember-Elects Jay Flowers and Wanda Warren. Councilmember Flowers retained the District 2, Post 1 seat; and Councilmember-Elect Wanda Warren assumed the District 1, Post 1 seat on the Council of the City of Thomasville. City Attorney Tim Sanders then administered the Oath of Office required by Section 2.20 of the Charter of the City of Thomasville to Councilmembers Flowers and Warren. City Attorney Sanders also administered the Oath required by O.C.G.A. 45-3-1 to all five Councilmembers.

### **ELECTION OF OFFICERS**

The City Attorney conducted by secret ballot an election for Mayor. The votes for Mayor were recorded as follows:

Councilmember Flowers received one vote; Councilmember Mobley received one vote; and Councilmember Hobbs received three votes. Having received the majority vote, Councilmember Hobbs was re-elected as Mayor.

The City Attorney then conducted by secret ballot an election for Mayor Pro-Tem. The votes for Mayor Pro Tem were recorded as follows: Councilmember Flowers received one vote; Councilmember Mobley received one vote; and Councilmember Hufstetler received three votes. Having received the majority vote, Councilmember Hufstetler was elected as Mayor Pro Tem.

### **SEATING OF COUNCILMEMBERS**

Following the Election of Officers, Councilmembers took their respective seats in the order of their choosing on the Dias. The seating positions from left to right are as follows: City Manager Carson; City Attorney Sanders, Councilmember Flowers, Mayor Pro Tem Hufstetler, Mayor Hobbs, Councilmember Mobley, Councilmember Warren and a seat for the Honorary Councilmember (when selected).

### **ADOPT AGENDA**

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

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

### **OLD BUSINESS**

#### **Resolution Authorizing Valdosta Housing Authority to Issue Bonds to Finance Improvements to Wood Valley Apartments.**

Coleman | Talley Attorney, Tim Tanner presented with Senior Development Officer Tyler Hunt. It was noted that the Public Hearing on this matter was held at the December 9, 2019 City Council meeting as required by the Internal Revenue Service statutes. It was noted that public input was gathered during the hearing and Attorney Tanner reported having answered all questions and concerns recorded during the hearing. It is noted that Wood valley Apartments would be the recipient of much needed repairs and updating. Tanner reported the rents would not be affected by the renovations. There would be no tenants displaced during the rehabilitation of all 88 units at the facility. All rehab construction work would be restricted to taking place during the hours of 8:00 AM to 5:00 PM daily. It was also noted that the rehabilitation would update the ADA compliance regulations. Attorney Tanner further reported that the application has been submitted and reviewed by HUD and would also have to be approved by the Department of community Affairs prior to receiving any tax credits for the project.

Councilmember Flowers motioned to approve the resolution authorizing Valdosta Housing Authority to issue bonds to finance improvements to Wood valley Apartments. Mayor Pro Tem Hufstetler seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

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

The approved resolution follows:

#### **A RESOLUTION AUTHORIZING THE HOUSING AUTHORITY OF VALDOSTA, GEORGIA TO ISSUE BONDS TO FINANCE FACILITIES LOCATED IN THE CITY OF THOMASVILLE, GEORGIA**

**WHEREAS**, LRC-Georgia 3, LLC, a Georgia limited liability company (collectively, the “**Borrower**”), and its affiliates, desire to improve certain affordable apartment communities in various locations within the State of Georgia, the names and addresses of said properties are attached hereto as Exhibit A (collectively the “**Projects**”); and

**WHEREAS**, on October 21, 2019 the Housing Authority of Valdosta, Georgia (the “**Valdosta Housing Authority**”) adopted a preliminary resolution under which it agreed in principle to issue its revenue bonds or other appropriate obligations (the “**Bonds**”) and to lend the proceeds of the Bonds to the Borrower for the purpose of financing the acquisition, renovation, furnishing and equipping of the proposed Projects, in furtherance of the purposes of O.C.G.A. Section 8-3-1, *et seq.*, as amended (the “**Housing Authorities Law**”); and

**WHEREAS**, among the facilities proposed to be renovated with a portion of the proceeds of the Bonds is Wood Valley Apartments, an apartment community located at 1325 Warner Street, Thomasville, Thomas County, Georgia 31792 (the “**Facility**”) and that are owned and operated by the Borrower and its affiliates; and

**WHEREAS**, after publication of a notice at least seven (7) days prior to the date of this resolution, which notice of the hearing was published in *Thomasville Times-Enterprise* a newspaper of general circulation in the City of Thomasville, Georgia (the “**City**”) on this date a public hearing was held regarding the Bonds and the Projects being financed with the proceeds of the Bonds; and

**WHEREAS**, one of the purposes of this resolution is to satisfy the public approval requirement of Section 147(f) of the Internal Revenue Code of 1986, as amended (the “**Code**”) in order to qualify the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to the applicable provisions of the Code; and

**WHEREAS**, the purpose of this resolution is to satisfy the Housing Authorities Law (the “**Act**”), specifically O.C.G.A. § 8-3-3(1), which provides that the authority’s “area of operation” is defined as “such city and the area within ten miles of the territorial boundaries thereof but does not mean any area which lies within the territorial boundaries of any other city unless a resolution shall have been adopted by the governing body of such other city declaring that there is a need for the city housing authority to exercise its powers within the territorial boundaries of said other city. No city, county, regional, or consolidated authority shall operate in any area in which an authority already established is operating without the consent by resolution of the authority already operating therein;” and

**WHEREAS**, THE BONDS SHALL NOT EVER REPRESENT OR CONSTITUTE A DEBT OR PLEDGE OF THE FAITH AND CREDIT OR THE TAXING POWER OF THE CITY OR ANY OTHER POLITICAL SUBDIVISION AND SHALL SOLELY BE SECURED AND PAYABLE FROM COLLATERAL PROVIDED BY THE BORROWER.

**NOW, THEREFORE, BE IT RESOLVED** and it is hereby resolved by the City of Thomasville, Georgia, as follows:

1. For the sole purpose of complying with the Act, the issuance of the Bonds by the Valdosta Housing Authority in the aggregate principal amount not to exceed \$21,000,000 and renovation and equipping of the Facility with the proceeds of the Bonds is approved.

2. For the sole purpose of qualifying the interest on the Bonds for exclusion from the gross income of the owners thereof for federal income tax purposes pursuant to applicable provisions of the Code and satisfying the provisions of the Act, the issuance of the Bonds by the Valdosta Housing Authority in the aggregate principal amount not to exceed \$21,000,000 and renovation and equipping of the Facility with the proceeds of the Bonds is approved.

3. This approval is given solely for the purpose of compliance with provisions of the Code and the Act and in no event shall this approval constitute any obligation on the part of the City with respect to the Bonds.

This the 13<sup>th</sup> day of January, 2020

## **NEW BUSINESS**

### **Motion to approve Alcohol License for Package Beer & Wine for three Flash Foods locations.**

Tax & Licensing Manager, Emily Phillips presented. Richard Scott Barefoot, Regional Marketing Manager Flash Foods, LLC, did not meet the December 31, 2019 deadline of renewal payment for Flash Foods, LLC located at 2667

East Pinetree Boulevard, 6358 Highway 319 South, and 15327 US 19 South in Thomasville, Georgia. The applicant was required to re-apply for alcohol licenses for all three locations per City Ordinance. The applicant is requesting approval for License to Engage in the Business of Package Beer and Wine for all three locations. Phillips reported the applicant has completed proper procedures and has completed all applications for paperwork. It was noted the background investigation revealed no issues or concerns with the request.

Councilmember Warren motioned to approve the License to Engage in the Business of Package Beer and Wine for the locations as presented. Mayor Pro Tem Hufstetler seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

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

Following the approval of the License to Engage in the Business of Package Beer and Wine for the locations as listed, Mayor Hobbs provided Mr. Barefoot with a complete copy of Chapter 3, Alcoholic Beverages, of the City of Thomasville's Municipal Code and stated the following:

"It is important that you and your staff strictly adhere to the City of Thomasville's Alcoholic Beverage Sales ordinances and required employee training programs. It is important that you have a training program for your employees regarding the sale of alcoholic beverages to underage persons, and it is important that you have written proof that your employees have participated in the required training program. As a reminder, the Thomasville Police Department routinely conducts a "Mystery Shopper Program" so as to monitor the enforcement of the prohibition of sales of alcohol to underage persons. If you or one of your employees sells alcoholic beverages to an underage person through the Mystery Shopper Program, you will be required to appear before the City Council and show written proof that your employees have participated in the required training program. Please understand that the penalties for the sale of alcoholic beverages to underage person are significantly greater if you don't have written proof that your employees have participated in the required training program. We are providing each of you with this copy of Thomasville Municipal Code Chapter 3, Alcoholic Beverages, with the added Article V ordinance amendment for "Sale Off-Premises for Catered Functions". Please familiarize yourself with the code and the requirements associated with your alcoholic beverage license."

**Bids and Award for the Purchase of Old Monticello Road Drainage Improvements.**

City Engineer, Wayne Newsome, presented. The work includes construction of drainage system improvements for both Old Monticello Road and Nottingham Drive. The project includes installations of 639 linear feet of storm water drainage piping, inlets, 44 cubic yards of rip rap, and additional erosion control devices. The request for proposal (RFP) was advertised for 34 days on the City's website, beginning on September 6, 2019 and ending on October 10, 2019. The RFP was advertised in the Thomasville Times-Enterprise newspaper both on September 6, 2019 and September 27, 2019. Work is to be completed within 90 consecutive calendar days of Notice to Proceed. A total of two (2) proposals were received. Green's Backhoe with a total base bid of \$80,929.00 was determined to be qualified to perform the services and also the lowest priced proposal received. Following is a summary of bids received:

<u>BIDDER</u>	<u>BID AMOUNT</u>
Greens Backhoe, Thomasville, GA	\$80,929.00
Hancock and Sons, Tifton, GA	\$98,397.34

Councilmember Mobley motioned to approve the award of bid to Greens Backhoe of Thomasville, Georgia in the amount of \$80,929.00 and to be funded utilizing budgeted 2012 SPLOST funds as presented. Councilmember Warren seconded. Councilmember Flowers reported he had a conflict of interest regarding property he owns located in the vicinity of the project; therefore, he would abstain from discussion and vote on this matter. Mayor Hobbs inquired if the bid amounts had remained the same as what was presented to Council on October 28, 2019. Newsome confirmed that it was. Councilmember Warren requested to be provided with a list of all projects that have utilized the 2012 SPLOST funding. City Manager agreed to provide the requested list to Councilmember Warren. There was not further discussion. The motion remained unchanged and passed 4-0, with the following votes recorded:

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

ABSTAINED: Councilmember Flowers.

**CONSENT AGENDA**

There were no items for consideration on the Consent Agenda at this meeting.

**REPORTS**

City Attorney Sanders requested all Councilmembers to remain following the meeting to sign their respective oaths of office.

Councilmembers collectively thanked former Mayor Pro Tem Terry Scott for his service and guidance as a Councilmember and encouraged Mr. Scott to stay involved within the community. Councilmembers mutually congratulated Councilmember Warren and noted they looked forward to working with her on the Council. Mayor Pro Tem Hufstetler was commended for his new role as Mayor Pro Tem.

**ADJOURNMENT**

Having no other business to discuss, the Thomasville City Council meeting was adjourned at 6:25 PM.



Mayor, Greg Hobbs



ATTEST: City Clerk

