

City of Thomasville Council Meeting, March 22, 2021

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

This meeting was held in a manner that observed active Executive Orders and Health Advisories provided by Georgia Governor Kemp, Centers for Disease Control, Department of Health, and local health officials in response to the coronavirus pandemic. Seating was limited and additional safety measures were required such as, but not limited to, social distancing and wearing of facial coverings to ensure the health and safety of meeting participants and the citizens of Thomasville. Simultaneous access to the meeting was provided to those members of the press and citizens not present via the City of Thomasville's online live stream feed located at www.thomasville.org.

CALL TO ORDER

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

INVOCATION

Councilmember Flowers led the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Hufstetler led the Pledge of Allegiance.

APPROVAL OF MINUTES

Councilmember Flowers motioned to approve the Council Meeting Minutes of February 22, 2021, 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 Hufstetler and Councilmembers Flowers, Mobley and Warren.

CITIZENS TO BE HEARD

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

1. Rose C. Major-Swilly, 404 South Martin Luther King, Jr. Drive, Thomasville, Georgia addressed Council with concerns regarding information received from the City Manager in reference to her concerns with the future development of the property cleared for Phase II of Pine Ridge Estates (adjacent to Mrs. Swilly's property). City Manager Carson reported that his knowledge of the information conveyed on this matter was accurate; however, he would research and provide written communication to Mrs. Swilly, as well as Councilmembers, on this matter.
2. Mark A. Swilly, 404 South Martin Luther King, Jr. Drive, Thomasville, Georgia also addressed Council regarding concerns with the future development of the property cleared for Phase II of Pine Ridge Estates (adjacent to Mr. Swilly's property). Mr. Swilly cited several alleged permitting and land disturbing infractions made by the developers when clearing the property of its timber. He also inquired if the area will be cleaned up and how long the property owner has to begin development in the area harvested of timber. Mayor Hobbs indicated that City Manager Carson will address these concerns in the written communication to Mr. and Mrs. Swilley.
3. Arline Hampton, c/o 219 South Martin Luther King, Jr. Drive, Thomasville, Georgia addressed Council with concerns of future development of the south side of Thomasville. She noted that at past Council meetings she had voiced concerns regarding plat maps, privilege of renewal and ownership changes regarding future development of these areas. Hampton requested these discussions be resumed; with meetings/charrettes being held by Zoom and/or in the Auditorium to accommodate citizens safely. She also requested that the

use of the current future development map be discontinued and a new one be created with additional citizen input provided.

4. Keith Thomas, 432 Woods Gate Lane, Thomasville, Georgia commended the City Manager on his process of working with everyone to achieve goals for the City of Thomasville. Thomas additionally requested the community to work together, regardless of what the issues may be, to do what is right for the community and its citizens.

ADOPT AGENDA

Councilmember Flowers motioned to adopt the agenda, as presented. Councilmember Mobley 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

There was no Old Business to be discussed at this meeting.

NEW BUSINESS

First reading of an ordinance to amend Article XVI of the Code of the City of Thomasville Chapter 5, captioned “Sign Regulations”; and, Article X of Chapter 22, captioned “Reserved”.

City Planner, Kenny Thompson reported that beginning in 2014, the City conducted a thorough review of all sign regulations and began the process of revising the current standards. This effort to update the regulations included numerous meetings, ranging from stakeholder sessions (business owners, industry professions, preservationists, etc.) to well-attended public workshops and hearings (public gatherings, Planning Commission, City Council, etc.). A final version of the ordinance that incorporated citizen and business owner feedback was presented to, and unanimously adopted by, the Planning and Zoning Commission (P&Z) in 2016. Unfortunately, subsequent revisions were made to the ordinance outside of this public process, resulting in changes that had not been vetted by the community or P&Z Commission and did not accurately reflect the community’s desires. As such, the ordinance was not adopted by City Council. In 2020, City Council sent the ordinance *as approved by P&Z in 2016* back to the P&Z Commission for further review and recommendation. Through numerous additional public hearings and workshops, the P&Z Commission again took public input on the ordinance and made additional revisions to the document based on citizen feedback. The proposed ordinance reflects public input from both 2016 and the recent public meetings. The proposed ordinance was discussed during a City Council workshop on October 21, 2020, at which time the Council mentioned multiple aspects of the ordinance where they would like to see clarifications or modifications. Staff worked with Council to identify and address these issues, and the subsequent changes are also reflected in the proposed ordinance. City Planner Thompson reviewed a visual presentation which addressed each of the following Council requested modifications to the ordinance:

- Clarify the amount of a sign that can have electronic changeable copy.
- Modify the message duration for electronic changeable copy to 10 seconds.
- Include a “Highway/Bypass” area for consistent standards on US 19, US 319, and US 319 Bypass.
- Clarify feather flag standards for multi-tenant lots.
- Clarify the use of Standard Informational Signs and Yard Signs.
- Modify Wall Sign standards to eliminate the 5’ height requirement.
- Modify the appeals process to include a Sign Permit Appeals Panel.

Mayor Pro Tem Hufstetler voiced opposition of the proposed ordinance and noted there remained items that should be revised which would ultimately result in no more than a two-week delay of passage. Councilmember Warren voiced concerns regarding the proposed fees and fines schedules included in the ordinance, noting that fees can potentially become regressive in nature. Councilmember Warren also conveyed that Council should not circumvent proper protocols and work more amicably with existing Boards and Commissions to ensure protocols are adhered to in the future. Councilmember Mobley noted he was in favor of the proposed ordinance and noted any amendments can be made through due process if necessary. Attorney Sanders briefly reviewed the processes of reading and passage of ordinances.

Councilmember Flowers motioned to order the ordinance to amend Article XVI of the Code of the City of Thomasville Chapter 5, captioned "Sign Regulations"; and, Article X of Chapter 22, captioned "Reserved", as presented. Mayor Hobbs seconded. There was no further discussion. The motion passed 3-2, with the following votes recorded:

AYES: Mayor Hobbs, and Councilmembers Flowers, Mobley

NAYS: Mayor Pro Tem Hufstetler and Councilmember Warren.

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

AN ORDINANCE TO AMEND THE CODE OF THE CITY OF THOMASVILLE, GEORGIA BY AMENDING ARTICLE XVI OF CHAPTER FIVE CAPTIONED "SIGN REGULATIONS"; TO AMEND ARTICLE X OF CHAPTER 22 CAPTIONED "RESERVED"; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE; AND FOR OTHER PURPOSES.

Motion to approve the Joint Resolution of the City of Thomasville and the Board of Education of the City of Thomasville calling for a General Obligation Bond Election.

City Attorney, Tim Sanders presented a Council directed joint resolution of the City of Thomasville and the Board of Education of the City of Thomasville calling for a General Obligation Bond Election in the City of Thomasville to be held on November 2, 2021. If approved, the resolution allows the question to be put before qualified voters the question of whether the City of Thomasville shall issue general obligation bonds on behalf of the Thomasville School District. The bonds shall be general obligation debt of the City, in which the principal amount of the bonds to be issued shall not exceed \$42,000,000.

Councilmember Mobley motioned to approve the Joint Resolution of the City of Thomasville and the Board of Education of the City of Thomasville call for a General Obligation Bond Election 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 Hufstetler and Councilmembers Flowers, Mobley and Warren.

The approved resolution, including "Exhibit A", follows.

JOINT RESOLUTION OF THE CITY OF THOMASVILLE AND THE BOARD OF EDUCATION OF THE CITY OF THOMASVILLE CALLING FOR A GENERAL OBLIGATION BOND ELECTION IN THE CITY OF THOMASVILLE TO BE HELD ON NOVEMBER 2, 2021; AND FOR OTHER PURPOSES.

WHEREAS, the Board of Education of the City of Thomasville (the "Thomasville Board of Education"), acting by, for, and on behalf of the independent School District of the City of Thomasville (the "Thomasville School District"), the boundaries of which are coterminous with the corporate limits of the City of Thomasville, Georgia (the "City"), has requested that the Mayor and Council of the City of Thomasville, as the governing body of the City, issue general obligation debt in order to facilitate the acquisition, construction and equipping of certain capital outlay projects for the Thomasville School District; and

WHEREAS, the Board of Education of Thomas County (the "Thomas County Board of Education"), acting by, for, and on behalf of the Thomas County School District (the "Thomas County School District"), the boundaries of which comprise all of Thomas County except the area within the corporate limits of the City, and the Thomasville Board of Education, have considered and evaluated the provisions of Article VIII, Section VI, Paragraph IV of the Constitution of the State of Georgia, and Part 2 of Article 3 of Chapter 8 of Title 48 of the Official Code of Georgia Annotated (collectively, the "Act"), which authorize a one percent sales and use tax for educational purposes (the "Educational Sales Tax"); and

WHEREAS, an Educational Sales Tax is currently being collected in the County, approved by a majority of the voters of the County voting in an election held for such purpose on March 1, 2016, which tax was imposed beginning January 1, 2018, and which tax the Thomas County Board of Education and the Thomasville Board of Education anticipate will cease to be collected on December 31, 2022; and

WHEREAS, the Thomas County Board of Education and the Thomasville Board of Education, by joint resolution adopted on December 8, 2020, and December 15, 2020, respectively, have called for an election to be held on March 16, 2021 to determine if the Educational Sales Tax shall be reimposed in Thomas County beginning January 1, 2023, or the first day of the calendar quarter following termination of the Educational Sales Tax currently in effect; and

WHEREAS, the Thomasville Board of Education and the Mayor and Council of the City of Thomasville recognize that in order to facilitate the acquisition, construction, and equipping as soon as possible of certain capital outlay projects for the Thomasville School District, it is necessary for the City to issue general obligation debt in the maximum amount of \$42,000,000 (the "Bonds"), and in accordance with this Resolution are calling for an election to be held in the City on November 2, 2021 for the voters to determine the issuance or non-issuance of the Bonds, as set forth in the notice of election which is attached hereto as Exhibit A (the "Notice"); and

WHEREAS, if the referendum being held on March 16, 2021 is approved by the voters, the Thomasville Board of Education plans to use proceeds from the Educational Sales Tax to pay a portion of the principal of and interest due the Bonds.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and Council of the City of Thomasville and by the Thomasville Board of Education, in concurrent meetings assembled, and it is hereby resolved by authority of the same that:

1. An election to be held in the City of Thomasville on November 2, 2021, is hereby authorized to be called, at which election there shall be submitted to the qualified voters of the City, for their determination, the question of whether the City of Thomasville shall issue general obligation bonds on behalf of the Thomasville School District, for the purposes shown in the Notice.

2. The Bonds shall be general obligation debt of the City. The principal amount of the Bonds to be issued shall not exceed \$42,000,000. The maximum rate or rates of interest on such debt shall not exceed 6.00% per annum. The maximum amount of principal to be paid in each year during the life of the debt shall be as shown in the Notice.

3. Due provisions shall be made at the holding of said election so that those voting at said election who favor the issuance of the Bonds may vote for the issuance thereof, and those voting at said election who oppose the issuance of the Bonds may vote against the issuance thereof, and the question to be voted on in said election shall appear on the ballots or ballot labels in precisely the form set forth in the Notice.

4. The City Clerk and the Secretary of the Thomasville Board of Education are hereby authorized and directed to deliver a certified copy of this joint resolution to the Board of Elections and Registration of Thomas County (the "Board of Elections"), as Election Superintendent for Thomas County, and the Board of Elections is hereby requested to issue the call for the referendum to be held on November 2, 2021, for the purpose of submitting the question of the issuance of the Bonds to the voters of the City. The Board of Elections shall cause the date and purposes of the referendum to be published once not less than 30 days prior to November 2, 2021, and once per week for five weeks immediately preceding the date of the referendum in the official organ of Thomas County and the Notice will be substantially in the form attached hereto and made a part hereof as Exhibit A.

5. The election hereby authorized to be called shall be held in accordance with the

provisions of O.C.G.A. § 36-82-1 et seq., by the same persons, in the same manner, and under the same rules and regulations as govern elections for officers of the City.

6. (a) If general obligation debt of the City is to be issued, the Mayor and Council and the Thomasville Board of Education reasonably expects that, prior to issuance of such debt, it will be necessary to expend funds on the acquisition, construction, and equipping of the projects set forth in the Notice and wishes to be reimbursed for such expenditures from proceeds from the sale of such general obligation debt. Therefore, subject to approval of the voters of the City, the City hereby declares its official intent to issue general obligation bonds in the principal amount not to exceed \$42,000,000 and to reimburse original expenditures on the project in the maximum principal amount of \$42,000,000 with proceeds from the sale of such debt (to the extent permitted by § 1.150-2 of the Treasury Regulations). The City will pay original expenditures on the said project from a construction account or other account maintained by the Board of Education.

(b) The City shall make its reimbursement allocations not later than 18 months after the later of (i) the date the original expenditure is paid or (ii) the date the project is placed in service or abandoned, but in no event more than three years after the original expenditure is paid.

7. The proper officers and agents of the City and the School District are hereby authorized to retain the services of Raymond James & Associates, Inc., Atlanta, Georgia, to provide underwriting or placement agent services, and the firm of Gray Pannell & Woodward LLP, Savannah, Georgia, as bond counsel with regard to the proper issuance of the general obligation indebtedness authorized hereby and as disclosure counsel with regard to a public offering, if any, with regard to said general obligation indebtedness, and such officers and agents are further authorized to take any and all further actions as may be required in connection with the calling and holding of the special election and the issuance of general obligation debt as herein provided.

8. All resolutions or parts of resolutions, if any, in conflict herewith shall be and the same hereby are repealed.

ADOPTED, this March 22, 2021.

Exhibit A

NOTICE OF BOND ELECTION
TO THE QUALIFIED VOTERS OF THE CITY OF THOMASVILLE

Notice is hereby given by the Mayor and Council of the City of Thomasville, the governing body of the City of Thomasville, Georgia (the "City"), the Board of Education of the City of Thomasville (the "Thomasville Board of Education"), and by the Board of Elections and Registration of Thomas County, as election superintendent, that on November 2, 2021, an election will be held in the City to submit to the qualified voters of the City the following question:

GENERAL OBLIGATION SCHOOL BONDS

Yes	Shall the City of Thomasville issue general obligation school bonds in the aggregate principal amount not to exceed \$42,000,000 to pay the costs of (i) constructing, renovating and equipping MacIntyre Park campus which includes MacIntyre Park Middle and Scholars Academy, including CTAE, new classrooms, cafeteria, and athletic facilities, and (ii) constructing, renovating and equipping Harper Elementary, Scott Elementary, Jerger Elementary, and Thomasville High School for the School District of the City of Thomasville?
No	

The general obligation bonds (the "Bonds") shall be a general obligation of the City. The principal amount of the Bonds to be issued shall not exceed \$42,000,000. The maximum rate or rates of interest on such debt shall not exceed 6.00% per annum. The maximum amount of principal to be paid in each year during the life of the debt shall be as follows:

<u>Year</u>	<u>Principal Amount</u>
Year 1	\$1,730,000
Year 2	1,785,000
Year 3	1,840,000
Year 4	1,910,000
Year 5	1,985,000
Year 6	2,065,000
Year 7	2,170,000
Year 8	2,280,000
Year 9	2,395,000
Year 10	2,515,000
Year 11	2,640,000
Year 12	2,770,000
Year 13	2,910,000
Year 14	3,055,000
Year 15	3,175,000
Year 16	3,305,000
Year 17	3,470,000

The City may issue Bonds less than \$42,000,000 and reduce the principal amounts maturing which are shown above. The Bonds may be made subject to redemption prior to maturity, to the extent permitted by law, and upon terms and conditions to be determined by the City.

FUNDING AND PRIORITY OF PROJECTS

To the extent available, the Thomasville Board of Education may combine available funds from the State of Georgia with proceeds from the Bonds, and any other available funds, to pay the costs of the capital outlay projects set forth in the form of the ballot question. Plans and specifications for these projects have not been completed and bids have not been received. Depending upon acquisition and construction costs and available funds, the Thomasville Board of Education may choose which capital outlay projects to undertake or not undertake, or to delay until additional funding is available, to the extent that proceeds of the Bonds, together with other available funds actually received by the Thomasville Board of Education, are insufficient to complete any of the capital outlay projects.

Reference is hereby made to Official Code of Georgia Annotated § 36-82 -1(d), which provides in part that any brochures, listings, or other advertisements issued by the City, the Thomasville Board of Education or by other person, firm, corporation association with the knowledge and consent of the City and the Thomasville Board of Education shall be deemed to be a statement of intention of the City concerning the use of bond funds.

GENERAL INFORMATION

In accordance with Official Code of Georgia Annotated § 36-82-2, the election shall be held by the same persons, in the same manner, and under the same rules and regulations that elections for members of the City are held. The returns shall be made to the officers calling or ordering the election. Such officers, in the presence of and together with the several managers, who shall bring

up the returns, shall consolidate the returns and declare the result.

The last day to register to vote in the referendum is Tuesday, October 4, 2021. Anyone desiring to register may do so by applying in person at the voter registration office located at 325 North Madison Street, Judicial Center, Room 103-A in Thomasville, Georgia, or by any other method authorized by the Georgia Election Code. The referendum will be held on Tuesday, November 2, 2021. The polls will be open from 7:00 a.m. until 7:00 p.m.

This ___ day of, 2021.

By: _____
Board of Elections and Registration
of Thomas County, as Election Superintendent

To be published at least 30 days prior to November 2, 2021
and once a week for 5 weeks prior to the Election

End of "Exhibit A"

Motion to disclose apparent and technical conflicts of interest in relation to the FY2021 Community Development Block Grant (CDBG) Project for improvements in the Dewey City area of the City of Thomasville.

Mayor Hobbs stated he owns property in the project area activity location and will recuse himself from the meeting at this time due to the conflict of interest. Mayor Hobbs excused himself and exited the meeting room at 6:30 PM. Mayor Pro Tem Hufstetler presided over the meeting during the Mayor's absence. Rights of Way Supervisor, Curtis Crocker, reported that as part of 2021 CDBG Application, the Department of Community Affairs (DCA) requires that any conflicts of interest (COI) from City Council or city staff within the target area of the project be disclosed. He further reported that at the March 8, 2021 City Council meeting, Mayor Hobbs stated that he owned property in the target area of the 2021 CDBG and Mayor Pro Tem Hufstetler was authorized to sign all necessary and related documents. Upon further research, it was discovered that Steven Hardy resides in the target area. Mr. Hardy is an employee within the Parks and Recreation Department and has no involvement in the planning and execution of the 2021 CDBG application. Mayor Pro Tem Hufstetler reported that Mayor Greg Hobbs owns property in the project area activity location (415 Alexander Street, 312 Forrest Street, 310 Forrest Street, 610 McKinley Street, 203 Culpepper Street, 207 Culpepper Street, Property behind 311 Culpepper Street) and Mr. Hardy resides in the project area (520 Wolf Street) for the FY 2021 Community Development Block Grant (CDBG) program. It shall be noted that Mayor Greg Hobbs and Steven Hardy have stated that they would comply with the Conflict of Interest guidelines by not discussing the FY 2021 CDBG. Furthermore, at any meeting where the CDBG project is to be discussed, they will excuse themselves and leave the room until the discussion is concluded.

Councilmember Flowers motioned to affirm the disclosure of apparent and technical conflicts of interest as discussed and that all necessary paperwork for conflict of interest disclosure be appropriately executed for the 2021 CDBG Application. Councilmember Mobley seconded. There was no further discussion. The motion passed 4-0, with the following votes recorded:

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

It shall be recorded that Mayor Hobbs was not present during this vote.

Upon completion of the discussion of the FY 2021 CDBG application, Mayor Hobbs returned to the room at 6:36 PM and presided over the remainder of the meeting.

Proposal and award for the Municipal Financial Advisory Services.

Chief Financial Officer, Ashley Cason, reported that during the City Council's 2020 retreat, the importance of long term financial planning and our goal of maintaining financial stability was discussed. The recognized goal was to maintain and improve our financial integrity while still enhancing government services. One of the first steps to accomplishing that goal was to understand and analyze the current financial position, and establish financial policies

and strategies. With that in mind, funds were appropriated in the 2021 budget for consulting services with a Municipal Financial Advisor. Earlier this year, a Request for Proposals (RFP) for municipal financial advisory services was sent out; which included a scope of work that ranged from establishing and reviewing financial policies, assisting with the Capital Improvement Plan (CIP), providing a debt affordability analysis, and developing financing strategies. In response to the RFP, two proposals were received. A committee was formed to evaluate the proposals and to provide a recommendation to the Council. The proposals were evaluated based on technical qualifications prior to disclosing their proposed cost. Based on the qualifications, comprehensive response and project methodology, the committee ranked Davenport as the best advisor for the City. It was clear that Davenport's proposal was much more aligned with the scope of services requested in the RFP. Raymond James offered no cost for monthly advisory services which causes concern for the commitment to our long term advisory needs. A summary of proposals received follows.

<u>Proposers</u>	<u>Annual Rate</u>	<u>Transaction Fee</u>	<u>Transaction Fee</u>
	<u>Advisory Services</u>	<u>Financing Plans for Replacement Capital</u>	<u>Issuance of Bonds or Private Placement</u>
Raymond James	\$0	\$5,000.00	\$25,000.00
Davenport & Company, LLC	\$14,250.00	\$23,750.00	\$38,000.00*

**or the sum of \$1.50 per \$1,000.00 issued, whichever is greater.*

Councilmember Mobley motioned to award the Municipal Financial Advisory Services to Davenport & Company, LLC in the amount of \$14,250 per year and transaction fee if and when applicable, as presented. Councilmember Warren 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.

CONSENT AGENDA

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

REPORTS

Councilmember Mobley encouraged citizens to register for the Rose City Walk/Run and noted it would be a virtual event due to restrictions imposed by the COVID-19 pandemic.

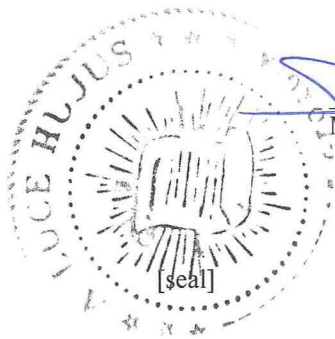
Councilmember Flowers encouraged the community to continue to participate in the “Feed the Fight” effort to provide meals to frontline healthcare workers during the challenging times of the COVID-19 pandemic.

Councilmembers commended citizens for their support and patience during the challenging times of the COVID-19 pandemic and encouraged everyone to stay safe and continue social distancing.

ADJOURNMENT

Having no further business to discuss, the Thomasville City Council meeting was adjourned at 6:40 PM.

Felicia Brannen
 ATTEST: City Clerk

 *Greg Hobbs*
 Mayor, Greg Hobbs