

City of Thomasville Council Meeting, March 28, 2022

The Council of the City of Thomasville met in regular session with Mayor Jay Flowers presiding and the following Councilmembers present: Mayor Pro Tem Todd Mobley and Councilmembers Wanda Warren, Terry Scott and Scott Chastain. Also present were the City Manager, J. Alan Carson; City Attorney, Tim Sanders; Assistant City Managers Sheryl Sealy and Chris White; other city staff; citizens and members of the media. 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, 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 Jay Flowers called the meeting to order at 6:00 PM.

INVOCATION

Councilmember Terry Scott gave the invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Todd Mobley led the Pledge of Allegiance.

APPROVAL OF MINUTES

Councilmember Scott motioned to approve the March 14, 2022 City Council Called Meeting minutes as presented. Mayor Pro Tem Mobley seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

Councilmember Chastain motioned to approve the March 14, 2022 City Council Regular Meeting minutes as presented. Mayor Pro Tem Mobley seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

Councilmember Warren motioned to approve the March 23, 2022 City Council Called Meeting minutes as presented. Councilmember Chastain seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

PROCLAMATIONS / RECOGNITIONS

Mayor Flowers acknowledged Ms. Terry Jenkins, Georgia Red Cross, and noted that local Red Cross Volunteers give hope to the most vulnerable in their darkest hours. Mayor Flowers formally proclaimed March 2022 as American Red Cross Month and presented a Proclamation to Ms. Jenkins.

Ms. Jenkins thanked Mayor Flowers and Councilmembers. She reported that no one is exempt from disaster and recognized Ms. Michelle Fan for her actions in saving the life of Mr. Wayne Martin during a recent trip to the grocery store. Ms. Fan noted it was the Red Cross CPR Training that enabled her to perform CPR on Mr. Martin when he collapsed while shopping. Mr. Martin, and his family, publically thanked Ms. Fan for her selfless actions on that day.

noting they thanked God every day that she was there. Ms. Jenkins also recognized the Publix employees present at the scene for their quick and helpful actions. Ms. Jenkins reported the American Red Cross Certificate of Merit Lifesaving Award is presented to individuals who are Red Cross trained that have no obligation to respond to an emergency but do so willingly and without hesitation. The prestigious award bears the name of signature of the President of the United States. Ms. Jenkins presented Ms. Fan with the American Red Cross Certificate of Merit Lifesaving Award. Ms. Fan noted it was an honor to be able to help the Martin family and encouraged everyone to participate in Red Cross CPR training.

Ms. Jenkins also recognized Mark Harmon for his efforts in creating an annual fundraising event “Dine for Disaster”. The March 31, 2022 event has 26 restaurants in Thomasville and Valdosta that will donate a portion of their sales on this date to the American Red Cross. These proceeds will be used to help the American Red Cross to provide disaster relief assistance to members of this community and communities nearby.

CITIZENS TO BE HEARD

Mayor Flowers acknowledged the following citizen to be heard assisted on the Citizens to be Heard sign-in sheet:

1. Candee Henderson reported the Parks and Recreation Master Plan and the Stormwater Plan presentations within the community have been great. Presentations such as this help to spur conversations about renewable energy. She encouraged Councilmembers to research the Drawdown Georgia initiative which specifically talks about how to bring down the carbon footprint. In conclusion, Ms. Henderson noted she was still hopeful to have the County and City as participants of 100% renewable energy by the year 2035.

ADOPT AGENDA

Mayor pro Tem Mobley motioned to adopt the agenda as presented. Councilmember Warren seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

OLD BUSINESS

Adoption of City of Thomasville’s Financial Policy.

Chief Financial Officer, Ashley Cason reported effective financial policies, which are ideally adopted by a legislative body, help guide decision making and are essential to a local government’s long-term fiscal health. Financial policies help to provide stability and continuity over the years as staff and elected officials turn over by establishing benchmarks against which a local government can measure performance. These policies will institutionalize good financial management practices, clarify strategic intent for financial management, support good bond rating and lower borrowing costs, promote long-term strategic thinking, manage risks to financial condition, and help the City comply with established public management best practices. CFO Cason further reported for the past few years, during the Annual Council Retreat, there has been discussion of the City’s goal for long term strategic financial planning and the need for establishing formal, written financial policies. With the help of our Financial Advisors, staff has developed a draft of financial policies that will establish and address the following policies:

1. General Financial Policies
2. Operating Budget Policies
3. Revenue Policies
4. Expenditure Policies
5. Capital Improvement Policies
6. Debt Management Policy (Short and Long Term)
7. Reserve Fund Policies
8. Accounting, Auditing and Financial Reporting Policies

CFO Cason stated, if approved, these policies will be the framework for all financial decisions and overall financial management. It was noted that at the request of Council the amendments listed below were incorporated into the policy as presented.

1. For short term and long term interfund loans:

- i. Changed “Approval by City Manager” to “approval by City Manager and Chief Financial Officer” (section 7b and 8j1).
 - ii. Added the following: “All short-term interfund loans and cash balances will be reported to the Council on a monthly basis. (Section 7d and 8j3)
2. For Accounting, Auditing and Reporting section, added the following “A report that includes all audit adjustments will also be provided to Council. (Section 10f)

Councilmember Warren motioned to approve the adoption of the City of Thomasville’s Financial Policy, with amendments as presented. Councilmember Scott seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

Adoption of City of Thomasville’s Investment Policy.

Chief Financial Officer, Ashley Cason reported a written investment policy can be one of the single most important elements in public funds investment program. The purpose of this stand-alone document is to maximize interest income while preserving principal and maintaining sufficient liquidity to meet expenditure obligations. Like the financial policies, this demonstrates to rating agencies, capital markets and the public that the City is well managed and is earning interest income suitable to its situation and economic environment. The goal with this policy is to invest public funds in a manner, which will provide the highest investment return with the maximum security while meeting the daily cash flow demands of the City and conforming to all state and local statutes governing the investment of public funds. This formal written policy specifically addresses the following:

1. Scope includes all assets except the Pension Trust Fund and OPEB Trust Fund
2. Objectives of policy is Prudence, Safety, Liquidity, Return on Investment, and Diversity
3. Delegation of Authority to City Manager, Chief Financial Officer or their Designee
4. Addresses Ethics and Conflict of Interest
5. Requirement for Qualified Financial Institutions and Brokers/Dealers
6. Only invest in Authorized and Suitable Investments under GA Law
7. Option to use the State of Georgia Local Government Investment Pools
8. Required to Establish and Maintain Internal Controls
9. Set Performance Standards
10. Provide Quarterly Reporting of Investments

CFO Cason further reported the Investment Policy included the amendment from “City Manager, Chief Financial Officer or their designee” to “City Manager, Chief Financial Officer and the Mayor” throughout the document.

Councilmember Chastain motioned to approve the adoption of the City of Thomasville’s Investment Policy as presented. Councilmember Warren seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

NEW BUSINESS

First reading of an ordinance to rezone Parcel #014 033 001 from R-1 Residential to Planned Unit Development (PUD – Hendon Park).

City Planner, Kenny Thompson reported the rezoning is proposed on approximately 29 acres of undeveloped land that was previously used as a pecan orchard. A majority of the property (approximately 1,000 linear feet) fronts directly onto Cassidy Road directly across from Cassidy Park, while a small portion of the property (approximately 200 linear feet) has frontage on Old Albany Road. The property is adjacent to single family homes to the south (Highland Street), vacant land to the north, single family and park space to the east, and industrial property to the west. The Planned Unit Development (or PUD) zone is a flexible, “floating” zone that can be applied to any parcel within the City of Thomasville. In order to apply to use this zone, the applicant must meet a number of conditions and requirements which provide a more creative and higher quality development than would be required under the base zoning. Ultimately, the City is given a greater level of predictability about what will be placed on the site with a higher level of accountability on the quality and design of the new development. A PUD is required to submit a concept plan for approval of the application along with an abundance of supporting information. The applicant, and any future land owner, will be bound by the terms of the PUD as well as any additional conditions, stipulations or safeguards imposed

by the City Council. During the Planning and Zoning Commission Meeting, the development was reviewed for the following:

- The application has been reviewed for consistency with the Comprehensive Plan. The development is consistent with the City's goals to Encourage Infill Development, Expand Housing Options, and Expand Neighborhood Walkability.
- The application has been reviewed for conformance with the PUD requirements, including the Community Benefit Statement, Performance Standards Comparison, and Improvements Required Comparison.
- The Concept Plan has been reviewed for the character, location, and appropriateness of the development in relation to surrounding land uses.
- The Concept Plan has been reviewed for architectural appropriateness, landscaping, streetscape, and opens space features within the development.

In addition to the elements reviewed, the Planning and Zoning Commission requested the following conditions be placed on the rezoning as well:

- 40% or more of the Multi-family units must be a minimum 2-bedroom dwelling unit.
- Vinyl materials shall: only be used on multi-family units; have a minimum 30-year warranty; not be installed below 4 feet (measured from the top of the building foundation).

Finding the PUD Application in conformance with the above criteria, the Planning and Zoning Commission and staff recommend for Council to take the appropriate action and approve the PUD rezoning with the conditions requested by the Planning and Zoning Commission.

Mayor Pro Tem Mobley motioned to order the ordinance to rezone Parcel #014 033 001 from R-1 Residential to Planned Unit Development (PUD – Hendon Park), as read for the first time, passed and carried over, as presented. Councilmember Scott seconded. Councilmember Chastain inquired of the number of recent similar developments and if this aligns with the City of Thomasville's strategic and comprehensive plans. City Planner Thompson replied there have been two PUDs approved in recent years and, if approved, the Hendon Park PUD would be the third. He confirmed these types of developments do align with the plans in question and that PUDs have additional oversight to ensure the development meets the intent of the Compressive Plan. There was no further discussion. The motion remained unchanged. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

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

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF THOMASVILLE, GEORGIA, OF 1971, AS AMENDED WHICH IS SET FORTH IN THE CODE OF THE CITY OF THOMASVILLE AS CHAPTER 22, CAPTIONED "ZONING", BY EXCLUDING A CERTAIN TRACT OF LAND FROM PARCEL 5 OF SECTION 22-81 CAPTIONED "R-1, RESIDENTIAL", , TO DESCRIBE SAID EXCLUDED TRACT AND TO DESIGNATE THE SAID SAME TRACT AS PARCEL 2 OF SECTION 22-81 CAPTIONED "PLANNED UNIT DEVELOPMENT (PUD) WITH CONDITIONS". TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

First reading of an ordinance to rezone Parcel #017 003 003A, property between West Jackson Street and Sunset Drive, from M (Manufacturing) to C-2 (Suburban Corridor).

City Planner, Kenny Thompson reported the property owner is seeking to rezone a parcel of land located between Sunset Drive and West Jackson Street for the purpose of constructing a multifamily residential development. The property is currently zoned M (Manufacturing), which does not allow multifamily residential as a permitted use; therefore, the property must be rezoned in order to accommodate the desired development. The applicant has requested the property be rezoned to C-2 (Suburban Commercial Corridor), which allows for multifamily development as a permitted use by right. The subject parcel is approximately 5.9 acres +/- in size and is currently undeveloped; however, existing City utilities are available for the proposed development. The property sits behind commercial properties that abut West Jackson Street and has limited frontage along the arterial roadway, but has about 600 feet of frontage along Sunset Drive. The applicant proposes primary access to the property from Sunset and a secondary point of access from Jackson. Nearby property uses are primarily commercial and light manufacturing. Prior to 2005, housing was allowed

within a Manufacturing Zoning District and apartments were allowed 'by right'. Since the district no longer allows multifamily housing, the proposed rezoning to C-2 Commercial is appropriate as it allows multifamily residential and other compatible uses that are consistent with surrounding properties and their existing land uses. However, protections should be put in place to provide appropriate separation between the proposed use (multifamily residential) and any potential manufacturing use that could occupy the adjacent parcels in the future. The rezoning request is in conformance with the *Thomasville: Blueprint 2028 Future Land Use Map* and will permit a use that is suitable in view of the use and development of adjacent and nearby property. City Staff and the Planning and Zoning Commission, request Council approval of the request to rezone this parcel from M Manufacturing to C-2 Commercial with the following conditions:

- The rezoning will include a minimum 15' landscape buffer separating the property from the adjacent manufacturing zoned parcel(s) as specified in the attached "Landscape Buffer Requirements".
- Additionally, the future land use map should be modified to show this parcel as "Suburban Neighborhood".

Councilmember Scott motioned to order the ordinance to rezone Parcel #017 003 003A, property between West Jackson Street and Sunset Drive, from M (Manufacturing) to C-2 (Suburban Corridor) as read for the first time, passed and carried over as presented. Mayor Pro Tem Mobley second. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

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

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF THOMASVILLE, GEORGIA, OF 1971, AS AMENDED WHICH IS SET FORTH IN THE CODE OF THE CITY OF THOMASVILLE AS CHAPTER 22, CAPTIONED "ZONING", BY EXCLUDING A CERTAIN TRACT OF LAND FROM PARCEL 3 OF SECTION 22-81 CAPTIONED "M. MANUFACTURING", TO DESCRIBE SAID EXCLUDED TRACT AND TO DESIGNATE THE SAID SAME TRACT AS PARCEL 63 OF SECTION 22-81 CAPTIONED "C-2. COMMERCIAL WITH CONDITIONS". TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

First reading of an ordinance to rezone 227 and 229 West Jackson Street from C-2, Commercial to C-2 CU, Commercial Conditional Use; applicant Hubs & Hops Properties, LLC.

City Planner, Kenny Thompson reported the property located at 227 and 229 W. Jackson Street is currently zoned C-2, Commercial. The applicant, Roger Hawkes (owner agent) for Hubs & Hops Properties, LLC (owner), is seeking a conditional use permit to operate a micro-brewery/taproom at the property. The applicant's intended use for the property falls under the category "Manufacturing, Processing, and Packaging – Light (less than 12,000 SF)," which is allowable only as a "Conditional Use" in the C-2 zoning district. City Council passed an ordinance in 2017 updating the schedule of permitted uses [Section 22-106] to include "Manufacturing, Processing, and Packaging – Light (less than 12,000 SF)" [Subparagraph 126], which allows for lower intensity, shopfront-like manufacturing activities as conditional uses at properties located in the C-1 and C-2 commercial districts. In zoning districts where specific use categories are only allowed as a "Conditional Use" (CU), additional standards, above and beyond those included as part of the "by right definition," may apply to the applicant. Pursuant to §22-382 of the Thomasville Municipal Code, the proposal shall only be permitted after special review and approval by the Planning and Zoning Commission and City Council. This additional layer of oversight ensures that the impact to neighbors in these districts is negligible. The applicant is requesting that the underlying zoning district remain C-2, Commercial; however, a rezoning to C-2 CU (Commercial Conditional Use) is required to accommodate the applicant's proposed use. Therefore, Council must review the proposal for potential impacts, and if necessary, attach mitigating stipulations to the rezoning. The surrounding properties and uses (a combination of retail, open space, and vacant commercial) are similar in character and intensity to the proposed function. Finding that the proposed conditional use (brewery) would have no negative impact on the surrounding properties, the Planning and Zoning Commission and staff recommended approval of the request without any additional conditions.

Councilmember Chastain motioned to order the ordinance to rezone 227 and 229 West Jackson Street from C-2, Commercial to C-2 CU, Commercial Conditional Use as read for the first time, passed and adopted as presented.

Mayor Pro Tem Mobley seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

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

AN ORDINANCE TO AMEND THE COMPREHENSIVE ZONING ORDINANCE OF THE CITY OF THOMASVILLE, GEORGIA, OF 1971, AS AMENDED WHICH IS SET FORTH IN THE CODE OF THE CITY OF THOMASVILLE AS CHAPTER 22, CAPTIONED "ZONING", BY EXCLUDING A CERTAIN TRACT OF LAND FROM PARCEL 1 OF SECTION 22-81 CAPTIONED "C-2, COMMERCIAL", TO DESCRIBE SAID EXCLUDED TRACT AND TO DESIGNATE THE SAID SAME TRACT AS PARCEL 64 OF SECTION 22-81 CAPTIONED "C-2 CU, COMMERCIAL CONDITIONAL USE". TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

A Resolution to approve the Settlement Agreement with McKesson Corporation, Cardinal Health, Inc. and Amerisource Bergen Corporation ("Settling Distributors") in connection with opioid class action litigation with the Settling Distributors, authorize the City of Thomasville to join in the Settlement Agreement with the Settling Distributors, and authorize the Mayor to execute the related Settlement Agreement and related documents.

City Attorney, Tim Sanders reported the resolution approves a settlement with three of the major distributors of opioids. The class action litigation has been brought by the State Attorney General of Georgia. The final amount is to be determined and there is a release of any future claims that the City of Thomasville would have against the distributors.

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

AYES: Flowers, Mobley, Warren, Scott and Chastain.

The adopted resolution follows.

CITY OF THOMASVILLE, GEORGIA
RESOLUTION
DISTRIBUTOR SETTLEMENT

WHEREAS, the City of Thomasville has received the State of Georgia and Local Governments: Memorandum of Understanding Concerning National Distributor and Johnson & Johnson Opioid Settlements ("MOU");

WHEREAS, after a presentation from and consultation with the City Attorney, the City Council of the City of Thomasville ("City Council") has determined that it is in the best interest of the City of Thomasville to enter into the settlement agreement with McKesson Corporation, Cardinal health, Inc. and Amerisource Bergen Corporation ("Distributors") (the settlement agreement with the Distributors referred to as the "Distributors Settlement") and the MOU.

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 MOU and the Distributors Settlement, through the Settlement Participation Form, and the actions contemplated thereby are hereby approved and the execution, delivery and performance of the MOU and the Distributors Settlement by the Mayor are hereby authorized and

approved. The Participation Form for the Distributors Settlement and the MOU are attached hereto and made a Part hereof as Exhibit A.

Section 3. From and after the approval of this Resolution, the Mayor, proper officers, agents, administrators, attorneys and employees of the City of Thomasville 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 action of the MOU and the Distributors Settlement, through the Settlement Participation Form, 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 MOU and the Distributors Settlement 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 MOU and the Distributors Settlement, through the Settlement Participation Form, that are in conformity with the purposes and intents of this Resolution and in the furtherance of the MOU and the Distributors Settlement, through the Settlement Participation Form, and the execution, delivery, and performance of the MOU and the Distributors Settlement, through the Settlement Participation Form, 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. The resolution shall be effective immediately upon its adoption.

SO RESOLVED, the 28th day of March, 2022.

A Resolution to approve the Settlement Agreement with Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson and other affiliate companies ("Janssen") in connection with opioid class action litigation with Janssen, authorize the City of Thomasville to join in the Settlement Agreement with Janssen, and authorize the Mayor to execute the related Settlement Agreement and documents.

City Attorney, Tim Sanders reported this item is a mirror resolution regarding the Distributors Settlement just approved; however, this is with Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson and other affiliate companies ("Janssen").

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

AYES: Flowers, Mobley, Warren, Scott and Chastain.

The adopted resolution follows.

CITY OF THOMASVILLE, GEORGIA
RESOLUTION
JANSSEN SETTLEMENT

WHEREAS, the City of Thomasville has received the State of Georgia and Local Governments: Memorandum of Understanding Concerning National Distributor and Johnson & Johnson Opioid Settlements (“MOU”);

WHEREAS, after a presentation from and consultation with the City Attorney, the City Council of the City of Thomasville (“City Council”) has determined that it is in the best interest of the City of Thomasville to enter into the settlement agreement with Janssen Pharmaceuticals, Inc. and its parent company Johnson & Johnson and other affiliate companies (“Janssen”) (the settlement agreement with Janssen referred to as the “Janssen Settlement”) and the MOU.

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 MOU and the Janssen Settlement, through the Settlement Participation Form, and the actions contemplated thereby are hereby approved and the execution, delivery and performance of the MOU and Janssen Settlement by the Mayor are hereby authorized and approved. The Participation Form for the Janssen Settlement and the MOU are attached hereto and made a Part hereof as Exhibit A.

Section 3. From and after the approval of this Resolution, the Mayor, proper officers, agents, administrators, attorneys and employees of the City of Thomasville 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 action of the MOU and Janssen Settlement, through the Settlement Participation Form, 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 MOU and Janssen Settlement 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 MOU and Janssen Settlement, through the Settlement Participation Form, that are in conformity with the purposes and intents of this Resolution and in the furtherance of the MOU and Janssen Settlement, through the Settlement Participation Form, and the execution, delivery, and performance of the MOU and Janssen Settlement, through the Settlement Participation Form, 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. The resolution shall be effective immediately upon its adoption.

SO RESOLVED, the 28th day of March, 2022.

Motion to approve Budget Amendment FY 2021.

Chief Financial Officer, Ashley Cason reported each year, it is a requirement to obtain approval to amend the budget for any funds with expenditures/expenses that exceed the budget. Similar to prior years, this action takes place when the year end is over and all final amounts that are required to be amended is presented to Council at one time. The City of Thomasville 2021 Net Income worksheet shown below provides a comparison of the City of Thomasville’s budgeted revenues, expenses and net income and the City’s actual revenues, expenses and net income based on preliminary financial statements as of 12/31/21, which are subject to audit adjustments. This worksheet illustrates that more revenues were received than budgeted, and less expenses were incurred than budgeted. Revenues came in higher than budgeted primarily due to the unbudgeted amount received for the ARPA (American Rescue Plan Act) funds of \$3,457,647; and expenses were significantly lower this year due to COVID-19 and delays in completing capital projects. Overall, the City exceeded budgeted net income by \$11,552,554.

CITY OF THOMASVILLE 2021 NET INCOME

**Subject to Audit Adjustments*

	<u>2021 BUDGET</u>	<u>2021 ACTUAL</u>	<u>OVER/UNDER</u>
REVENUES	\$155,163,749	\$160,233,894	\$5,070,145
EXPENSES	\$151,961,648	\$145,479,238	(\$6,482,409)
<u>NET INCOME</u>	<u>\$3,202,101</u>	<u>\$14,754,655</u>	<u>\$11,552,554</u>

Councilmember Warren motioned to approve the Budget Amendment for year 2021, as presented. Councilmember Chastain seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

Motion to authorize Mayor to sign contract to provide for clearing of Avigation Easement.

Assistant City Manager, Chris White reported the Georgia Department of Transportation (GDOT) has provided a report and letter stating non-compliance regarding a clear avigation easement and that the City Airport is in jeopardy of losing the Federal Grant Assurance Fund if compliance is not achieved by January 2023. To clear the avigation easement, the taller trees that are in the glidescope need to be removed. The easement area is the glidescope above the ground. Items located beneath the glidescope need to be relocated prior to the timber removal /land clearing process. The contract is with Taylor Land Services for a 30-day contract on an hourly basis not to exceed \$18,000.00.

Councilmember Chastain motioned to approve authorizing the Mayor to sign the contract to provide for clearing of the avigation easement as presented. Mayor Pro Tem Mobley seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

Approval of Alcohol License Application for Beer and Wine Consumption for Upchurch, LLC. DBA The Business Exchange located at 125 N. Broad Street.

Business & Tax Licensing Administrator, Melissa Creel reported Matthew Santoro has completed an Alcohol License Application for Beer and Wine Consumption for Upchurch, LLC DBA The Business Exchange, an establishment located at 125 North Broad Street, Thomasville, Georgia. It was noted that the establishment is an event facility.

Mayor Pro Tem Mobley motioned to approve the Alcohol License Application for Beer and Wine Consumption as requested. Councilmember Warren seconded. There was no further discussion. The motion passed 5-0, with the following votes recorded:

AYES: Flowers, Mobley, Warren, Scott and Chastain.

Following the Council’s approval of the Alcohol License, Mayor Flowers read the following statement to the applicant, Matthew Santoro:

“As part of the application process, the applicant signed an affidavit stating that he/she understands the sale of alcoholic beverages to an underage person is an illegal act, punishable by law, in the State of Georgia; and, The applicant understands the code requirements as they relate to the

required training program and prohibition of sales of alcoholic beverages to an underage person; and, The applicant received a copy of the current Thomasville Municipal Code Chapter 3, titled "Alcoholic Beverages".

Mr. Santoro acknowledged receipt, and understanding of, the ordinances as they pertained to alcoholic beverages.

REPORTS

City Manager Carson reported all alcohol beverage license applicants are required to sign an affidavit stating they have received and read the a copy of the current Thomasville Municipal Code Chapter 3, "Alcoholic Beverages"; relating to, but not limited to, employee training and underage consumption.

Councilmember Warren acknowledged March as Women's History Month and commended the collective celebrations of all the wonderful women; and acknowledged City of Thomasville women who have had great impacts in community of Thomasville.


Mayor Pro Tem Mobley encouraged everyone to participate in the upcoming Rose City Walk and/or the Rose City Run. Councilmembers Scott and Chastain also encouraged community participation in the events.

Mayor Flowers commended Ms. Michelle Fan for her heroic efforts and acknowledged Clara Barton for her efforts in the founding of the American Red Cross organization. He also thanked those in attendance, and those listening to the live-stream, for their participation with the meeting.

ADJOURNMENT

Having no other business to discuss, the Thomasville City Council meeting was adjourned at 6:38 PM.

CITY OF THOMASVILLE, GEORGIA



Mayor, John H. Flowers



ATTEST: City Clerk

