

City of Thomasville Council Meeting, March 27, 2023

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

INVOCATION

Councilmember Scott gave the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Mobley led the Pledge of Allegiance.

APPROVAL OF MINUTES

Mayor Pro Tem Mobley motioned to approve the Council Meeting Minutes of March 13, 2023, as presented. Councilmember Scott seconded. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott, and Chastain.

PROCLAMATIONS/RECOGNITIONS

1. Proclamation - Housing Month, April 2023: Councilmember Warren acknowledged the City of Thomasville recognizes the month of April as Fair Housing Month in celebration of the anniversary of the passage of the Fair Housing Act in April 1968. Councilmember Warren presented a proclamation recognizing Fair Housing Month to Sharon Edwards, Executive Director of the Community Outreach Training Center (COTC). Director Edwards is charged with assisting community members with housing needs and opportunities.
2. Recognition - Honorary Councilmember, Randy Anderson: Mayor Flowers presented a commemorative plaque to Randy Anderson and thanked him for serving as the Honorary Councilmember for the month of March. Mr. Anderson thanked Councilmembers and the community for providing him the opportunity to serve and learn more about the local government.

CITIZENS TO BE HEARD

Mayor Flowers acknowledged the following citizens as listed on the Citizens to be Heard Sign-In Sheet:

1. Audrey Linder, resident of Highland Street, Thomasville, Georgia, spoke in opposition of the Thomasville Police Department's potential consideration of the purchase of an armored vehicle. She requested to know if the current gun violence data indicated a need for the Police Department to make such a purchase. She indicated that having an armored vehicle within the community would make her feel less safe. Ms. Linder noted that citizens were struggling with utilities and kitchen table items; there would never be a good time for the purchase of an armored vehicle.
2. Candee Henderson, resident of Thomas County, Thomasville, Georgia, also spoke in opposition of the potential purchase of an armored vehicle and requested to know if the violence within the community had risen to a point of needing such a vehicle. She indicated that many communities are militarizing their police forces. She noted that the nation may be much less violent now than it used to be; however, perception is everything. The community will perceive there is danger when they see this type of vehicle and will react on that perception.
3. Keith Thomas, had signed in to speak; however, he was not present when called upon.

ADOPT AGENDA

City Manager Carson requested the agenda be amended so as to add an Executive Session to discuss personnel. Councilmember Chastain motioned to approve the agenda as amended. Councilmember Warren seconded. It was noted the Executive Session would be added after "Reports". There was no further discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

OLD BUSINESS

There was no Old Business to be considered by Councilmembers at this meeting.

NEW BUSINESS

First reading of an ordinance to amend Chapter 13 "Public Utilities Systems" of the Thomasville Code of Ordinances.

Managing Director of Customer Service, Mark Parrillo reported in June of 2021, the City of Thomasville transitioned to a new billing system. It was noted that during the transition billing inconsistencies were discovered. Following extensive investigation, it was determined the issues were related to the capabilities of the Cogsdale system as it relates to the current ordinances regarding meter reading and billing; dates payments due and delinquent; and, penalty for nonpayment, reconnections, and meter test charges. Director Parrillo reviewed the amendments to the ordinance and noted the amendments will better align the Thomasville Code with the Cogsdale billing module and its capabilities. The amendments request are in relation to Thomasville Municipal Code Chapter 13 – "Public Utilities Systems", Section 13-14, captioned "Meter reading and billing; dates payments due and delinquent; penalty for non payment; reconnections; meter test charges.", and clarifies due dates, delinquent dates and cut-off dates.

Mayor Pro Tem Mobley motioned to order the ordinance to amend Chapter 13 – Public Utilities, Section 13-14 as read for the first time, passed and carried over, as presented. Councilmember Chastain second. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

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

AN ORDINANCE TO AMEND CHAPTER 13, PUBLIC UTILITIES SYSTEMS, OF THE CODE OF ORDINANCES OF THE CITY OF THOMASVILLE, GEORGIA BY AMENDING PARAGRAPHS (a) AND (b) OF SECTION 13-14, CAPTIONED "METER READING AND BILLING; DATES PAYMENTS DUE AND DELINQUENT; PENALTY FOR NONPAYMENT; RECONNECTIONS; METER TEST CHARGES." OF ARTICLE 1, CAPTIONED "IN GENERAL"; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; TO PROVIDE FOR AN EFFECTIVE DATE OF THIS ORDINANCE; AND TO PROVIDE FOR OTHER PURPOSES.

Resolution to approve Second Amendment to City Manager Employment Agreement.

City Attorney, Tim Sanders reported the City entered into an employment agreement with the City Manager on December 18, 2018. The Agreement provides for a two-year initial term, followed by three, one-year automatic renewals. The last of the one-year automatic renewal periods expires on January 6, 2024. This Resolution to approve Second Amendment to the City Manager's Employment Agreement will provide for an extension of an additional one year term commencing on January 7, 2024 and ending at midnight, Eastern Standard Time, on January 6, 2025; and, that the City Manager's annual base salary will be increased by the same percentage and at the same time and frequency as other City Employees.

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

City Manager Carson thanked Councilmembers for their vote of confidence and the opportunity to serve the community. He acknowledged that great strides had been made in the past four-and-a-half years, that he was excited about the direction the City was now headed and looking forward to the organization's future.

The adopted resolution follows.

**CITY OF THOMASVILLE, GEORGIA
RESOLUTION**

WHEREAS, the City of Thomasville entered into that certain City Manager Employment Agreement, effective December 12, 2018, (“Employment Agreement”) by and between the City of Thomasville and J. Alan Carson;

WHEREAS, both the City of Thomasville and J. Alan Carson desire to amend Section 1. and Section 3. C of the Employment Agreement.

NOW THEREFORE BE IT RESOLVED, that the recitals set forth above are incorporated herein by reference as if set forth fully herein.

NOW THEREFORE BE IT FURTHER RESOLVED, that the Second Amendment to City Manager Employment Agreement, attached hereto and made a part hereof as Exhibit A is hereby approved and the Mayor is authorized to execute the Second Amendment to the City Manager Employment Agreement on behalf of the City of Thomasville.

SO RESOLVED, this 27th day of March, 2023.

This resolution shall be effective immediately upon its adoption.

Adopt Fair Housing Resolution for 2022 CDBG Grant.

Grants Administrator, Pam Schalk reported the City of Thomasville received a \$1,000,000 Community Block Development Grant (CDBG) in 2022 for funding under Title I of the Housing and Community Development Act of 1974, as amended. As part of the award, a Fair Housing resolution is required. In order to be in compliance with key regulations and requirements of the fair housing and equal opportunity laws applicable to CDBG projects, the City must adopt a Fair Housing Resolution that encourages equal opportunity in housing for all persons regardless of race, color, religion, gender, and national origin in accordance with the Fair Housing Act to include the Fair Housing Amendments Act of 1988 which expands coverage to disabled persons and families with children.

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

The approved resolution follows.

FAIR HOUSING RESOLUTION

LET IT BE KNOWN TO ALL PERSONS OF the CITY OF THOMASVILLE that discrimination on the basis of race, color, religion, gender or national origin in the sale, rental, leasing or financing of housing or land to be used for construction of housing or in the provision of brokerage services is prohibited by Title VIII of the 1968 Civil Rights Act (Federal Fair Housing Law).

It is the policy of the CITY OF THOMASVILLE to encourage equal opportunity in housing for all persons regardless of race, color, religion, gender or national origin. The Fair Housing Amendments Act of 1988 expands coverage to include disabled persons and families with children. Therefore, the Council of the City of Thomasville, Georgia does hereby pass the following Resolution.

BE IT RESOLVED, that within available resources the CITY will assist all persons who feel they have been discriminated against because of race, color, religion, gender, national origin,

disability or familial status to seek equity under Federal and State laws by referring them to the U.S. Department of Housing and Urban Development, Office of Fair Housing and Equal Opportunity, Compliance Division.

BE IT FURTHER RESOLVED, that the CITY shall publicize this Resolution and through this publicity shall encourage owners of real estate, developers, and builders to become aware of their respective responsibilities and rights under the Federal Fair Housing Law and amendments and any applicable state or local laws or ordinances.

BE IT FURTHER RESOLVED, that said CITY will, at a minimum: 1. Adopt and publicize the Fair Housing Resolution; 2. Post Fair Housing Posters in prominent public areas; 3. Provide Fair Housing Brochures Fair Housing information to the public; 4. Declare April as Fair Housing Month by Proclamation or Resolution; and 5. Conduct at least one (1) Fair Housing activity and document said activity.

EFFECTIVE DATE: This Resolution shall take effect March 27, 2023.

PASSED, APPROVED AND ADOPTED by the Council of the City of Thomasville, Georgia on this, the 27th day of March 2023.

Resolution to approve renewal of 5-year lease agreement with CAT Financial for 309E Caterpillar Excavator for Public Works.

Director of Public Works, Stephen Stewart reported the Public Works Department is requesting to renew a five-year lease with Yancey Brothers of Albany, Georgia (CAT Financial) for a 309 Mini Excavator. The mini excavator will be utilized for Right of Way maintenance. It was noted the monthly lease payment would be \$1,227.31 per month. Discussion ensued regarding the advantages of leasing equipment versus the disadvantages of purchasing this type of equipment; equipment warranty; and useful life of such equipment.

Mayor Pro Tem Mobley motioned to approve the resolution, as presented. Councilmember Scott seconded. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

The approved resolution follows.

**GOVERNMENTAL ENTITY RESOLUTION TO
LEASE, PURCHASE AND/OR FINANCE**

WHEREAS, the laws of the State of Georgia (the "State") authorize CITY OF THOMASVILLE, GA (the "Government Entity"), a duly organized political subdivision, municipal corporation or similar public entity of the State, to purchase, acquire and lease personal property for the benefit of the Governmental Entity and its inhabitants and to enter into any necessary contracts; and

the Governmental Entity wants to lease, purchase and/or finance equipment ("Equipment") from Caterpillar Financial Services Corporation and/or an authorized Caterpillar dealer ("Caterpillar") by entering into that certain Governmental Equipment Lease-Purchase Agreement (the "Agreement") with Caterpillar; and

the form of the Agreement has been presented to the governing body of the Governmental Entity at this meeting.

RESOLVED, that: (i) the Agreement, including all schedules and exhibits attached to the Agreement, is approved in substantially the form presented at the meeting, with any Approved Changes (as defined below), (ii) the Governmental Entity enter into the Agreement with Caterpillar and (iii) the Agreement is adopted as a binding obligation of the Governmental Entity; and

that changes may later be made to the Agreement if the changes are approved by the Governmental Entity's counsel or members of the governing body of the Governmental Entity signing the Agreement (the "Approved Changes") and that the signing of the Agreement and any related documents is conclusive evidence of the approval of the changes; and

that the persons listed below, who are the incumbent officers of the Governmental Entity (the "Authorized Persons"):

J. Alan Carson, City Manager, City of Thomasville, Georgia

be, and each is, authorized, directed and empowered, on behalf of the Governmental Entity, to (i) sign and deliver to Caterpillar, and its successors and assigns, the Agreement and any related documents, and (ii) take or cause to be taken all actions he/she deems necessary or advisable to acquire the Equipment, including the signing and delivery of the Agreement and related documents; and

that the signatory below is authorized to attest to these resolutions and affix the seal of the Governmental Entity to the Agreement, these resolutions, and any related documents; and that nothing in these resolutions, the Agreement or any other document imposes a pecuniary liability or charge upon the general credit of the Governmental Entity or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and

that a breach of these resolutions, the Agreement or any related document will not impose any pecuniary liability upon the Governmental Entity or any charge upon its general credit or against its taxing power, except to the extent that the payments payable under the Agreement are special limited obligations of the Governmental Entity as provided in the Agreement; and

that the authority granted by these resolutions will apply equally and with the same effect to the successors in office of the Authorized Persons.

Resolution to approve modification of Loan Agreement and Promissory Note for Georgia Environmental Finance Authority (GEFA) Loan No. DW2019033.

Executive Director of Inspections & Engineering, Mark Harmon reported that on May 12, 2020, the Georgia Environmental Finance Authority (GEFA) approved the City's loan application in the amount of \$2,500,000, such loan also qualifying for \$750,000.00 in principal forgiveness, if all loan funds are drawn. The loan interest rate is set at 0.94%, paid in 239 consecutive monthly installments. The estimated installment amount is \$8,001.40 per month, assuming the full amount of funds indicated in the loan documents is dispersed to the project, and all requirements for the project are met. Funds will be utilized to upgrade/replace aging water mains, fire hydrants, and related appurtenances at various locations throughout the City. The first version of this loan agreement was approved by this Council in May of 2020. Due to a variety of circumstances, all funds provided through this loan agreement have not yet been expended. Initially, all funds were planned to have been exhausted by mid-2021. Approximately 12% (\$308,000.00 + or -) of the original 2,500,000 remains to be spent. The agreement has not changed with the exception of the loan closing date that will now be December of 2023. GEFA does not send an addendum or amendment to the original agreement; the entire agreement is presented with the information edited to reflect any modifications. Director Harmon requested Council adopt a resolution approving the loan agreement and promissory note and authorizing the Mayor to execute the agreement, promissory note and any related documents necessary to execute the loan agreement.

Mayor Pro Tem Mobley motioned to adopt the resolution to approve modification of Loan Agreement and Promissory Note for GEFA Loan No. DW2019033, and to authorize the Mayor to sign the agreement, promissory note and any related documents deemed necessary to execute the modification, as presented. Councilmember Chastain seconded. It was noted that upon arrival of the Loan Packet from GEFA, the Mayor would be contacted to obtain necessary signatures. There was no further discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

Resolution to approve the City of Thomasville’s Adoption Agreement for Eligible Governmental 457 Plan.

Chief Financial Officer, Ashley Cason reported TNB Financial provides professional services with the City of Thomasville as it relates to the City’s 457/401 Retirement Plan. Last year, TNB Financial conducted a Plan review to assess and deliver recommendations for the Plan. Some of the recommendations included enrollment automation, revamping our investment options, and reviewing our Plan documents. Upon review of the Plan documents, it was discovered the 401a Plan Document had been updated back in 2019; however, the 457 Plan Document had not been updated since 2015. The goal was to update the plan and our processes based on the current basic plan design. The updates to the plan document include:

1. Beneficiary Distribution Elections – No longer immediate distribution, but as Beneficiary elects.
2. Distributions Prior to Severance from Employment – Distributions allowed for Participants 59 ½ and older.
3. Trustees – added Assistant City Manager, Chris White and City Manager, Alan Carson as Trustees

Councilmember Warren motioned to adopt the resolution to approve the adoption agreement for City of Thomasville’s 457 Plan and 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.

The adopted resolution follows.

ADOPTING RESOLUTION

The undersigned authorized representative of City of Thomasville, (the Employer) hereby certifies that the following resolutions were duly adopted by the Employer on March 27, 2023, and that such resolutions have not been modified or rescinded as of the date hereof:

RESOLVED, that the form of amended 457 Plan and Trust effective March 1, 2023, presented to this meeting is hereby approved and adopted and that an authorized representative of the Employer is hereby authorized and directed to execute and deliver to the Administrator of the Plan one or more counterparts of the Plan.

The undersigned further certifies that attached hereto as Exhibits A and B, respectively, are true copies of City of Thomasville 457 Plan as amended and restated and the Summary of 457 Provisions, which are hereby approved and adopted.

John H. Flowers, Mayor, City of Thomasville, Georgia

Motion to approve Utility Operations Fee Schedules update to include After-Hours Service Calls.

Managing Director of Customer Service, Mark Parrillo reported these fees were not new fees; however, they were unintentionally left off of the Utility Operations Fee Schedules for Gas, Water and Wastewater when presented and approved in 2022. This after-hours fee is assessed when the Utility Response Center dispatches a service employee after hours for customer side issues relating to Water, Gas and Wastewater. The current fee is \$32.00/service call for Gas, Water and Wastewater. It is recommend this to be changed to \$75.00/service call to ensure the costs of providing the serve is covered. This recommended fee is based on Council’s approval of the \$75.00 after-hours reconnection fee for electric.

Councilmember Warren motioned to approve the updated fee schedules, to include the After-Hours Fee of \$75.00 for Utility Operations Water, Gas, and Wastewater Departments, as presented. Mayor Pro Tem 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 approve contract for Airport Hangar Door Repair.

Executive Director of Inspections & Engineering, Mark Harmon reported that in late 2008, a large 90’ x 35’ horizontal bi-fold door was added to the center bay of the hangar (bay #2) that was constructed just prior. The impact of the doors trolley wheels on the two supporting columns on either side of the door opening during the process of opening or closing the door is significant. After analysis by staff and outside engineers, it was determined that the matter needed to be addressed to resolve this excess stress. After several discussions with the door manufacturer and other local

Engineers, Structural Engineer Brett Henderson, created a design and method to address all concerns in a least invasive way to keep cost at a minimum. His method allows this very large and heavy door to stay in place while the work to reinforce the columns is completed, eliminating the need for a large crane and extra days of interruption to the hangar occupant and the airport staff. This design was packaged with a scope of work and released for bid to three bidders. Although confirmation from each of the bidders was received stating they would participate, only one bid was returned from Tip Top Construction at \$17,500.00. This was well within the pre-bid estimates by staff at \$21,944.00. Although this project was funded for the end of last year, the project was not completed by the year's end and the funds were not encumbered for the completion in the 2023 budget. Director Harmon reported the funds in the amount of \$270,000.00, that were budgeted for the Southwest development can be used, as that project will not be completed in 2023.

Councilmember Chastain motioned to award the contract for Airport Hangar Door Repair to Tip Top Construction and to authorize the Mayor or Mayor Pro Tem to sign any related documents necessary to execute the contract, as presented. Councilmember Scott seconded. Director Harmon reported repair work would commence as soon as possible. There was no further discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.

REPORTS

City Manager Carson encouraged the community to attend the annual Easter Eggstravaganza celebration and wished everyone a Happy Easter.

Mayor Flowers encouraged the community, Councilmembers and Staff to join him in congratulating Councilmember Scott on recently receiving his Masters in Theology. Councilmember Scott thanked everyone and noted he was honored to have received this degree.

EXECUTIVE SESSION

Mayor Pro Tem Mobley motioned to close the public meeting and enter into an Executive Session for discussion of personnel and pursuant to O.C.G.A. § 50-14-3(b)(2). Councilmember Scott seconded. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Flowers, Mobley, Warren, Scott and Chastain.


The meeting closed to the public at 6:27 PM.

Following the duly held and adjourned Executive Session, the City Council Meeting was reopened to the public at 6:41 PM.

ADJOURNMENT

Having no further business for consideration, the Thomasville City Council Meeting was adjourned at 6:42 PM.

CITY OF THOMASVILLE, GEORGIA



Mayor John H. Flowers



ATTEST: City Clerk

