

City of Thomasville Council Meeting, September 9, 2024

The Council of the City of Thomasville met in regular session on the above date. Mayor Todd Mobley presided, and the following Councilmembers were present: Mayor Pro Tem Terry Scott and Councilmembers Scott Chastain, Royal Baker and Lucinda Brown. Also present were the City Manager, Chris White; Assistant City Manager, Sheryl Sealy; City Attorney, Timothy C. Sanders; Chief Financial Officer, Ashley Cason; 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 media and citizens unable to attend the meeting via the City of Thomasville's online live stream feed located at www.thomasville.org.

CALL TO ORDER

Mayor Todd Mobley called the meeting to order 6:00 PM.

INVOCATION

Mayor Pro Tem Terry Scott gave the Invocation.

PLEDGE OF ALLEGIANCE

Mayor Pro Tem Terry Scott led the Pledge of Allegiance.

APPROVAL OF MINUTES

Councilmember Lucinda Brown moved to approve the Regular Meeting Minutes of August 26, 2024, as presented. Mayor Pro Tem Scott seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, Baker and Brown.

CITIZENS TO BE HEARD

There were no citizens signed in on the Citizens to be Heard Sign-In Form.

ADOPT AGENDA

Councilmember Chastain moved to adopt the agenda as presented. Councilmember Baker seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, Baker and Brown.

OLD BUSINESS

Second reading of an ordinance to rezone 1701-1705 Colonial Drive from C-2, Commercial, to M-CU, Manufacturing Conditional Use – Heavy (other manufacturing, processing, packaging, or handling of similar nature which shall not emit or produce more smoke, noise, odor, dust, vibrations, or fumes).

City Planner, Kenny Thompson reported there were no changes to the ordinance since its passage on first reading on August 26, 2024.

Councilmember Chastain moved to order the ordinance to rezone 1701-1705 Colonial Drive as read for the second time, passed and adopted, as presented. Mayor Pro Tem Scott seconded. There was no discussion. The motion passed 5-0, with the following votes were recorded: AYES: Mobley, Scott, Chastain, Baker and Brown.

The ordinance read for the second time, passed and adopted follows.

ORDINANCE NO.: ORD-19-09092024

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 10** OF SECTION 22-91 CAPTIONED "**C-2, COMMERCIAL**", TO DESCRIBE SAID EXCLUDED TRACT AND TO DESIGNATE THE SAID SAME TRACT AS **PARCEL 39** OF SECTION 22-91 CAPTIONED "**M-CU, MANUFACTURING CONDITIONAL USE-HEAVY (OTHER MANUFACTURING, PROCESSING, PACKAGING, OR HANDLING OF A SIMILAR MATURE WHICH SHALL NOT EMIT OR PRODUCE MORE SMOKE, NOISE, ODOR, DUST, VILBRATIONS, OR FUMES.)**". TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

SECTION I

BE IT ORDAINED by the Council of the City of Thomasville and it is hereby ordained by the authority of the same, that the Code of the City of Thomasville is amended by excluding a certain **Parcel 10** from Section 22-91 captioned "**C-2, Commercial**" and to designate the said same tract as **Parcel 39** of Section 22-91 captioned "**M-CU, Manufacturing Conditional Use-Heavy (Other Manufacturing, Processing, Packaging, Or Handling Of A Similar Mature Which Shall Not Emit Or Produce More Smoke, Noise, Odor, Dust, Vibrations, Or Fumes.)**".

and more particularly described as follows:

All that tract or parcel of land situate, lying and being in the city of Thomasville and in Land Lot 101 of the 13th Land District of Thomas County, Georgia containing 30.521 acres as said tract is more particularly shown on a plat of survey prepared for James F. Taylor by Frank E. Carlton, Georgia Registered Land Surveyor No. 1544, dated August 5, 1993, revised September 8, 1995, and recorded in Plat Cabinet 2, Folio 106A, among the Deed Records of Thomas County, Georgia, reference to which plat is made for a more particular description by metes and bounds and courses and distances as set forth thereon.

Excluding the property currently known as 1705 Colonial Drive, C&D, Thomasville, GA.

All that tract or parcel of land situate, lying and being in the City of Thomasville and in Land Lot 101 of the 13th Land District of Thomas County, GA and being all of that 5.037 acres shown and delineated on a plat of survey prepared for Jay Strickland and Mark Clanton by WxTon and Associates, LLC land Surveying and Cary B. Wetherington, Georgia Registered Land Surveyor No. 2899, dated March 12, 2012 and recorded in Plat Cab. 5, Folio 92-C, among the Thomas County Deed Records. The described tract is known as 1705 Colonial Drive, according to the present system of numbering their streets in the City of Thomasville, Georgia.

SECTION II

This ordinance shall be effective on the date of its final reading and passage.

SECTION III

BE IT FURTHER ORDAINED all ordinances or part of ordinances in conflict herewith are hereby expressly repealed.

SECTION IV

BE IT FURTHER ORDAINED and it is hereby declared to be the intention of the Mayor and Council of the City of Thomasville that all sections, paragraphs, sentences, clauses, and phrase of the Ordinance are and were, upon their enactment, believed by the Mayor and the Council to be fully valid, enforceable, and constitutional.

SECTION V

BE IT FURTHER ORDAINED and it is hereby declared by the Mayor and Council of the City of the Thomasville that (i) to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase and (ii) that to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this ordinance.

SECTION VI

BE IT FURTHER ORDAINED and it is hereby declared that in the event that any phrase, clause, sentence, paragraph or section of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgement or decree of any court of competent jurisdiction, it is the express intent of the Mayor and the Council of the City of Thomasville that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs or section of this ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION VII

This ordinance shall not be made a part of the official codified ordinances of the City of Thomasville but shall nevertheless be spread upon the public minutes and records of the City of Thomasville.

SECTION VIII

This ordinance was introduced and read at a lawful meeting of the City Council for the City of Thomasville, Georgia, held on August 26, 2024, and read the second time, passed and adopted in like meeting held on September 9, 2024.

Second reading of an ordinance to rezone 510 North Parnell Street from M, Manufacturing to R-2, Multi-Family Residential.

City Planner, Kenny Thompson reported there were no changes to the ordinance since its passage on first reading on August 26, 2024.

Mayor Pro Tem Scott moved to order the ordinance to rezone 510 North Parnell Street as read for the second time, passed and adopted, as presented. Councilmember Baker seconded. There was no discussion. The motion passed 5-0, with the following votes were recorded: AYES: Mobley, Scott, Chastain, Baker and Brown.

The ordinance read for the second time, passed and adopted follows.

ORDINANCE NO.: ORD-20-09092024

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 22-91 CAPTIONED "M-MANUFACTURING", TO DESCRIBE SAID EXCLUDED TRACT AND TO DESIGNATE THE SAID SAME TRACT AS PARCEL 80 OF SECTION 22-91 CAPTIONED "R-2, MULTI-FAMILY RESIDENTIAL)". TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

SECTION I

BE IT ORDAINED by the Council of the City of Thomasville and it is hereby ordained by the authority of the same, that the Code of the City of Thomasville is amended by excluding a certain Parcel 3 from Section 22-91 captioned "M-Manufacturing" and to designate the said same tract as Parcel 80 of Section 22-91 captioned "R-2, Multi-Family Residential)"

and more particularly described as follows:

All that tract or parcel of land lying, being and situate in the City of Thomasville, Thomas County, Georgia as shown on a plat of survey prepared for Gladys Deese by Frank E. Carlton, Georgia Registered Surveyor No. 1544 dated February 15, 1988 and more particularly described pursuant to said plat of survey as follows: COMMENCE at the intersection of the west margin of the right of way of Pamel l Street with the south margin of the right of way of Gribben Street and from said point run south 06 degrees 46 minutes 10 seconds west along the west margin of the right of way of Parnell Street a distance of 316.14 feet to a point; thence run north 85 degrees 39 minutes 11 seconds west a distance of 200 feet to a point thence run south 06 degrees 46 minutes 10 seconds west a distance of 100 feet to a point located on the north margin of Neal Street; thence run north 85 degrees 39 minutes 11 seconds west along the north margin of Neal Street a distance of 100 feet to a point located on the east margin of a 40 foot street shown on a plat of survey which is designated as "not open"; thence run north 06 degrees 46 minutes 10 seconds east along the east margin of the 40 foot street "not open" 428.91 feet to a point located on the south margin of Gribben Street; thence run south 83 degrees 12 minutes 52 seconds east along the south margin of Gribben Street 299.73 feet to a point and place of beginning.

The above-described property is all of Block 3 and all of Lot Nos. 1, 2, 3, 4, 5, 6, 11 and 12 in Block 4 of Fairview Subdivision and is all of the street formerly known as Parker Street lying between blocks 3 and 4 of Fairview Subdivision as show on a plat recorded in Deed Book UU, Page 141 of the Deed Records of Thomas County, Georgia

Also Conveyed herein without warranty is all rights of ownership of grantor to the 40 foot street which has not been opened bordering the property conveyed herein on the west, which alley or street is or was formerly known as Ferris Street and/or Travis Street.

The area formerly known as Parker Street lying between Lots 3 and 4 of Fairview was closed by ordinance of the City of Thomasville, dated November 8, 1971 recorded in Ordinance Book 5, Page 384-385, located in the Clerk's Office of the City of Thomasville, Georgia.

SECTION II

This ordinance shall be effective on the date of its final reading and passage.

SECTION III

BE IT FURTHER ORDAINED all ordinances or part of ordinances in conflict herewith are hereby expressly repealed.

SECTION IV

BE IT FURTHER ORDAINED and it is hereby declared to be the intention of the Mayor and Council of the City of Thomasville that all sections, paragraphs, sentences, clauses, and phrase of the Ordinance are and were, upon their enactment, believed by the Mayor and the Council to be fully valid, enforceable, and constitutional.

SECTION V

BE IT FURTHER ORDAINED and it is hereby declared by the Mayor and Council of the City of the Thomasville that (i) to the greatest extent allowed by law, each and every section, paragraph, sentence, clause or phrase of this Ordinance is severable from every other section, paragraph, sentence, clause or phrase and (ii) that to the greatest extent allowed by law, no section, paragraph, sentence, clause or phrase of this ordinance is mutually dependent upon any other section, paragraph, sentence, clause or phrase of this ordinance.

SECTION VI

BE IT FURTHER ORDAINED and it is hereby declared that in the event that any phrase, clause, sentence, paragraph or section of this ordinance shall, for any reason whatsoever, be declared invalid, unconstitutional or otherwise unenforceable by the valid judgement or decree of any court of competent jurisdiction, it is the express intent of the Mayor and the Council of the City of Thomasville that such invalidity, unconstitutionality or unenforceability shall, to the greatest extent allowed by law, not render invalid unconstitutional or otherwise unenforceable any of the remaining phrases, clauses, sentences, paragraphs or section of the Ordinance and that to the greatest extent allowed by law, all remaining phrases, clauses, sentences, paragraphs or section of this ordinance shall remain valid, constitutional, enforceable, and of full force and effect.

SECTION VII

This ordinance shall not be made a part of the official codified ordinances of the City of Thomasville but shall nevertheless be spread upon the public minutes and records of the City of Thomasville.

SECTION VIII

This ordinance was introduced and read at a lawful meeting of the City Council for the City of Thomasville, Georgia, held on August 26, 2024, and read the second time, passed and adopted in like meeting held on September 9, 2024.

NEW BUSINESS

City of Thomasville 2024 Ad Valorem Tax Millage Rate.

Customer Service Manager, Melissa Creel, reported that the City council has the authority to levy ad valorem tax on all real and personal property within the corporate limits of the city that is subject to such taxation by the state and county. This tax is for the purpose of raising revenues to defray the costs of operating the city government, of providing governmental services, for the repayment of principal and interest on general obligations, and for any other public purpose as determined by the City Council in its discretion. Ad valorem tax is required to be set by ordinance. The City of Thomasville has not levied an ad valorem, or property tax, since 2012. The City of Thomasville budgeted zero ad valorem taxes for 2024; therefore, the City of Thomasville millage rate will remain at 0 mills for 2024. Due to the time required to prepare the 2024 ad valorem tax bills, there exists an emergency status of need requiring the adoption of an ordinance to set the 2024 City of Thomasville Ad Valorem millage rate on first and second readings at this one meeting.

1. Approval of a Resolution of Emergency for the adoption of an ordinance on first and second reading at this one meeting.

Councilmember Chastain moved to adopt the Resolution of Emergency as presented. Councilmember Brown seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, Baker and Brown.

The adopted resolution follows.

RESOLUTION

BE IT RESOLVED, that due to the time required to prepare the 2024 ad valorem tax bills, there exists an emergency status of need requiring the adoption of an ordinance

to set the 2024 City of Thomasville Ad Valorem Millage Rate on first and second readings at this one meeting.

SO DONE this the 9th day of September 2024.

2. First and second readings, under resolution of emergency, of an ordinance to set the City of Thomasville 2024 Ad Valorem Tax Millage Rate.

Mayor Pro Tem Scott moved to order the ordinance to set the City of Thomasville 2024 Ad Valorem Tax Millage Rate, under Resolution of Emergency, as read for the first and second times at this one meeting, as presented. Councilmember Baker seconded. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, Baker and Brown.

The ordinance read for the first and second times, under Resolution of Emergency, at this one meeting follows.

ORDINANCE NO.: ORD-21-09092024

AN ORDINANCE TO ESTABLISH THE CITY AD VALOREM PROPERTY TAX ASSESSMENT FOR 2024, AS REQUIRED BY THE STATE LAW BASED ON THE EVALUATION, BY THE BOARD OF SUCH TAX ASSESSORS OF THOMAS COUNTY FOR 2023 COUNTY TAX PURPOSES, OF EACH SUCH TAXABLE ITEM WITHIN THE CORPORATE LIMITS OF THE CITY; TO SET THE TAX RATE FOR 2024 TO BE LEVIED UPON ALL SAID PROPERTY; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Council of the City of Thomasville by the authority vested in them by the charter, charter amendments, and ordinances of said City, and in conformity with State law, that the City ad valorem property tax assessments for 2024 are hereby established based on the evaluation, by the Board of Tax Assessors of Thomas County for 2024 County tax purposes, of each such taxable item within the corporate limits of said City, such assessments totaling \$991,139,421 exclusive of assessments on motor vehicles which have already been taxed, by operation of State Law of 1985.

BE IT FURTHER ORDAINED that upon all of said assessment as hereby established, and compiled into the 2024 Tax Digest together with the assessments established by the State Revenue Commissioner upon properties of public utilities, there be, and hereby is, set and levied a tax rate of:

00.00 mills for General Government.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed for the purposes of this ordinance only.

This ordinance was read the first and second times in lawful meeting of the Council of the City of Thomasville held this the 9th day of September, 2024, in accordance with resolution adopted previously declaring an emergency requiring first and second readings at this one meeting, passed, and adopted after proper vote.

Thomasville School Board of Education 2024 School Tax Millage Rate.

Customer Service Manager, Melissa Creel reported as stated in Section 11.2 of the Charter as the levying authority, the City Council levies the millage rate recommended by the Thomasville Board of Education. The board of education shall determine, as early as practicable in each year what amount of money will be necessary to raise by taxation to defray the expenses of the public schools for the ensuing year and shall lay the same before the city council for the city. The City Council for the city is hereby authorized, and shall be required, to levy a tax annually in addition to that

now authorized by the law on all the taxable property of the city, not to exceed two (2) percent on the same. When collected, the collecting officers of the city shall pay the same over to the treasurer of the board of education, to be disbursed for the maintenance of the public schools and be paid out under order of the board under such regulations as they may prescribe. Such taxes shall be collected by levy and sale as other taxes of the city are collected. The City School Board has met and adopted the 2024 school tax millage rate of 15.115 mills. This will set the millage rate at the suggested rollback rate. The net 2024 digest for school purposes is \$984,623,019 which means that each mill of tax will produce approximately \$984,623. This represents around a 2.11 percent increase in the mill value. We completed the roll back rate calculation for the City Schools. This calculation was determined to be 15.115. The City School Board has advertised and recommended the school tax to be set rate at the determined rollback rate of 15.115. As the levying authority, we are responsible for levying and collecting the tax on the City schools' behalf. Due to the time required to prepare the 2024 tax bills, there exists an emergency status of need requiring the adoption of an ordinance to set the 2024 School Tax Millage Rate on first and second readings at this one meeting.

1. Approval of a Resolution of Emergency for the adoption of an ordinance on first and second readings at this one meeting.

Councilmember Brown moved to adopt the Resolution of Emergency as presented. Councilmember Chastain seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, Baker and Brown.

The adopted resolution follows.

RESOLUTION

BE IT RESOLVED, that due to the time required to prepare the 2024 ad valorem tax bills, there exists an emergency status of need requiring the adoption of an ordinance to set the 2024 City School Tax millage rate on first and second readings at this one meeting.

SO DONE this the 9th day of September 2024.

2. First and second readings, under resolution of emergency, of ordinance to set the Thomasville School Board of Education 2024 School Tax Millage Rate.

Councilmember Chastain moved to order the ordinance to set the Thomasville School Board of Education 2024 Ad Valorem Tax Millage Rate, under Resolution of Emergency, as read for the first and second times at this one meeting, as presented. Councilmember Brown seconded. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, Baker and Brown.

The ordinance read for the first and second times, under Resolution of Emergency, at this one meeting follows.

ORDINANCE NO.: ORD-22-09092024

AN ORDINANCE TO ESTABLISH THE CITY AD VALOREM PROPERTY TAX ASSESSMENT FOR CITY SCHOOL TAX FOR 2024, AS REQUIRED BY THE STATE LAW BASED ON THE EVALUATION, BY THE BOARD OF SUCH TAX ASSESSORS OF THOMAS COUNTY FOR 2024 COUNTY TAX PURPOSES, OF EACH SUCH TAXABLE ITEM WITHIN THE CORPORATE LIMITS OF THE CITY; TO SET THE CITY SCHOOL TAX RATE FOR 2024 TO BE LEVIED UPON ALL SAID PROPERTY; TO PROVIDE FOR DISCOUNTS TO BE ALLOWED ON PAYMENT OF 2024 TAXES; AND FOR OTHER PURPOSES.

BE IT ORDAINED by the Council of the City of Thomasville by the authority vested in them by the charter, charter amendments, and ordinances of said City, and in conformity with State law, that the City ad valorem property tax assessments for 2024 are

hereby established based on the evaluation, by the Board of Tax Assessors of Thomas County for 2024 County tax purposes, of each such taxable item within the corporate limits of said City, such assessments totaling \$984,623,019.00 exclusive of assessments on motor vehicles which have already been taxed, by operation of State Law of 1985.

BE IT FURTHER ORDAINED that upon all of said assessment as hereby established, and compiled into the 2023 Tax Digest together with the assessments established by the State Revenue Commissioner upon properties of public utilities, there be, and hereby is, set and levied a tax rate of 16.414 mills comprised of the following levies to meet the requirements for each purpose as listed:

For City School Tax 15.115 mills

BE IT FURTHER ORDAINED that the following discounts be allowed on payments of 2024 taxes:

If paid on or before November 15, 2024 3 percent

BE IT FURTHER ORDAINED that as to any irregularity or error which occurs with regard to payment by the taxpayer and which is not the result of fault or oversight by the taxpayer and which occurs because of fault, oversight, time constraints or other action or inaction on the part of the administrative staff of the City of Thomasville, the City Manager shall have the authority, in his sole discretion, to allow the benefit of early payment, to waive any penalty for late payment which would otherwise be imposed, or take any other such action which he deems prudent and appropriate in the circumstances.

BE IT FURTHER ORDAINED that all ordinances or parts of ordinances in conflict herewith are hereby repealed for the purposes of this ordinance only.

This ordinance was read the first and second times in lawful meeting of the Council of the City of Thomasville held this, the 9th day of September, 2024, in accordance with resolution adopted previously declaring an emergency requiring first and second readings at this one meeting, passed and adopted after proper vote.

Resolution to approve Georgia Department of Transportation’s Tentative Allocation Letter; and, authorize the Mayor or Mayor Pro Tem to sign all necessary and related documents to execute the City’s Letter of Intent for the Replacement of Taxiway A Lighting at the Thomasville Municipal Airport.

Airport Manager, Robert Petty reported that The Georgia Department of Transportation has provided the Airport with a second Tentative Allocation (TA) letter to assist in the funding of a lighting project for Taxiway A. The TA letter requests that the Airport except the Georgia Department of Transportations (GDOT) assistance in the amount of \$130,500 for the edge lighting project of Taxiway A. The City of Thomasville would be required to provide a matching fund in the amount of \$7,250 for its 25% share, to initiate the project in 2025. Manager Petty requested Council consider the authorization of the second TA letter for State assistance in the funding of the Taxiway A lights at the Airport using NPE funds and the City’s match to be awarded in 2025. This project contains professional services that are estimated over \$100,000 for Architectural, Engineering, and Planning Consult Services, which are reimbursable at 90%.

Councilmember baker moved to adopt the resolution to approve GDOT’s TA Letter and authorize the Mayor or Mayor Pro Tem to sign all necessary and related documents, as presented. Councilmember Chastain seconded the motion. Discussion ensued regarding clarification of the amount of the City’s match it was noted that Councilmember Brown was not in favor of the expenditure. The motion remained unchanged. There was no further discussion. The motion passed 4-1, with the following votes recorded:

AYES: Mobley, Scott, Chastain and Baker.

NAY: Brown.

The adopted resolution follows.

**CITY OF THOMASVILLE, GEORGIA
RESOLUTION**

WHEREAS, the City of Thomasville has determined that there is a need to update and replace the taxiway lighting of Taxiway A at the City of Thomasville Municipal airport property to satisfy safety concerns with a project portion cost of One Hundred Thirty-Seven Thousand, Seven Hundred Fifty and No/100 Dollars (“Taxiway A Lighting Project”);

WHEREAS, Passero Associates, LLC, devised a Capital improvement plan for the Taxiway A Lighting, provided initial design assistance and provided applications to Georgia Department of Transportation (“GDOT”) to acquire grant funding for said development;

WHEREAS, GDOT has issued a Tentative Allocation Letter to the City of Thomasville for the Taxiway A Lighting in the amount of \$130,500 from GDOT and the balance to be a match from the City of Thomasville of \$7,250;

WHEREAS, the City Council for the City of Thomasville, Georgia desires to confirm by letter to GDOT the City’s intent to proceed and fully fund the project in calendar year 2025.

NOW, THEREFORE, BE IT RESOLVED, as follows:

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

Section 2. Approval and Authorization to Letter of Intent. The City Council approves the letter of intent to proceed attached hereto and made a part hereof as Exhibit A (“LOI”), and authorizes the Mayor, or Mayor Pro Tempore in the Mayor’s absence to execute and deliver the Letter of intent to proceed.

Section 3. General Authority. From and after the approval of this Resolution, the Mayor, Mayor Pro Tempore, interim City Manager, and officers employees of the City are hereby authorized, empowered and directed to do all such acts and things and to execute all such documents as may be necessary to comply with the provisions of the LOI as executed and are further authorized to take any and all further actions and execute and deliver any and all other documents and certificates, including but not limited to the LOI, as may be necessary or desirable in connection with the execution and delivery of the LOI and any related documents, all of the forgoing in consultation with the City Attorney.

Section 4. Actions Approved and Confirmed. All acts and doings of the City Council, Mayor, Mayor Pro Tempore, the interim City Manager, the officers and employees of the City that are in conformity with the purposes and intents of this Resolution and in the furtherance of the LOI and the execution, delivery, and performance of the LOI and related documents shall be, and the same hereby are, in all respects approved and confirmed.

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

Section 6. Repealing Clause. 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. Effective Date. This resolution shall be effective immediately upon its adoption.

Adopted and approved this 9th day of September, 2024.

Resolution to approve and authorize execution of Kroger Opioid Settlement Participation Form.

City Attorney, Tim Sanders reported that on March 29, 2022, the City Council approved entering into settlements of class action litigation brought by the Attorney General of the State of Georgia with certain manufacturers and distributors of opioids. Through the same class action litigation, the City joined in settlements of opioid litigation with CVS, Walgreens, Teva, Allergan, and Walmart and joined in those settlements on April 10, 2023. The deadline for joining in the Kroger settlement is September 11, 2024. The \$1.2 billion Kroger settlement is likely to be paid out over an eleven year period among the participating states. The State of Georgia has joined the settlement agreement and Georgia's projected allocation percentage of the settlement is approximately 4.59%. In exchange for Georgia's share of the settlement proceeds, Georgia will release all claims against Kroger. Similarly, if Thomasville joins in the settlement agreement it would release any claims it may have against Kroger in connection with the opioid epidemic. If Thomasville receives any of the settlement proceeds, the proceed will be required to be used for Opioid Remediation as provided for in the settlement agreement. Examples of Opioid Remediation include: increased distribution of Naloxone and training for use; prevention programs such as funding for media campaigns, medical provider education for best prescribing practices; and funding and training for first-responder pre-arrest diversion programs. City Attorney Sanders noted that it is requested that the City Council approve and adopt the resolution approving the participation forms, the City joining in the settlement through the State of Georgia with Kroger, and authorizing the Mayor or the Mayor Pro Tem to execute and file the participation and release form and any necessary and related documents.

Mayor Pro Tem Scott moved to adopt the resolution approve and authorize the execution of Kroger Opioid Settlement Participation Form as presented. Councilmember Baker seconded the motion. Discussion ensued regarding recent legislation relating to Opioid crisis. The motion remained unchanged and there was no further discussion. The motion passed 5-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, Baker and Brown.

The adopted resolution follows.

**CITY OF THOMASVILLE, GEORGIA
RESOLUTION
NATIONAL OPIOID SETTLEMENT PARTICIPATION FORM – KROGER**

WHEREAS, the City of Thomasville received new, national opioid settlement participation form ("Participation Forms") in connection with the State of Georgia joining in national settlements with Kroger ("Kroger Settlement");

WHEREAS, in order for the City of Thomasville to participate in the Kroger Settlement, it must approve, execute and submit the Participation Form on or before September 11, 2024.

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 Participation Form are attached hereto and made a part hereof as Exhibit A is hereby approved, authorizing the City of Thomasville to join in the Kroger Settlement as evidenced by the Kroger Multistate Settlement Agreement ("Settlement Agreement").

Section 3. From and after the approval of this Resolution, the Mayor, Mayor Pro Tempore, 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 complete, execute, and file the Participation Form, and comply with the provisions of said document, including the Settlement Agreement, 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 Participation Form.

Section 4. All acts and doings of the Mayor, Mayor Pro Tempore, proper officers, agents, employees of the City of Thomasville through the Participation Form, that are in conformity with the purposes and intents of this Resolution and in the furtherance of the Participation Form and the actions contemplated thereby, and the execution, delivery, and performance of the Participation Form and the Settlement Agreement, and related documents shall be, and the same hereby are, in all respects approved and confirmed.

Section 5. If any one or more of the agreements or provisions herein contained shall be held contrary to any express provision of law or contrary to the policy of express law, though not expressly prohibited, or against public policy, or shall for any reason whatsoever be held invalid, then such covenants, agreements or provisions shall be null and void and shall be deemed separable from the remaining agreements and provisions and shall in no way affect the validity of any of the other agreements and provisions hereof or of the agreements ratified hereunder.

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

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

SO RESOLVED, this 9th day of September, 2024.

Resolution to authorize the Mayor or Mayor Pro Tem to sign and execute Amendment Three to the Power Purchase Contract between Municipal Electric Authority of Georgia and City of Thomasville.

Assistant Utilities Superintendent, Eric Gossett reported that as members of the Municipal Electric Authority of Georgia (MEAG), the City of Thomasville has a long history of participation in numerous defined electric generation projects to meet the needs of our bulk electric power supply. Additionally, as a participant of the Power One Sales Contract, the City of Thomasville is eligible to participate in additional supplemental power opportunities as outlined in the Supplemental Power Policy. Of our previous agreements to date, none have been for renewable energy resources such as solar, typically relying on other fueled generation opportunities. Our current generation portfolio consists of nuclear, natural gas, coal and hydro. MEAG negotiated a 20-year Power Purchase Agreement of 80MWac from a solar generation facility to be located in Georgia. This is a power purchase agreement without capital investment and/or ownership obligations of MEAG or the City of Thomasville. This agreement only obligates the City of Thomasville with supplemental energy as it is produced. This agreement also includes a fixed energy cost for the full term of the agreement with a proposed subscription by Thomasville of 10 MW. This supplemental resource was expected to be online in 2024. Thomasville currently has no solar energy or by definition, no renewal energy, in our portfolio. Staff has continued to monitor the progression of this Solar PPA opportunity and finds the low fixed pricing, no capital investment, favorable contract terms and extremely low risk to be a valued additional to our bulk electric power supply portfolio. We also find great value in having renewal energy resources available to our existing customer base as well as a recruitment incentive for new industries. Original contract and resolution were executed in 2021. First amendment took place in 2022, and second amendment took place in 2023. Previous development company Pineview Solar LLC has been purchased by Linea Energy. Assistant Utilities Superintendent Gossett further reported that the Amendment Three Changes are as follows:

Price increased to \$41.50 per MWh fixed with a cap price of \$45.50. Guaranteed commercial operation date extended to January 31, 2026. New termination date of 180 days following January 31, 2026. At this time, MEAG Power can terminate the project and collect a Termination Payment if project is not commercial. \$3 Million in additional Security will be posted in favor of MEAG Power, should the project not be commercial by the guaranteed date. Total of \$6 Million available for delayed damages or termination. Delay damages have been increased to \$8,000 per day from \$4,000 per day. Effective first day after January 31, 2026.

Assistant Utilities Superintendent Gossett noted that it is MEAG's recommendation to continue the project with new developer/owner.

Mayor Pro Tem Scott moved to adopt the resolution to authorize the mayor or mayor pro temp to sign and execute amendment three to the power purchase contract between MEAG and City of Thomasville and all necessary related documents presented. Councilmember Chastain seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, Baker and Brown.

The adopted resolution follows.

**CITY OF THOMASVILLE, GEORGIA
RESOLUTION**

WHEREAS, the City of Thomasville entered into that certain Power Purchase Contract with the Municipal Electric Authority of Georgia (“MEAG”), as of August 11, 2021 (“PPC”) and is a Solar Participant as contemplated by the PPC;

WHEREAS, the PPC references a power purchase agreement by and between MEAG and Pineview Solar, LLC (“Pineview”) (“SPPA”) that concerns the output and services of photovoltaic solar energy production from a facility in Wilcox County, Georgia;

WHEREAS, the City and MEAG entered into that certain First Amendment to the PPC, dated October 20, 2022 (“First Amendment”) and that certain Second Amendment, dated July 31, 2023 (“Second Amendment”);

WHEREAS, Linea Energy Development Co LLC purchased One Hundred Percent (100%) of the ownership interest in Pineview from Sunbird Holdings I, LLC on or about July 30, 2024;

WHEREAS, due to the change in ownership of Pineview and other changes in the solar industry, MEAG’s Board has authorized MEAG’s President and CEO to execute an Amendment No. 3 to the SPPA, subject to the approval of each of the Solar Participants, and it is therefore necessary to amend the PPC to reflect the changes to the SPPA pursuant to the third Amendment to the PPC (“Third Amendment”), a copy of which is attached hereto and made a part hereof as Exhibit A.

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

Section 8. The recitals set forth above are incorporated herein by reference as if set forth fully in this Section 1.

Section 9. The Third Amendment to the PPC and the actions contemplated thereby are hereby approved and the execution, delivery and performance of the Third Amendment is hereby authorized and approved.

Section 10. From and after the approval of this Resolution, the Mayor, proper officers, agents, 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 actions of the Third Amendment and to comply with the provisions of the Third Amendment 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 the Third Amendment and the execution and delivery of the Third Amendment and any related documents.

Section 11. All acts and doings of the Mayor, proper officers, agents, employees of the City of Thomasville that are in conformity with the purposes and intents of this Resolution and in the furtherance of the Third Amendment and the execution, delivery, and performance of Third

Amendment and related documents shall be, and the same hereby are, in all respects approved and confirmed.

Section 12. 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 13. All resolutions or parts thereof in conflict with the provisions herein contained are, to the extent of such conflict, hereby superseded and repealed.

Section 14. This resolution shall be effective immediately upon its adoption.

SO RESOLVED, this 9th day of September, 2024

Motion to approve Grants Financial Management and Administration Procedures/Policy.

Grant Administrator, Pam Schalk reported that while grant funds are a great tool to meet these needs, there are many regulations and laws that govern the use of public funds. When grant funds are used for projects, the City is ultimately responsible for all requirements outlined in the subsequent grant award agreements including meeting all state and federal regulations. To meet the growing needs on our community and to build capacity there is a need to establish guidelines for partnering with outside agencies to providing funding for city-lead initiatives. Administrator Schalk further reported that Councilmembers were provided with a copy of the proposed Grants Financial Management and Administration procedures that provides for the following:

1. Establish internal controls to ensure compliance with local, state and federal rules and regulations.
2. Ensure procedural consistency (Procurement Policy, Financial Policy, Comprehensive Plan, etc.)
3. Provides guidance for partnering agencies to ensure compliance with grant agreements.

Administrator Schalk requested that Council accept and adopt the proposed Grants Financial Management and Administration procedures as presented.

Councilmember Brown moved to approve the Grants Financial Management and Administration procedures as presented. Councilmember Baker seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, Baker and Brown.

Motion to authorize Mayor or Mayor Pro Tem to sign Statutory Partnership Agreement with Thomasville Community Development Corporation for the Environmental and Climate Justice Community Change Grants Program.

Assistant Utilities Superintendent, Eric Gossett reported the Environmental and Climate Justice Community Change (ECJCC) Grants Program's goal is to provide funding to activities that will benefit disadvantaged communities. Applicants must be able to demonstrate how all projects in the application will primarily benefit disadvantaged communities. Additionally, applicants must form a statutory partnership with a community-based organization and meet the appropriate strategies listed out in the notice of funding opportunity. Applicants can apply for up to \$20M. However, applicants must be able to start 120 days after the award and projects must be completed within three years. No extensions shall be granted. Additionally, as part of the grant requirement, a "Statutory Partnership Agreement" must be agreed upon by both entities. Additionally, a "Governance Plan" must be put into place that is agreed upon by both entities. This would require creating a committee named the Environmental and Community Justice Community Change Grant Implementing Committee (ECJC). However, this committee cannot operate outside of the scope of the "Governance Plan" and what has been approved for the grant. City of Thomasville (COT) staff have been working with Thomasville Community Development Corporation (TCDC) to develop strategies and a project that meets the needs of the community. Additionally, Staff have been working with TCDC to develop the "Statutory Partnership Agreement." This agreement will establish each entity's responsibilities for the grant. The term partnership is not used as in a legal definition but in a manner of convenience by the Environmental Protection Agency.

Additionally, the “Statutory Partnership Agreement” shall establish reporting requirements, performance obligations, use of funds, and other requirements to be met within the agreement.

As the lead applicant, COT will have ultimate responsibility for the overall management, compliance, performance, oversight and reporting responsibilities for the entirety of the grant. This means that COT will be the responsible party for ensuring that the grant is properly used. Therefore, the statutory agreement, compliance plan and governance plan explain what federal and state laws and regulations are required to be met. If awarded, the grant execution award will explain further, what additional requirements shall be met. In addition to these responsibilities, COT will be responsible for pollution reduction strategy three, clean water infrastructure to reduce pollution exposure and increase overall system resilience. TCDC will be responsible for the following strategies: Climate action strategy three, energy-efficient healthy, resilient housing and buildings, climate action strategy four, microgrid installation for community energy resilience. Climate action strategy five, community resilience hubs. Climate action strategy eight, workforce development programs for occupations that reduce GHG emissions and air pollutants. Pollution reduction strategy one, indoor air quality and community health improvements. Pollution reduction strategy two, outdoor air quality and community health improvements. Additionally, the ECJC will report to the board of TCDC and will be comprised of members of the community. City shall appoint five members and TCDC shall appoint four members to be voting members. This group can appoint up to 20 members to a sub-committee, where 50% shall be appointed by the City and 50% appointed by TCDC. This committee shall be a recommending body. Additionally, this committee shall be subject to the Open Records Act.

Councilmember Chastain moved to authorize Mayor or Mayor Pro Tem to sign the Statutory Partnership Agreement with Thomasville Community Development Corporation for the Environmental and Climate Justice Community Change Grants Program as presented. Mayor Pro Tem Scott seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, Baker and Brown.

Motion to approve Alcohol License for Retail Package of Beer and Wine for Aldi, Inc., Georgia, located at 1530 East Jackson Street.

Customer Service Manager, Melissa Creel reported Heather Moore, on behalf of Aldi #72 (Aldi, Inc., Georgia) has completed application for Alcohol License for Retail Package of Beer and Wine for Aldi #72, located at 1530 East Jackson Street, Thomasville, Georgia. The license is issued by the City is conditioned upon the applicant obtaining a like permit from the Georgia Department of Revenue, Alcohol and Tobacco Tax Unit. It was further reported that the owner had signed the City of Thomasville affidavit relating to the sale of alcohol to underage persons and the owner was made aware of the annual mystery shopper program.

Councilmember Chastain moved to approve the Alcohol License for Retail Package of Beer and Wine for Aldi #72, Heather Moore, as presented. Councilmember Baker seconded the motion. The motion passed 5-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, Baker, and Brown.

Motion to approve Alcohol License for Retail Consumption of Beer, Wine, Liquor Pouring and Catering for Broad Street Pub, LLC, d.b.a. The Dog and Pony, located at 213 South Broad Street.

Customer Service Manager, Melissa Creel reported the Broad Street Pub, LLC, d.b.a. The Dog and Pony, Michael Abdoney, has completed application for Alcohol License for Retail Consumption of Beer, Wine, Liquor Pouring and Catering for the establishment located at 213 South Broad Street, Thomasville, Georgia. The license is issued by the City is conditioned upon the applicant obtaining a like permit from the Georgia Department of Revenue, Alcohol and Tobacco Tax Unit. Manager Creel further reported the owner had signed the City of Thomasville affidavit relating to the sale of alcohol to underage persons and the owner was made aware of the annual mystery shopper program.

Mayor Pro Tem Scott moved to approve the Alcohol Beverage License for The Tavern on Broad as presented. Councilmember Chastain seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, Baker and Brown.

Motion to approve amendment to Thomasville Police Department’s Billable Security Fees.

Thomasville Police Department Major, Shane Harris reported the Thomasville Police Department currently charges \$40 an hour to outside vendors and citizens who wish to hire an officer for private security. The collection of money for security is conducted by Extra Duty Solutions a private third-party vendor. EDS collects 10% of revenue for each duty assignment. With the \$4 dollars (10%) being removed TPD collects \$36 an hour for the officer's work. TPD officers working private security are paid at their time and half rate. The average time and half rate of TPD is \$43.27 an hour. Many officers make as much as the billable security rate which leaves the COT to cover the remaining salary for the security detail. Last year the COT paid approximately \$8900 towards the difference in revenue collected and officers hourly rate fee. To offset the difference TPD would like to raise non-exempt employee's security rate to \$45 an hour and exempt employees to \$55. During 2023, officers worked 513 private security jobs in Thomasville. Those jobs came to 3,286 hours and the requestors were billed \$131,457. Officers were paid \$127,285. Approximately 10%, or \$13,144, of the billing was paid to EDS to manage the security schedule, collect money, and set up app sites for consumers. Given the average officer rate of pay of \$43.27 for a TPD officer, we are asking Council to approve a fee increase to \$45 an hour for non-exempt officers and \$55 an hour for exempt. Currently, there is no price difference between exempt or non-exempt employees. The increase in fees will reduce the difference paid by the COT to offset the difference in revenue income and the officer's security fee. The requested fee increases are comparable to other agencies in Georgia.

Councilmember Baker moved to approve the increase of billable security fee to \$45 per hour for non-exempt employees and to \$55 per hour for exempt employees, and to authorize the Mayor or Mayor Pro Tem to sign all necessary and related documents, as presented. Councilmember Chastain seconded the motion. There was no discussion. The motion passed 5-0, with the following votes recorded: AYES: Mobley, Scott, Chastain, Baker and Brown.

REPORTS

Councilmembers collectively thanked citizens for their support and attendance at meetings. Councilmember Brown encouraged citizens to attend the Wednesday Council Workshops to hear additional details regarding items brought before Council for consideration. Councilmember Baker spoke favorably regarding the amendment to the Power Purchase Agreement and the addition of solar energy opportunities.

ADJOURNMENT

Having no further business for consideration, the Thomasville City Council Meeting was adjourned at 6:18 PM.

CITY OF THOMASVILLE, GEORGIA



Mayor, Todd Mobley



ATTEST: City Clerk

