

## City of Thomasville Council Meeting Minutes, April 27, 2026

The Council of the City of Thomasville met in regular session on the above date. Mayor Scott Chastain presided, and the following Councilmembers were present: Mayor Pro Tem Lucinda Brown and Councilmembers Todd Mobley and Royal Baker. Also present were the City Manager, Chris White; Assistant City Manager, Sheryl Sealy; City Attorney, Timothy C. Sanders; other city staff; citizens and members of the media. It should be noted that Councilmember Terry Scott was absent from this meeting. 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](http://www.thomasville.org).

### **CALL TO ORDER**

Mayor Scott Chastain called the meeting to order at 6:00 PM

### **INVOCATION**

Councilmember Royal Baker gave the Invocation.

### **PLEDGE OF ALLEGIANCE**

Mayor Pro Tem Lucinda Brown led the Pledge of Allegiance.

### **APPROVAL OF MINUTES**

Councilmember Todd Mobley moved to approve the Regular Meeting Minutes of April 13, 2026, as presented. Mayor Pro Tem Brown seconded the motion. There was no discussion. The motion passed unanimously 4-0, with the following votes recorded: AYES: Chastain, Brown, Mobley, Baker.

### **RECOGNITION**

#### **105<sup>th</sup> Rose Show & Festival**

City Manager, Chris White, reported that 105<sup>th</sup> Rose Show & Festival event was an enormous success; noting that this year was one of the best he had ever attended. City Manager White recognized City of Thomasville staff responsible for the coordination of the 105<sup>th</sup> Rose Show & Festival. He further reported that it takes all city departments of the city to pull off the event; from event coordination by the Marketing/Main Street/Tourism team members, logistical efforts of the Public Works Department and Public Safety team members, to the clean-up efforts of the Sanitation Department team members. City Manager White also recognized that the events coordinated by City of Thomasville could not take place without the support of the City Councilmembers.

Councilmembers shared the same recognition and commendations of city staff for an event well done. Mayor Chastain read a prepared statement acknowledging the many efforts of city staff to coordinate and execute the 105<sup>th</sup> Rose Show & Festival. He noted that there is much negativity in the nation and the world and not enough time is spent expressing sincere gratitude. Mayor Chastain expressed gratitude for the many hands involved and for a wonderful event.

It was further noted that the City has heard many positive comments from locals, merchants and visitors regarding the 105<sup>th</sup> Rose Show & Festival. Assistant City Manager, Sheryl Sealy, also commended the Marketing Department on their countless hours of planning and execution of the event.

### **CITIZENS TO BE HEARD**

Mayor Chastain noted the following rules of decorum: During Citizens to be Heard, speakers shall only make comments that are relevant to the business and government of the City of Thomasville and that are related to public officials and City employees in their official capacities. Each speaker shall refrain from threats of violence and profanity. Citizens following the sign-in procedure listed on the sign-in sheet will be allowed three (3) minutes to

address Council during Council Meeting. Mayor Chastain then acknowledged the following citizens listed on the Citizens to be Heard Sign-In Form:

1. Candee Henderson, resident of Egg and Butter Road South, Thomas County, Georgia, noted her mission for Thomasville and Thomas County to use 100% renewably sourced energy by 2035. She commended all organizers, volunteers and participants of the recent Rose City Walk. She further noted there was renewed interest in spaceflight with the recent flight to the moon by Artemis and crew, in which beautiful images of earth were captured. She encouraged citizens and Councilmembers to be inspired to do all that can be done to keep earth a hospitable planet and to cease use of fossil fuels for energy.

### **ADOPT AGENDA**

Councilmember Baker moved to adopt the agenda as presented. Councilmember Mobley seconded the motion. There was no discussion. The motion passed unanimously 4-0, with the following votes recorded: AYES: Chastain, Brown, Mobley, Baker.

### **OLD BUSINESS**

There was no Old Business for consideration by the Councilmembers at this meeting.

### **NEW BUSINESS**

#### **Consider first readings of five separate ordinances to rezone properties to Traditional Neighborhood Infill District (TNID).**

Senior Planner, Anna Day reported that in 2025, the City adopted the Traditional Neighborhoods Infill District (TNID), a voluntary zoning option that supports new housing and reinvestment in the City's traditional neighborhoods. The TNID follows the goals of the Blueprint Comprehensive Plan and helps provide more attainable housing while protecting neighborhood character. The TNID allows housing types that current zoning often does not, such as smaller lots, cottages, and house-scaled multi-unit buildings. These are the same patterns that shaped Thomasville's historic neighborhoods and help bring new life to vacant and underused properties. Five properties within the Traditional Neighborhood Boundary are requesting rezoning to the TNID. This reflects growing interest from property owners in reinvesting in these neighborhoods. The TNID is voluntary and requires approval by the Planning and Zoning Commission and City Council before development can proceed. Once rezoned, all TNID development and design standards apply. Key features of the TNID include:

- Limited Eligibility: Only properties inside the Traditional Neighborhood Boundary may apply.
- Neighborhood-Based Standards: Development rules are designed to match the scale and form of existing neighborhoods.
- Design Requirements: The TNID includes clear design standards to protect neighborhood character while allowing flexibility in housing types.
- Review and Compliance: All projects are reviewed at permitting to ensure the standards are met.

Senior Planner Day reported that staff has reviewed all five requests and finds them eligible and consistent with the TNID and the Blueprint Comprehensive Plan. The proposed rezonings support reinvestment, expand housing options, and strengthen the long-term health of Thomasville's traditional neighborhoods.

1. **First reading of an ordinance to rezone 431 East Calhoun Street from R-1 to TNID.**

Councilmember Mobley moved to order the ordinance to rezone 431 East Calhoun Street from R-1 to TNID as read for the first time, passed and carried over, as presented. Mayor Pro Tem Brown seconded the motion. There was no discussion. The motion passed unanimously 4-0, with the following votes recorded: AYES: Chastain, Brown, Mobley, Baker.

The ordinance title 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 6 OF SECTION 22-91 CAPTIONED "R-1, SINGLE-FAMILY RESIDENTIAL", TO DESCRIBE SAID EXCLUDED TRACT AND TO DESIGNATE THE SAID SAME TRACT AS PARCEL 14 OF SECTION 22-91 CAPTIONED "TNID, TRADITIONAL NEIGHBORHOOD INFILL DISTRICT". TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

2. **First reading of an ordinance to rezone 314 West Jerger Street from R-1 to TNID.**

Mayor Pro Tem Brown moved to order the ordinance to rezone 314 West Jerger Street from R-1 to TNID as read for the first time, passed and carried over, as presented. Councilmember Baker seconded the motion. There was no discussion. The motion passed unanimously 4-0, with the following votes recorded: AYES: Chastain, Brown, Mobley, Baker.

The ordinance title 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 4 OF SECTION 22-91 CAPTIONED "R-1, SINGLE-FAMILY RESIDENTIAL", TO DESCRIBE SAID EXCLUDED TRACT AND TO DESIGNATE THE SAID SAME TRACT AS PARCEL 15 OF SECTION 22-91 CAPTIONED "TNID, TRADITIONAL NEIGHBORHOOD INFILL DISTRICT". TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

3. **First reading of an ordinance to rezone 320 West Jerger Street from R-1 to TNID.**

Councilmember Baker moved to order the ordinance to rezone 320 West Jerger Street from R-1 to TNID as read for the first time, passed and carried over, as presented. Councilmember Mobley seconded the motion. There was no discussion. The motion passed unanimously 4-0, with the following votes recorded: AYES: Chastain, Brown, Mobley, Baker.

The ordinance title 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 4 OF SECTION 22-91 CAPTIONED "R-1, SINGLE-FAMILY RESIDENTIAL", TO DESCRIBE SAID EXCLUDED TRACT AND TO DESIGNATE THE SAID SAME TRACT AS PARCEL 16 OF SECTION 22-91 CAPTIONED "TNID, TRADITIONAL NEIGHBORHOOD INFILL DISTRICT". TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND FOR OTHER PURPOSES.

4. **First reading of an ordinance to rezone 1101 North Crawford Street from R-1 to TNID.**

Councilmember Mobley moved to order the ordinance to rezone 1101 North Crawford Street from R-1 to TNID as read for the first time, passed and carried over, as presented. Mayor Pro Tem Brown seconded the motion. There was no discussion. The motion passed unanimously 4-0, with the following votes recorded: AYES: Chastain, Brown, Mobley, Baker.

The ordinance title 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 6 OF SECTION 22-91 CAPTIONED "R-1, SINGLE-FAMILY RESIDENTIAL". TO DESCRIBE SAID EXCLUDED TRACT AND TO DESIGNATE THE SAID SAME TRACT AS PARCEL 17 OF SECTION 22-91 CAPTIONED "TNID, TRADITIONAL NEIGHBORHOOD INFILL DISTRICT". TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES.

**5. First reading of an ordinance to rezone 1622 Orange Street from R-1 to TNID.**

Mayor Pro Tem Brown moved to order the ordinance to rezone 1622 Orange Street from R-1 to TNID as read for the first time, passed and carried over, as presented. Councilmember Baker seconded the motion. There was no discussion. The motion passed unanimously 4-0, with the following votes recorded: AYES: Chastain, Brown, Mobley, Baker.

The ordinance title 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 2 OF SECTION 22-91 CAPTIONED "R-1, SINGLE-FAMILY RESIDENTIAL". TO DESCRIBE SAID EXCLUDED TRACT AND TO DESIGNATE THE SAID SAME TRACT AS PARCEL 18 OF SECTION 22-91 CAPTIONED "TNID, TRADITIONAL NEIGHBORHOOD INFILL DISTRICT". TO ESTABLISH THE EFFECTIVE DATE OF THIS ORDINANCE; TO REPEAL ALL ORDINANCES IN CONFLICT HERewith; AND FOR OTHER PURPOSES.

**Resolution ratifying participation in Amicus Brief Georgia Court of Appeals.**

City Attorney, Timothy C. Sanders reported that Chang, et. al. v. City of Milton, State Court of Fulton County, Case No. 18EV004442, involves a claim for liability against the City of Milton for personal injuries sustained due to a vehicle driven by Joshua Chang that collided with a masonry planter located outside the lanes of travel on a City of Milton street. The planter had been in that location since 1992, before the incorporation of the City of Milton, and had never been the subject of a complaint or an accident. The jury awarded a verdict of \$35,000,000 under the theory that Milton had a ministerial duty to maintain the road outside the lane of travel. The significance of the ministerial duty is that there is no sovereign immunity or immunity from lawsuits for claims arising out of a ministerial duty.

City Attorney Sanders further reported that on March 12, 2026, the Georgia Supreme Court vacated the decision of the Court of Appeals. In doing so the Supreme Court remanded the case to the Court of Appeals for further proceedings, but held, favorably to the City of Milton that a municipality's ministerial duty over roadway upkeep and repair did not apply where the alleged unsafe condition was outside the lanes of ordinary travel.

In other words, the City of Milton's duty over the upkeep of the roadway did not extend to the planter in question because it was outside the lanes of ordinary travel. However, on remand the Court of Appeals will consider whether the City of Milton, and therefore other cities, may still be liable under a nuisance theory. Under this theory that has its origins in a 1968 case, Town of Fort Oglethorpe v. Phillips, 224 Ga. 834 (1968), municipalities arguably do not enjoy sovereign immunity from lawsuits for personal injury arising from a nuisance claim. The counter argument, which the amicus brief supports, is that a municipality's sovereign immunity may only be waived when the waiver is found either in the Georgia constitution or by an act of the General Assembly. In other words, a city's sovereign immunity may not be waived by judicial action, which is the contention of the plaintiffs in the Chang case, following the logic of the Phillips case.

Mayor Pro Tem Brown moved to approve and pass the resolution authorizing and ratifying the City of Thomasville appearing as a participating party to the amicus brief filed in the Georgia Court of Appeals in connection with City of Milton v. Chang, et.al. as presented. Councilmember Baker seconded the motion. There was no discussion. The motion passed unanimously 4-0, with the following votes recorded: AYES: Chastain, Brown, Mobley, Baker.

The approved resolution follows.

**RESOLUTION OF THE CITY OF THOMASVILLE, GEORGIA  
AUTHORIZING PARTICIPATION IN AN AMICUS BRIEF IN CHANG v. CITY OF  
MILTON ON REMAND BEFORE THE GEORGIA COURT OF APPEALS OR, IF  
WARRANTED, THE GEORGIA SUPREME COURT**

WHEREAS, the litigation styled Chang v. City of Milton arises from claims asserted against the City of Milton, Georgia, related to a 2016 motor vehicle collision on Batesville Road;

WHEREAS, on September 16, 2024, the Georgia Court of Appeals issued its decision in City of Milton v. Chang, 373 Ga. App. 667 (2024);

WHEREAS, the Supreme Court of Georgia thereafter granted certiorari and, on March 12, 2026, vacated the Court of Appeals decision and remanded the case for further proceedings, holding that a municipality's ministerial duty over roadway upkeep and repair did not apply where the alleged unsafe condition was outside the lanes of ordinary travel, City of Milton v. Chang, 2026 WL 695364;

WHEREAS, following remand, the Georgia Court of Appeals will consider the separate question of whether a Georgia municipality may nevertheless be subjected to liability under a so-called nuisance theory for personal injury claims;

WHEREAS, the City recognizes that any asserted waiver of sovereign immunity for nuisance claims resulting in personal injury does not arise from any express constitutional or statutory waiver applicable to municipalities, but instead traces to judicial decisions such as Town of Fort Oglethorpe v. Phillips, 224 Ga. 834 (1968);

WHEREAS, the Supreme Court of Georgia explained in Georgia Department of Natural Resources v. Center for a Sustainable Coast, Inc., 294 Ga. 593 (2014), that waivers of sovereign immunity must come from the Constitution or the General Assembly and that courts may not create new exceptions to sovereign immunity;

WHEREAS, in Mayor & C. of Savannah v. Palmerio, 242 Ga. 419 (1978), Justice Hall, in a concurring opinion, advised that "the time is long past for this court to re-examine its opinion in Town of Ft. Oglethorpe v. Phillips, 224 Ga. 834, 165 S.E.2d 141 (1968);"

WHEREAS, in Gatto v. City of Statesboro, 312 Ga. 164, fn. 6 (2021), the Court observed "[s]ome of us have doubts about the legal foundations of Phillips, which also divorced municipal nuisance liability from its basis in our Constitution's Takings Clause;"

WHEREAS, a nuisance theory that permits personal-injury claims against cities, but not counties, creates an uneven exposure to liability that is not supported by a clear constitutional or statutory waiver;

WHEREAS, Georgia law has long distinguished between nuisance claims that implicate the Takings Clause and nuisance claims seeking damages for personal injury;

WHEREAS, municipalities across the State have a substantial interest in ensuring that any waiver of sovereign immunity remains tied to a constitutional or statutory foundation rather than a judicially created expansion;

WHEREAS, the Council for the City of Thomasville finds that it is in the best interests of its citizens and residents to support the City of Milton in seeking an appellate ruling that there is no

waiver of municipal sovereign immunity for an alleged nuisance resulting in personal injury, outside the limited context of a nuisance claim amounting to a constitutional taking; and

WHEREAS, the Council for the City of Thomasville further finds that Georgia cities should have their collective voice heard on this issue of statewide importance through coordinated amicus participation before the Georgia Court of Appeals and/or the Georgia Supreme Court.

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Thomasville that:

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. The Council for the City of Thomasville authorizes participation in, support for, and joinder with an amicus curiae brief or briefs to be filed in Chang v. City of Milton on remand before the Georgia Court of Appeals and/or, if further appellate proceedings occur after the Court of Appeals, before the Georgia Supreme Court, and authorizes the City's name to be included as an amicus participant.

Section 3. The Council for the City of Thomasville supports the position that any purported waiver of a city's sovereign immunity for nuisance claims seeking recovery for personal injury is a judicially created doctrine rather than an express waiver grounded in the Georgia Constitution or an act of the General Assembly.

Section 4. The Council for the City of Thomasville supports the position that, consistent with Sustainable Coast and related sovereign-immunity precedent, no waiver of municipal sovereign immunity exists for an alleged nuisance resulting in personal injury.

Section 5. The Mayor, City Manager, City Attorney, and such other officers as may be appropriate are authorized to take all actions reasonably necessary to implement this Resolution and to coordinate with counsel for the City of Milton and other participating municipalities.

Section 6. 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.

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

SO RESOLVED this 27<sup>th</sup> day of April, 2026.

**Resolution to support the issuance of a GICH Letter of Support to DCA endorsing the Balfour School Apartments LIHTC Application.**

Senior Planner, Anna Day reported that the City of Thomasville has observed increased interest in our community from parties hoping to secure funding through the Low-Income Housing Tax Credit (LIHTC) program administered through the Georgia Department of Community Affairs (DCA). Thomasville is a certified alumni community in DCA's Georgia Initiative for Community Housing (GICH) program. As a certified alumni GICH community, we are afforded a unique opportunity to endorse one LIHTC application each funding cycle by providing a letter of support for one project within the city limits (which serve as the official boundaries of our GICH community). The letter of support earns additional points for the applicant's submission to DCA as prescribed in Georgia's annual Qualified Allocation Plan (QAP). The Planning Department worked with the GICH Team to establish clear guidelines for developers who would like to be considered for the Thomasville GICH Letter of Support. These guidelines include detailed submittal requirements, a formal review process, and scoring criteria to help ensure that prospective LIHTC projects align with community driven plans and priorities.

Senior Planner Day further reported that the Thomasville GICH team may issue only one letter of support for one LIHTC project each year. The City received one request for the GICH letter of support during the 2026 LIHTC funding cycle. After reviewing and scoring the submittal, the GICH team voted and elected to endorse the Balfour School Apartments project that was proposed by Balfour School Apartments, L.P. The development group is a partnership between Tapestry Development Group, Inc. & Thomasville Community Development Corporation, Inc. The development group is applying for low-income housing tax credits for an affordable housing development. The project, known as Balfour School Apartments, is an adaptive reuse of property for multifamily development with approx. 50 units and will be located at 201 Chatham Drive (Parcel ID 013 007002). Overall, the GICH team determined that the Balfour School Apartments project sufficiently advances local housing goals. DCA requires that the letter of support is executed by the GICH community's primary or secondary contact on record with the University of Georgia Housing and Demographic Research Center, confirms that the project is located within the GICH community's boundaries, and is accompanied by a letter from the Local Government agreeing to the issuance of the GICH letter of support.

Councilmember Mobley moved to adopt the resolution of support for the issuance of the GICH letter of support and authorize the Mayor to sign a corresponding letter of support on behalf of the City of Thomasville, as presented. Councilmember Baker seconded the motion. There was no discussion. The motion passed unanimously 4-0, with the following votes recorded: AYES: Chastain, Brown, Mobley and Baker.

The adopted resolution follows.

#### **A RESOLUTION BY THE CITY OF THOMASVILLE, THOMAS COUNTY, GEORGIA**

**WHEREAS**, Balfour School Apartments, L.P. will submit an application to the Georgia Department of Community Affairs ("DCA") for low-income housing tax credits to develop affordable housing to be known as Balfour School Apartments, located at 201 Chatham Drive, Thomasville, GA, Tax Parcel Identification Number 013 007002, and

**WHEREAS**, DCA has established certain criteria, through the State of Georgia 2026 Qualified Allocation Plan, whereby low-income housing tax credits applications are competitive and where DCA will award points for projects with a letter from a DCA Georgia Initiative for Community Housing (GICH) team; and

**WHEREAS**, Thomasville is a certified alumni GICH community and the Thomasville GICH team has elected to issue a letter committing the formal support of the majority of the GICH members for the aforementioned application; and

**WHEREAS**, DCA requires a letter from the Local Government agreeing to the issuance of the GICH letter of support; and

**WHEREAS**, the City Council of the City of Thomasville wishes to endorse the GICH team's decision to support the aforementioned application.

**BE IT FURTHER RESOLVED**, that the Mayor is hereby authorized to sign a letter on behalf of the City of Thomasville agreeing to the issuance of the GICH letter of support endorsing the aforementioned application.

**BE IT SO RESOLVED** this 27<sup>th</sup> day of April, 2026.

#### **REPORTS**

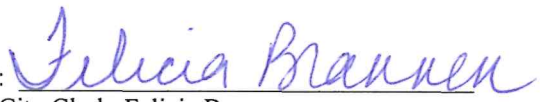
There were no reports given at this meeting. Councilmembers, City Manager, and Assistant City Manager collectively commended TEAM Thomasville for outstanding efforts to provide a spectacular 105<sup>th</sup> Rose Show & Festival to the community and its visitors. It was noted that it was estimated that over 20,000 people visited the area throughout the weekend's festivities.

**ADJOURNMENT**

Having no further business for consideration, the Thomasville City Council Meeting was adjourned at 6:17 PM.

**CITY OF THOMASVILLE, GEORGIA**

By:   
Mayor, Scott Chastain

ATTEST:   
City Clerk, Felicia Brannen

Affix Seal:

