

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, FEBRUARY 20, 2014
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

Mayor John Gayle called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Joseph "Sonny" Vickers, Tim Carroll, Ben Norton, Alvin Payton, Jr., Sandra Tooley, Robert Yost, and James Wright. The invocation was given by Pastor Mark Brady, Anchor Faith Church, followed by the Pledge of Allegiance to the American Flag led by the Church of Jesus Christ of Latter-day Saints Boy Scout Troop 418.

APPROVAL OF MINUTES

The minutes of the February 6, 2014 Regular Meeting were approved by unanimous consent (7-0) of the Council.

ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 2014-2, A RESOLUTION TO AUTHORIZE INVESTMENT IN THE GEORGIA FUND I (LOCAL GOVERNMENT INVESTMENT POOL)

Consideration of a Resolution to authorize investment in the Georgia Fund I (local government investment pool).

Mark Barber, Deputy City Manager of Administration, stated that on February 1, 2001, the City of Valdosta became a participant in the State sponsored Georgia Fund I. Georgia Fund I is an investment pool for local governments and various agencies in the State of Georgia. The advantage of participating in the investment pool is the fact that the City is able to benefit from the economies of scale that a consolidated pool offers. The City contributes to the pool on a monthly basis via the sales tax collected by the Georgia Department of Revenue. The sales tax collection is wired to the City's investment account and begins to earn interest immediately. Due to the recent change in the City's banking services vendor, a new Resolution is needed by the Georgia Fund I with updated banking information as well as those that have authority to transact business on behalf of the City of Valdosta. The names listed on the previous Resolution are Larry Hanson, City Manager, and Mark Barber, Deputy City Manager of Administration. There will be no change for this newly requested Resolution. The majority of the transactions initiated by City Staff is a cash transfer to the City's operating account during periods of low cash collection. Mark Barber recommended that Council approve the Resolution to authorize investment in the Georgia Fund I. Councilwoman Tooley inquired as to whether there was a contingent plan if either the City Manager or the Deputy City Manager of Administration was not available. Mark Barber stated that they have been doing this since 2001 with this investment account and all that they do is transfer money from the account to the City's bank account. It is an electronic transfer so there has been no need for a third signature.

A MOTION by Councilman Yost, seconded by Councilman Carroll, was unanimously adopted (7-0) to enact Resolution No. 2014-2, a Resolution to authorize investment in the Georgia Fund I (local government investment pool), the complete text of which will be found in Resolution Book V.

RESOLUTION NO. 2014-3, A RESOLUTION TO APPLY FOR THE GEORGIA DEPARTMENT OF TRANSPORTATION ENHANCEMENT GATEWAY GRANT PROGRAM

Consideration of a Resolution to apply for the Georgia Department of Transportation Enhancement GATEway Grant Program.

Matt Martin, Planning and Zoning Administrator, stated that gateways are entrance points into and out of communities and are marked typically by landscaping and welcome signage. These locations usually occur along major transportation corridors at the municipal boundaries of a city. Historically, the City of Valdosta has invested in Gateway Beautification Projects with the assistance of State Grant Programs. Gateway planning and related

studies were conducted in 2004 and 2010 and established the priority for gateway locations. Creation and improvement of gateway entrances has been identified as a Mayor/Council goal in the past. The Georgia Department of Transportation (GDOT) is accepting applications for the GATEway Grant Program. Funding for this comes from contributory value fees paid by outdoor advertising companies to GDOT for vegetation removal at outdoor advertising signs. The Program offers a maximum \$50,000 Grant with no required match. The Grant funds may be used only for landscape plant material and its installation relative to roadside enhancement and beautification projects along State routes in Georgia. Grant recipients are required to provide perpetual maintenance of the beautification project, as well as pay for any "hardscape" enhancements such as welcome signage. The City's existing Gateway Plan and Transportation Master Plan will be referenced and incorporated as appropriate in the GATEway Grant Application. Applying for the GATEway Grant Program is an opportunity to capitalize on this available funding opportunity. The proposed project for GATEway Grant submittal includes the creation of a new gateway entrance for the City on North Valdosta Road (State Route 7), east of the Withlacoochee River Bridge. Project work will include the planting of new landscaping and installation of a sign structure featuring the "Valdosta, A City Without Limits" logo. In preparing this Grant application, City Staff has created a consistent conceptual design for use in other Valdosta gateway areas that reflects a modern and attractive appearance. It is hoped that the award of this Grant will enable successful application for additional Grant rounds to assist the City in rehabilitating existing gateways installed in the 1990s. All the entrances to the City have been identified and Staff will work with the Mayor and Council to prioritize the order of future improvements. Madison Highway, with its proximity to the Valdosta Regional Airport, would be a strong candidate for the next project with local funding. Because signage costs are not allowed as part of this Grant, the City will need to budget and provide dedicated funds for the new sign structure proposed for this project. If awarded the Grant, the City would have to enter into an agreement to maintain the gateway for at least 50 years in terms of maintenance on DOT right-of-way, and the project must be completed within 30 months. The application deadline for this Grant is February 28, 2014. A Resolution must be approved for submission of the GATEway Grant Application and authorizing the Mayor to sign any related documents. Matt Martin recommended that Council approve the Resolution to apply for the Georgia Department of Transportation Enhancement GATEway Grant Program. Councilman Vickers inquired about the location of the first gateway. Matt Martin stated that we could apply for up to \$50,000 and the gateway location on North Valdosta Road with two landscaped areas would be approximately half of that amount. We want to start with this one location and get the prototype sign in place so it can be used as a template for other locations. Councilman Yost stated that several years ago Council was presented with some gateway enhancements and they decided not to proceed. This should be a part of what they do for the future and he wanted to see it placed back on the Agenda in the near future. This is just a start and we need to take advantage of it and proceed with the project. Councilman Wright stated that this is a great concept but inquired as to how the City would pay for this. Larry Hanson, City Manager, stated that we get a set amount from the Georgia Department of Transportation each year to maintain the State routes so we have some crews and equipment that are already designated for maintaining State routes. This would be added to their responsibility; however, the landscaping for this project requires very little maintenance. All of the landscaping would include perennials or evergreen type plants so there is not heavy maintenance. Mayor Gayle inquired as to whether it would be possible to encourage volunteers to assist in maintaining the gateways. Matt Martin stated they certainly could ask for volunteers to adopt a gateway.

A **MOTION** by Councilman Payton, seconded by Councilman Vickers, was unanimously adopted (7-0) to enact Resolution No. 2014-3, a Resolution to apply for the Georgia Department of Transportation Enhancement GATEway Grant Program and authorize the Mayor to sign the necessary documents, the complete text of which will be found in Resolution Book V.

BIDS, CONTRACTS, AGEEMENTS, AND EXPENDITURES

Consideration of Amendments to the Construction Services and Management Contract for the Force Main Project.

Henry Hicks, Utilities Director, stated that in August, 2012, the City Council authorized Amendment No. 1 to the Parsons Contract to complete the 100% design for the new Force Main, Pump Stations, Headworks, and Equalization Project. As part of Amendment No. 1, the Phase 2B scope of services in the original Contract was slightly reworded to include Construction Management Services during construction and start-up of these facilities as an additional scope item for this Project. In cases such as this, those necessary services include Services during

Construction (Amendment No. 6) and Construction Management (Amendment No. 7). Both of these services are critical in ensuring that all construction is completed in a timely manner per the design specifications and all associated documentation is completed per regulatory requirements. These services are even more important since Federal funds are being used for this project. Funds for these Engineering Services are included under the new \$36.7 Million Georgia Environmental Facilities Authority (GEFA) Loan to be issued shortly. Both the Georgia Environmental Protection Department (EPD) and GEFA strongly recommend that the design engineer perform these services in order to ensure continuity and consistency in meeting the design requirements as authorized by both agencies. To utilize another Engineering Firm for these services would create unnecessary conflicts between the design engineer and the firm performing these services regarding interpretation of the design specifications or intent of design, as well as create confusion with contractors on work expectations to name a few. As a result, unnecessary delays in project completion and the potential for litigation would be highly probable, potentially causing the project to not meet the regulatory deadline set. A summary of these services has been prepared for review by the Mayor and Council along with the full scope associated with each Amendment. Henry Hicks recommended that Council approve the Parsons Contract Amendment No. 6, Engineering Service during Construction, in the amount not to exceed \$1,137,746.86 and Amendment No. 7, Construction Management, in the amount not to exceed \$1,949,604.00. Councilman Payton thanked Henry Hicks for providing Council with a detailed summary of the Amendments. Larry Hanson stated that the bid opening for the Force Main Project is scheduled for March 11, 2014. Councilman Yost inquired as to when and where the Force Main Project would start. Henry Hicks stated that they have 270 days for each of the three projects (lift stations, force main and the minor lift stations, headworks and EQ Basin) and each one was bid independently. They expect the Notice to Proceed will be on the same date and they will have 270 days to complete each one of those projects. There are bidders who will bid individually and also a few firms that will be bidding on all three together. Councilman Payton inquired as to whether the DBE, MBE, and WBE contractors would be sought after. Henry Hicks stated that because this is Federally-funded there are DBE, MBE, and WBE requirements. They require a goal of 10% so each one of the contractors who are bidding on this are also trying to recruit minority businesses to meet that goal of 10%. Councilman Payton inquired as to whether they could get a report on the DBE, MBE, and WBE that will be utilized for this Project. Larry Hanson stated that they could provide that information to Council since we are required to demonstrate that we are in compliance with the Federal funding.

A MOTION by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (7-0) to approve the Parsons Contract Amendment No. 6, Engineering Service during Construction, in the amount not to exceed \$1,137,746.86 and Amendment No. 7, Construction Management, in the amount not to exceed \$1,949,604.00 for the Force Main Project.

CITY MANAGER'S REPORT

Larry Hanson, City Manager, stated that the Police Department will have a Press Conference tomorrow at 1:30 p.m. at the 911 Center to demonstrate the use of the AVL System which will have the closest Police car dispatch. He also thanked the Mayor and Council for attending the Press Conference for the new Fire Chief, Freddie Broome, who will be starting on March 10, 2014.

The Arbor Day Celebration is scheduled for Friday, February 21, 2014 at 10:00 a.m. and this is the 28th consecutive year that the City will be recognized as a Tree City USA. The location for the event was changed today due to inclement weather and it has been moved to Room 1160 at the Odom Library Annex on the Valdosta State University campus.

The Bird Supper has been rescheduled to March 5, 2014 due to the weather in Atlanta. This has worked out well because the Legislature has now set their calendar to adjourn on March 20, 2014.

The Motel/Hotel Tax Bill has now passed the House and Senate so it now goes to the Governor for his signature. This could be effective upon his signature but we will need to take time to inform the properties in our community.

The deadline for City Government 101 is scheduled for March 14, 2014. There are 25 slots and we have received approximately 10 applications to date.

The Annual Rotary Law Enforcement is scheduled for tonight beginning with a reception starting at 6:00 p.m. and dinner at 7:00 p.m. at the James H. Rainwater Conference Center.

Larry Hanson, City Manager, stated that we would need to have an Executive Session tonight to discuss a personnel matter.

COUNCIL COMMENTS

Councilman Yost stated that he felt that the Council needs to address a couple of Ordinances. He has spoken with the City Manager, the City Attorney, and the Mayor and asked them to have this ready to be placed on the Agenda within the next couple of months. Councilman Yost stated that he felt they need to tie the pay of the City Council to their attendance. This was discussed at the Mayor/Council Retreat but was dropped due to a lack of interest other than his; however, but he has asked that an Ordinance be prepared or a change in the current Ordinance be made that ties the attendance of the Council representatives and their pay. There are also several other Ordinances that he would like for them to look at in the near future. The Charter needs to be reviewed every few years because things change and we need to update our Charter with new information as it is available. One of those things that needs to be changed is that the hiring and the firing of our Municipal Court Judge to the City Manager. The Council currently hires and fires the Judge as one of their responsibilities and it is a conflict of interest for Council to hire someone to render legal decisions on behalf of the City. Council should not have a conflict of interest there and the Charter needs to be changed. Councilman Yost stated that he knew some Council members would not be in agreement with him and he appreciated that but after looking at some activities by this Council in the last few weeks it is time for Council to make some tough decisions. It is time for them to work for the citizens and to review past Policies, Ordinances, and the City's Charter in order to make it stand up where this Council is and should always be held responsible for their conduct and their activities while they serve this great City.

Councilman Carroll stated that he wanted to welcome back Renassa Small, Human Resources Director, who has been out on maternity leave. He also met David Frost, the new Assistant Director of Utilities, who will be working with Henry Hicks, Utilities Director. Larry Hanson stated that David Frost comes to us from Moody Air Force Base where he was employed as an Engineer for a private company operating the Base's systems.

Councilman Vickers stated that they just had a Mayor/Council Retreat and the items that Councilman Yost is requesting to be placed on an Agenda is undermining what they do at the Retreat. Those issues were brought up at the Retreat and did not go anywhere. Usually, when Council members bring things up we say that they were discussed at the Retreat. These items did not get any traction at the Retreat but now Councilman Yost is just one Council person who has gone to the Mayor, the City Manager, and the City Attorney and told them this is what you want. Councilman Vickers stated that he wanted to get rid of the 50 plus 1 rule and he was in a class at a Georgia Municipal Association training event and the instructor clearly said that it could be done. He will be doing some further investigation on this and at the next Retreat he would be better prepared to present it. Councilman Vickers stated that he also brought up the saggy pants issue at the Retreat and he did not get any traction on it so there was no need for him to come back to the Mayor, the City Manager, and the City Attorney to get it placed on the Agenda.

Councilman Wright stated that he was not totally opposed to what Councilman Yost was proposing but they should also consider the time that is put in when Council members are not in their seat. There has never been a time or place where he has not responded to one of his constituents. Councilman Wright stated that he does this 24 hours a day and 7 days a week for his community.

Councilman Yost stated that he agreed with Councilman Wright 100% and that is one of the things that he discussed with the Mayor, the City Manager, and the City Attorney. Council members do not come to just three meetings a month. They spend an enormous amount of time in their Districts representing the people who put them in office and answering their telephone calls, visiting with them, and dealing with people who want to do business with the City. There are all those things that play into this and that is why he wanted the Council as a whole to discuss it. As far as Councilman Vickers statement, he did not have a problem with Councilman Vickers' opinion one bit and he respected that; however, the people of District 6 elected him to represent them and to have every

right afforded to him as a Council member. One of those rights is to put anything he feels is necessary placed on the Agenda for Council to consider and vote on either up or down. He respects the “no” vote as well as a “yes” vote because he has voted no on many occasions on many items that different people have placed before them. He respects that 100%; however, do not ever tell him that he does not do his homework or think about everyone on the Council and know that it was taken care of at the Retreat. It was discussed at the Retreat by him and no one else had anything to say. It is time for this Council to get their head out of the sand and address the issues that are important for this Council and this community. This will not stop his views and he will not stop saying what he thinks Council should or should not do. He will live up to the Oath that he just took a month ago which was to represent this community and these people. When he feels that Robert Yost does not do that any longer then you will have his letter of resignation and he will step down from the Council. This will be an item because he has the right to place it on the Agenda. It may receive a “1-6” vote against but he is dealing with important issues that they need to face as a Council and he will not stop doing that.

CITIZENS TO BE HEARD

Tommy McCaskill stated that he wanted to seek some guidance for a relative and some friends regarding the newly released inmates who have felonies and serious misdemeanors. When they are released, they need someone to guide them in their job search. Mayor Gayle stated that they are assigned to a Probation Officer and they have to report to that person. Mr. McCaskill inquired as to what the released inmate should do if they feel that they are not getting the support for a job search or for medical and dental care. He has been to the Sheriff’s Department and the Lowndes County Judicial Building and got some help there. Lastly, he has seven or eight cases that were dismissed and he was told it was \$10 per charge to get rid of that. Mr. McCaskill inquired as to whether there was a quicker way to get that expunged without going one step at a time. Larry Hanson, City Manager, stated that this was not the appropriate body to answer his questions and it would be through the Court system and not the Mayor and Council.

ADJOURNMENT

Mayor Gayle entertained a motion to adjourn the Regular Session into Executive Session for the discussion of personnel.

A MOTION by Councilman Payton, seconded by Councilman Norton, was unanimously adopted (7-0) to adjourn the February 20, 2014 Regular Meeting of the Valdosta City Council at 6:11 p.m. and enter into Executive Session to discuss personnel.

Mayor Gayle reconvened the February 20, 2014 Regular Meeting of the Valdosta City Council at 6:21 p.m. and stated that no action was taken.

Mayor Gayle entertained a motion for adjournment.

A MOTION by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (7-0) to adjourn the February 20, 2014 Meeting of the Valdosta City Council at 6:21 p.m. to meet again in Regular Session on Thursday, March 6, 2014.

City Clerk, City of Valdosta

Mayor, City of Valdosta