

**MINUTES**  
**REGULAR MEETING OF THE VALDOSTA CITY COUNCIL**  
**5:30 P.M., THURSDAY, JUNE 23, 2011**  
**COUNCIL CHAMBERS, CITY HALL**

**OPENING CEREMONIES**

Mayor John Fretti called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Sonny Vickers, Alvin Payton, Jr., Ben Norton, and Robert Yost. Councilwoman Deidra White arrived at 5:35 p.m. and Councilmen Tim Carroll and James Wright were absent. The invocation was given by Councilman Alvin Payton, Jr., followed by the Pledge of Allegiance to the American Flag.

**APPROVAL OF MINUTES**

The minutes of the June 9, 2011 Regular Meeting were approved by unanimous consent (5-0) of the Council.

**PUBLIC HEARINGS**

**ORDINANCE NO. 2011-22, AN ORDINANCE ADOPTING THE FY 2012 BUDGET**

Public Hearing for Adoption of the FY 2012 Budget. (Second Hearing)

Chuck Dinkins, Financial Services Manager, stated that in accordance with Georgia Code 36-81-3, each local government shall adopt and operate under an annual balanced budget for the General Fund, each Special Revenue Fund, and each Debt Service Fund in use by the City of Valdosta. The annual balanced budget shall be adopted by ordinance or resolution. A budget ordinance is balanced when the sum of estimated revenues and appropriated fund balances is equal to appropriations. The Fiscal Year 2012 proposed budget was reviewed and discussed at the Budget Hearing held on June 15, 2011 and this will be the second presentation. The total budget is \$78.5 million and there were no major changes, new capital, or new General Fund positions. The General Fund is \$31 million which is approximately 40% of the total budget. The Police Department accounts for 42% and the Fire Department accounts for 22% so approximately two-thirds of the General Fund is attributable to Public Safety. Public Works accounts for 6% and the Engineering Department accounts for 9% and there is very little overhead in this budget. The two major Enterprise Funds include the Sanitation Fund and the Water/Sewer Fund. The budget for the Sanitation Fund is going down approximately 2.5% for revenues and 1.5 % in expenditures. The Water/Sewer Fund has projected expenditures that will be down approximately 3%. The majority of the recommended capital expenditures are in Water/Sewer for a total of approximately \$40 million. Approximately \$25 million will come from the Georgia Environmental Facilities Agency (GEFA) and \$11 million will come from SPLOST. User fees, current revenues, and grants account for the difference. The Motor Pool Fund is a little over \$800,000 and is funded internally through the City with charges through other funds. Chuck Dinkins recommended that Council approve the Ordinance to adopt the FY 2012 Budget. Councilman Vickers inquired as to how much of the \$78.5 million budget is from property taxes. Chuck Dinkins stated that it was approximately \$5.5 million. Larry Hanson, City Manager, thanked the Mayor and Council for their guidance in setting the budgetary goals for the year and thanked the Finance Department and the Budget Division for their work in preparing the budget.

Mayor Fretti asked for public comment on the Fiscal Year 2012 Proposed Budget. There being no citizens wishing to comment, Mayor Fretti closed out the Public Hearing.

**A MOTION** by Councilman Yost, seconded by Councilwoman White, was unanimously adopted (5-0) to enact Ordinance No. 2011-22, an Ordinance to adopt the FY 2012 Budget, the complete text of which will be found in Ordinance Book XII.

**ORDINANCE NO. 2011-23, AN ORDINANCE PROHIBITING SWEEPSTAKES PARLORS IN THE CITY OF VALDOSTA**

Consideration of an Ordinance prohibiting Sweepstakes Parlors in the City of Valdosta. (Second Reading)

Police Chief Frank Simons stated that this Ordinance has been previously discussed at length and there have been no suggested changes to the Ordinance. George Talley, City Attorney, stated that he had one minor grammatical change in the Ordinance. Chief Simons stated that the purpose of this Ordinance is to prohibit issuing a business license to those who are engaged in the conduct described in the Ordinance. Chief Simons recommended that Council approve the Ordinance prohibiting Sweepstakes Parlors in the City of Valdosta. Councilman Vickers inquired as to whether the Georgia Municipal Association (GMA) has reviewed the Ordinance. Larry Hanson, City Manager, stated that we have in a general sense and he and Chief Simons will be presenting this as a model at the GMA Convention in Savannah. The City of Valdosta will be the first in the State to adopt an Ordinance while some cities are struggling because they inadvertently approved the establishments and then tried to take a variety of measures to prevent them. Other cities are in some phase of a Moratorium and when that expires there will be a lot of interest in this Ordinance.

**A MOTION** by Councilman Payton, seconded by Councilwoman White, was unanimously adopted (5-0) to enact Ordinance No. 2011-23, an Ordinance prohibiting Sweepstakes Parlors and the issuance of business licenses to entities that engage in the same in the City of Valdosta, the complete text of which will be found in Ordinance Book XII.

**RESOLUTION NO. 2011-11, A RESOLUTION OF SUPPORT FOR THE RAND MCNALLY BEST OF THE ROAD CONTEST**

Consideration of a Resolution of support for the Rand McNally Best of the Road Contest.

Larry Hanson, City Manager, stated that recently, the Valdosta-Lowndes County Conference Center and Tourism Authority informed us that the City of Valdosta was a participant in the Rand McNally and USA TODAY Best of the Road Contest. They will be searching for the best small town in America in five different categories which include the Most Beautiful, the Most Patriotic, the Most Fun, the Friendliest, and the Best for Food. The voting for the Best of the Road Contest ended on May 23, 2011 with over 20,000 Americans registering, voting, sharing photographs, and reviews of their favorite places in the United States. We were notified that the City of Valdosta was one of the six finalists in the "Friendliest" town category with 220 votes. The five other top towns in this category are Lake Hauasu City, Arizona with 126 votes, Mounty Airy, North Carolina with 142 votes, Nacogdoches, Texas with 65 votes, Walla Walla, Washington with 266 votes, and Woodward, Oklahoma with 109 votes. The five Best of the Road finalist teams will depart New York on June 23, 2011 in search of the best small town in America in an assigned category. Each team will choose the timing of their route but our town must be a stop during their cross-country adventure. The teams will weigh blog posts, videos, and photographs created by each town, and the Best of the Road judges will announce the winning town at the Destination Marketing Association International (DMAI) Annual Convention on July 22, 2011. The top towns will be highlighted on [www.bestoftheroad.com](http://www.bestoftheroad.com) and in the 2013 Rand McNally Road Atlas, as well as on the USA TODAY's travel site. This is a great opportunity for the Mayor and Council and the citizens of our community to offer our support in this endeavor and show our true pride, spirit, and enthusiasm as we are truly A City Without Limits. Larry Hanson recommended that Council approve the Resolution of support of the City of Valdosta to be selected as the "Friendliest" town in America.

**A MOTION** by Councilman Payton, seconded by Councilman Norton, was unanimously adopted (5-0) to enact Resolution No. 2011-11, a Resolution of support for the Rand McNally Best of the Road Contest, the complete text of which will be found in Resolution Book V.

**RESOLUTION NO. 2011-12, A RESOLUTION TO ACCEPT  
THE FEDERAL AVIATION ADMINISTRATION'S GRANT**

**06/23/11 CONTINUED**

Consideration of a request from the Valdosta-Lowndes County Airport Authority to accept the Federal Aviation Administration's Grant and Resolution for an aircraft rescue and fire fighting vehicle, drainage improvements, and obstruction removal for the Valdosta Regional Airport.

Larry Hanson, City Manager, stated that on June 6, 2011, Congressman Jack Kingston's office notified Jim Galloway, Executive Director of the Valdosta Regional Airport, that the Federal Aviation Administration (FAA) had approved \$800,000 in grant funding for the acquisition of an aircraft rescue and fire fighting vehicle, construct aircraft rescue and firefighting (Phase I - Design), improve Airport drainage (Phase II - Drainage Improvements), and remove obstructions (Phase I - Obstruction Analysis). The FAA will notify the sponsor of the allocation and a grant offer will be issued. Jim Galloway, Executive Director of the Valdosta Regional Airport, also anticipates that the FAA will provide an additional \$200,000 in grant funds for the Valdosta Regional Airport in the near future. Larry Hanson recommended that Council approve the Resolution for acceptance of this grant award and an additional \$200,000 in grant funds for future Airport projects.

**A MOTION** by Councilwoman White, seconded by Councilman Payton, was unanimously adopted (5-0) to enact Resolution No. 2011-12, a Resolution to accept the Federal Aviation Administration's Grant and Resolution for an aircraft rescue and fire fighting vehicle, drainage improvements, and obstruction removal for the Valdosta Regional Airport, the complete text of which will be found in Resolution Book V.

**BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES**

Consideration of bids for office supplies and printer cartridges for the City of Valdosta (Bid No. 19-10-11).

Greg Brown, Purchasing Agent, stated that office supplies are used throughout the City by all departments in the daily function. This bid contains items that are classified as high use. Recycled printer cartridges were specified in the bid and the City reserved the right to award that section separately if beneficial to the City. This is a one year contract with an option to renew. Sealed bids were received on June 14, 2011 with the low bid submitted by Lee Office Equipment in the amount of \$11,828.52 for office supplies and \$7,078.92 for recycled cartridges. Greg Brown recommended that Council approve the low bid submitted by Lee Office Equipment in the amount of \$11,828.52 for office supplies and \$7,078.92 for recycled cartridges.

**A MOTION** by Councilman Yost, seconded by Councilman Norton, was unanimously adopted (5-0) to approve the low bid submitted by Lee Office Equipment in the amount of \$11,828.52 for office supplies and \$7,078.92 for recycled cartridges.

Consideration of a request to approve an Agreement with the Exchange Club for their Bench Program.

Pat Collins, City Engineer, stated that this request is to approve an Agreement with the Exchange Club for maintaining and installing benches on both the public right-of-way and private properties throughout the City. Revenues received by the Exchange Club for bench advertising are used for charitable purposes. The previous agreement was approved by City Council in December, 2003 and automatically renewed for an additional three years. The previous Agreement expired on January 8, 2010. The new Agreement, if approved, is valid for a two year period with no automatic renewal period. The shorter Agreement period enables the opportunity for reconsideration of the Agreement more often than once every six years. The Agreement also limits the cumulative number of benches allowed within the City to not exceed 60. Earlier this year, there were 98 benches within the City; however, this number has been reduced and the Exchange Club has verbally agreed to reduce the total number of benches down to 60 over the next several months. The Exchange Club has agreed to the terms in the new Agreement. Pat Collins recommended that City Council approve the Agreement with the Exchange Club for their Bench Program.

**A MOTION** by Councilman Norton, seconded by Councilman Vickers, was unanimously adopted (5-0) to approve an Agreement with the Exchange Club for their Bench Program.

Larry Hanson, City Manager, stated that the Southern Hospitality Group Work Camp will start on Sunday, June 26, 2011 and will end on Friday, July 1, 2011. They will be working on 36 single-family, homeowner-occupied sites. There will be 64 work crews comprised of 370 young people from 11 states which include Louisiana, Texas, Virginia, Illinois, North Dakota, Minnesota, Maryland, Florida, South Carolina, and California. They will be staying at Valdosta Middle School all week and the School System is very supportive of Work Camp. Also, Wild Adventures has donated free passes for all 370 young people as well as the chaperones and supervisors which is an incredible contribution from Wild Adventures to the community. Mayor and Council are invited to visit the work sites and participate in the closing ceremony at Valdosta Middle School next Friday.

The City has been informed by the Georgia Department of Transportation (DOT) today that we are the recipient of a Safe Routes to School Grant and we will receive \$274,700 in funding to construct a sidewalk on Park Avenue from Forrest Street to J. L. Newbern Middle School. We also need to thank our DOT Board Members Jay Shaw and Johnny Floyd because they have a limited amount of money to be divided up in a very large congressional district and we actually received the amount that we requested.

The City Engineer has corresponded with Norfolk Southern Railroad regarding some of the railroad track issues and asked that they make some repairs.

The Martin Luther King, Jr. Corridor Project is proceeding and Rountree Construction is doing their work. We are still on a timeline to have pavement of the road completed by July 1<sup>st</sup> so we are making progress.

Mayor Fretti left the Council Meeting at 6:00 p.m.

## **COUNCIL COMMENTS**

Councilman Vickers stated that he received a response from the DOT regarding his request for crosswalks and he left a copy with the Engineering Department and asked that they provide the City Manager with a copy. Councilman Vickers stated that we may need to have our local legislative delegation and our DOT person to help with this because we have done all that we can do. Larry Hanson stated that Councilman Vickers had requested a crosswalk in the area around South Patterson Street and Madison Highway near McDonald's. Since this is a DOT route and it is controlled by the State, the City made the request but the DOT rejected it. Councilman Vickers stated that the DOT does not have the money for the project but they would give the City the permission to do it.

Councilman Vickers stated that he would also like clarification of the unification of school districts and what role the City will play in this. Larry Hanson stated that the City's role is very limited and this is an old State law about referendums. Basically it says that the City will serve as the Election Superintendent which Mark Barber serves in that capacity; however, the City made the decision several years ago to contract out election services with Lowndes County so the Lowndes County Board of Elections serves in that role for all elections in the City. Mark Barber's only role, which will be delegated to the Lowndes County Board of Elections under a contract, will be to verify the signatures. They are required to have a certain number of signatures based on the population of the City in order to have the question validated so that it can be placed on the ballot in November. They have until July 12, 2011 and we hope that next week we will have an agreement so that the petitions with signatures can be provided to the Lowndes County Board of Elections in order for them to begin reviewing them and determining the eligibility of the signatures. Councilman Vickers inquired as to whether it would be an additional expense for the City for it to be placed on the ballot. Larry Hanson stated that it should not be any additional expense but it could be if they get 9,000 signatures and those would have to be looked at one at a time which could create overtime for workers at the Board of Elections. The City would have to pay that cost because it states that the responsibility of the Referendum is the City's regardless of the fact that we have no role in it but we are obligated to pay for it under State law. Councilman Vickers inquired as to what would happen if there were any challenges. Larry Hanson stated that the City is negotiating that with the Board of Elections but their position is that the City would have to pay for any costs for legal services if there are any challenges to the ballot question. Councilman Vickers stated that could be costly and inquired as to whether that was reflected in the budget that was just adopted by Mayor and Council. Larry Hanson stated that we hope there will not be any legal challenges because this is what the Board of Elections does for every election and that is to verify signatures. The challenge on this would be very limited and the only thing that could really be challenged would be signatures of the petitions. George Talley, City Attorney,

stated that the vote itself could be challenged if something goes wrong. There are two requirements and the first one is that you have to be a resident of the City of Valdosta for six months which would mean they would have to be on the voter registration list by May 8, 2011. There would have to be two separate ballots or two verifications because the ballot will not be given to anyone who has not been on there for six months. Larry Hanson stated that this is a rare occurrence and we budgeted what we traditionally budget for the election which is \$20,000. This will include some of the advertising and our pro rata share of the expenses of the election because it will be a school board election and other municipal governments. Mark Barber spoke with Deb Cox at length and she did not believe she would incur a lot of additional expense in doing this on our behalf. George Talley stated that he was informed this afternoon that they had over 7,000 signatures and they anticipate getting 9,000 by July 4<sup>th</sup>.

Councilman Vickers stated that his next concern was about the Industrial Authority selling the property to Sterling. He feels very strongly that the City gave the Industrial Authority the nod on that project a couple of years ago and they moved forward. He would like to see this Council send a message to the Industrial Authority because it is time for them to move on. Councilman Vickers stated that he would like to know what some of the other Council members think about this. Larry Hanson stated that he has spoken with the acting Executive Director as well as to the Attorney for the Industrial Authority and the property is not in the City of Valdosta. The Industrial Authority had an agreement with the industry which they are in default because they did not comply with the terms of the agreement to begin the project and break ground by June 1, 2011. It is his understanding that they are determining the legality of the contract and the company has requested the right to buy the property. The Industrial Authority has not told them that they will sell it to them and they are making a legal determination as to whether this is merely a request or whether the company has the right to exercise what is in that contract. The Industrial Authority expects to make a decision within the next few days and it will then be a matter of determining whether they believe the contract gives them the right to purchase the property. Councilwoman White stated that she was in agreement with Councilman Vickers and would like to see them move on. Larry Hanson stated that once the Industrial Authority makes the legal determination on the contract and if Council desires, we could place it on the next Agenda. Councilman Payton stated that it was his opinion and understanding that as they wait to see the legal aspects of it, there is a contract where they can and cannot buy it and the City has no written agreement one way or the other with Sterling. There was discussion to sell gray water but that was not a binding agreement. There is a possibility that the Biomass Plant could still come to Valdosta and that is something that the City Council cannot stop. They could have an individual opinion but they cannot pass something that says they shouldn't sell or buy the property from the Industrial Authority. Councilman Vickers stated that the City had a limited part and that was the water part that he wanted to send a message about because that is the part they do have control over. He would like for the Council to be clear to the Industrial Authority. Councilman Payton stated that maybe the Council could give the City Manager some direction on the sale or no sale of the gray water to the Biomass Plant. Larry Hanson stated that the City has never signed an agreement to serve the property. When the project was going on, the City made a commitment to the Industrial Authority as part of an agreement that they had. That agreement has now expired and the City has made no commitment to anyone to do anything.

Councilman Yost thanked the City employees who came out Friday night to assist with cleanup after a mini tornado came through Baytree Road, Alden Avenue, Azalea Drive, and Georgia Avenue. There were 12-14 trees down, several houses with trees on them, and downed power lines. The City came out and moved trees out of the road and Georgia Power took care of the downed power lines very quickly.

Larry Hanson stated that the City has submitted comments to the Georgia Department of Natural Resources on the State Water Plan and the Regional Water Plan and we received favorable feedback today from the Acting Branch Chief of the Environmental Protection Division for this area. We are still continuing to work on the storm drainage issues that affect us are addressed.

### **CITIZENS TO BE HEARD**

Sidney Blanton, Bench Project Chairman for the Exchange Club of Valdosta, 151 Blanton Drive, stated that he appreciated Council approving the Agreement with the Exchange Club. The Valdosta Exchange Club supports the prevention of child abuse and one of their members is Brenda Johnson, Executive Director of the Children's Advocacy Center. This year she lost \$25,000 of her funding and she is down to one Assistant. Their ultimate goal is to establish a Children's Advocacy Center in Valdosta and the money that they make on selling advertisements for the benches goes towards that goal. They have several national programs that they sponsor and

several children's programs in the City School System. Mr. Blanton stated that they are doing a good civic duty and asked for Council's support their efforts.

**ADJOURNMENT**

Mayor Pro Tem Payton entertained a motion for adjournment.

**A MOTION** by Councilman Vickers, seconded by Councilman Norton, was unanimously adopted (5-0) to adjourn the June 23, 2011 meeting of the Valdosta City Council at 6:17 p.m. to meet again in regular session on Thursday, July 7, 2011.

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City Clerk, City of Valdosta

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Mayor, City of Valdosta