

**MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, AUGUST 9, 2012
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., Robert Yost, Deidra White, and James Wright. The invocation was given by Reverend Brinson Barker, Associate Pastor of New Covenant Church, followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

PRESENTATION OF THE AUGUST, 2012 EMPLOYEE OF THE MONTH AWARD

Pat Collins, City Engineer, presented the August, 2012 Employee of the Month Award (Julious Holloway, Engineering Department).

Julious Holloway began his employment with the City of Valdosta Engineering Department in July, 1998 as a Signal Technician. He has held several capacities in the Traffic Center and in February 2011, he was promoted to Signals Supervisor which is the position he currently holds. Julious is responsible for directing and controlling the activities of Signal personnel which includes maintenance, repair, and installation of traffic controllers and signals during normal and emergency on-call periods of operation. Julious also assists the Traffic Manager in the preparation of traffic studies for the City, County, and State. Recently, Julious identified a need for a safe pedestrian crossing at the intersection of Ulmer Avenue and Old Statenville Road. After personal observation and conversations with the School Crossing Guard, Julious learned that the busy intersection was a safety concern for school children at the nearby elementary school. In addition, he expressed his opinion that the pedestrian signals should be upgraded to the countdown type which enhances pedestrian awareness and safety. Realizing the project would require funding that would not be immediately available, Julious sought the advice of the City's Grant Administrator, Kathy Brunot. Julious and Kathy met with a Valdosta Board of Education member to discuss a partnership project stating if the Valdosta City Schools would agree to pay for the pedestrian crosswalk equipment, the City Engineering Department would build curb ramps, pedestrian signals, and stripe crosswalks for the school children. With the approval of the Valdosta School Board, the project was accomplished. At a recent Valdosta Board of Education meeting, Julious and other project members were praised for their work. The results of Julious' observation and follow-through led to a partnership between the Valdosta City Schools and the City of Valdosta for the ultimate safety of children in that area. For these reasons and many others, the Employee Relations Committee nominated Julious Holloway as Employee of the Month.

APPROVAL OF MINUTES

The minutes of the July 19, 2012 Regular Meeting were approved by unanimous consent (7-0) of the Council.

PUBLIC HEARINGS

AN ORDINANCE TO AMEND THE LAND DEVELOPMENT REGULATIONS WITHDRAWN

Consideration of an Ordinance to rezone 1.3 acres from Single-Family Residential (R-15) to Multi-Family Residential (R-M) as requested by Jim Sineath (File No. VA-2012-09). The property is located at 2516 and 2518 Jerry Jones Drive. The applicant has withdrawn his request and the Greater Lowndes Planning Commission did not review the request at their July Regular Meeting.

Matt Martin, Planning and Zoning Administrator, stated that the applicant, Jim Sineath, has officially withdrawn his rezoning request; however, because the case was advertised, it will still appear on the City Council Agenda for the August 9th meeting. No action will need to be taken by the Mayor and Council.

**ORDINANCE NO. 2012-17, AN ORDINANCE FOR A
CONDITIONAL USE PERMIT FOR AN EXISTING HOSPITAL
FACILITY IN RESIDENTIAL-PROFESSIONAL (R-P) ZONING**

08/09/12 CONTINUED

Consideration of an Ordinance for a Conditional Use Permit for an existing hospital facility in Residential-Professional (R-P) zoning as requested by Jonathan Kendall (File No. CU-2012-04). The property is located at 2209 Pineview Drive. The Greater Lowndes Planning Commission reviewed this request at their July Regular Meeting and recommended approval (7-0-1 vote).

Matt Martin, Planning and Zoning Administrator, stated that on behalf of the Hospital Authority of Valdosta, Jonathan Kendall is requesting a Conditional Use Permit (CUP) for an existing hospital facility in R-P zoning. The property is the Greenleaf Center located at 2209 Pineview Drive and consists of approximately 6.25 acres located along the east side of the road approximately 400 feet north of East Park Avenue. The Hospital Authority of Valdosta currently owns the Greenleaf Center and it is exempt from zoning regulations; however, if the Authority were to transfer the Greenleaf Center to a non-public entity, the exemption would be removed and the facility would be rendered non-conforming (but grandfathered-in) since it never before received a CUP approval. There are currently no proposed expansions or other changes to the site that trigger any form of compliance with the local development regulations. The applicant is simply voluntarily going through the CUP process in order to remove any possibility of zoning non-conformity in case the property becomes non-exempt in the future. The applicant is also voluntarily requesting variances from some of the LDR supplemental regulations for hospitals (direct access to an arterial road). These are being reviewed and processed separately through another application (File No. APP-2012-09) and will be heard by the Zoning Board of Appeals (ZBOA) on August 7, 2012. The property is located within a Neighborhood Activity Center (NAC) Character Area on the Future Development Map of the Comprehensive Plan. In terms of land use patterns, the existing Greenleaf Center is an institutional use that is well-situated among other institutional uses in the eastern part of the City. It has operated for many years and it remains compatible with its surroundings. It is compliant with the character of the NAC designation of the Comprehensive Plan and also the intent and purposes of the Residential Professional (R-P) zoning district. Although there are currently no plans for expansion or other activities that trigger actual compliance, its continued use of this property should be deemed appropriate and the Conditional Use Permit (CUP) should be approved. If the facility were to become non-exempt and undergo a proposed expansion or redevelopment in the future, then standard development requirements for site layout and design would be applicable at that time. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommend approval subject to ZBOA approval of identified variances for the existing site. There were a few issues that do not comply with current regulations as related to parking and hospital supplemental requirements but those were addressed by the Zoning Board of Appeals and variances were approved on Tuesday afternoon. All that remains to bring it into full compliance is for the Conditional Use Approval. The Planning Commission reviewed this at their July 30, 2012 meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to ZBOA approval of identified Variances for the existing site (7-0-1 vote).

Jonathan Kendall, 201 17th Street, N. W., Suite 1700, Atlanta, Georgia, spoke in favor of the request. Mr. Kendall stated that he was the applicant on behalf of the Hospital Authority and would be glad to answer any questions. Councilman Wright inquired as to whether there would be any changes to the facility. Mr. Kendall stated that it would still be the same use as it is today.

No one spoke in opposition to the request.

A MOTION by Councilman Wright, seconded by Councilman Norton, was unanimously adopted (7-0) to enact Ordinance No. 2012-17, an Ordinance for a Conditional Use Permit for an existing hospital facility in Residential-Professional (R-P) zoning as requested by Jonathan Kendall, the complete text of which will be found in Ordinance Book XII.

**ORDINANCE NO. 2012-18, AN ORDINANCE FOR A CONDITIONAL USE PERMIT TO ALLOW FOR
A SPECIALIZED SCHOOL FACILITY IN HIGHWAY-COMMERCIAL (C-H) ZONING**

Consideration of an Ordinance for a Conditional Use Permit to allow for a specialized school facility in Highway-Commercial (C-H) zoning district as requested by Ombudsman Educational Services (File No. CU-2012-05). The property is located at 1200 North Ashley Street. The Greater Lowndes Planning Commission reviewed this request at their July Regular Meeting and recommended approval (8-0 vote).

Matt Martin, Planning and Zoning Administrator, stated that Ombudsman Educational Services is requesting a Conditional Use Permit (CUP) for a specialized school facility in a Highway-Commercial (C-H) zoning district. The property consists of approximately 0.45 acres located at 1200 North Ashley Street. This is the former Oak Palace retail store located at the northwest corner of North Ashley and East Ann Streets. The Valdosta City Schools is contracting with the Ombudsman Educational Services to lease the subject property and use it as an alternative education facility. The Valdosta City School System will bus up to 30 middle school students to this facility each morning for daytime schooling, and then operate the facility in the late afternoon and evening for up to 30 high school students. The applicant is not proposing any exterior changes to the building or the site and is proposing minor renovations to the interior. The property is located within a Community Activity Center (CAC) Character Area on the Future Development Map of the Comprehensive Plan. This is an existing commercial building of approximately 7,150 square feet along the North Ashley Street commercial corridor. The proposed use (small school facility) is less intensive than the commercial uses nearby and it will have no negative impact on the surrounding land use pattern. The site has more than enough parking to accommodate the use, and there is more than sufficient maneuvering room for the twice-daily school bus entering and exiting the property; therefore, the Conditional Use request should be approved. Although there are no proposed changes to the site or the building exterior which automatically trigger compliance with existing development Codes, there are a few minor non-conforming aspects of the site that still need to be addressed which are as follows: (1) Some of the existing parking spaces as denoted by the "striping layout" (on the site plan, and on the aerial) do not meet current Code requirements in terms of handicap accessibility and access dimensions and design. A simple re-design of the parking layout and partial re-striping of the parking lot would cure this problem. The site plan currently shows 24 parking spaces but only a handful of these are actually needed for the teachers and staff, plus a few for high-school students in the evening who might drive themselves. (2) There are two existing freestanding signs along the street frontage which have been abandoned and constitute an eyesore. One of these occupies an existing parking space and the other poses a potential safety-visibility problem at the North Ashley Street entrance. Both of these signs should be removed or rectified to come into compliance with current Code requirements. Addressing both of these issues may result in the loss of a couple parking spaces, but the site will still have more than enough parking to accommodate the proposed use. Other non-conforming aspects of the site include a very high percentage of impervious surface and lack of landscaping, but Staff is recommending these aspects remain non-conforming until such time as compliance is normally triggered by a much greater degree of redevelopment. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to the following conditions: (1) Prepare a revised site plan that depicts a parking layout that meets current Code requirements, and re-stripe the parking lot accordingly, and (2) Either remove or modify the existing freestanding signs to comply with current Code requirements. The Planning Commission reviewed this at their July 30, 2012 meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to subject to the following conditions (8-0 vote): (1) Prepare a revised site plan that depicts parking layout that meets current Code requirements, and re-stripe the parking lot accordingly, and (2) Either remove or modify the existing freestanding signs to comply with current Code requirements. Councilwoman White inquired as to what would need to be done if the use was returned to commercial. Matt Martin stated that they would need to re-configure the parking lot to meet the commercial standard that it used to be.

Arnold Wright, Operations Manager for Ombudsman Education Services, spoke in favor of the request. Mr. Wright stated that he would be the daily supervisor of staff at the location. The parking lot has not been done yet due to the construction that has been going on; however, the cleanup is already underway and he expects the entire place to be cleaned up by mid-day tomorrow. The refuse bin can then be moved and they can schedule the restriping of the parking lot. The real estate company will remove the sign out front tomorrow and they expect to occupy the building with students on Monday, August 13, 2012 with Council's approval of the Conditional Use Permit. Councilman Vickers inquired as to why the Valdosta City School Board contracted this service out. Mr. Wright stated that they provide alternative educational services for students. There are 10 different school districts that he serves with 15 locations and he has been with this company for six years. Each School Board determines how they want to use our services. They serve students who are considered "at risk" for not graduating from high school and their success rate is 93%. That is determined by students not dropping out of the program for either bad behavior or attendance. There will be four or five staff members in the room at one time and the student/teacher ratio runs six students to each teacher which gives them the ability to provide more individualized instruction. In this location they will serve Middle School and High School students. The Middle School will be held during the day with 60 slots and will be broken down into two sessions of 30 students. One session will be from 7:30 a.m. to 11:30 a.m. and then lunch will be served. Those students will then be bused back home. The other session begins

at 12:15 p.m. with lunch being served and then classes starting at 12:30 p.m. until 4:30 p.m. The High School Program will be held Monday through Thursday from 5:00 p.m. to 9:00 p.m. and will include 40 students. Councilman Vickers inquired as to whether those students would be picked up by bus. Mr. Wright stated that the School Board determined they would not provide transportation for the High School Students. The idea is to get the students in a routine of how to behave and interact in the classroom and then they go back to Valdosta City Schools to pursue a diploma.

No one spoke in opposition to the request.

A MOTION was made by Councilwoman White to approve a Conditional Use Permit to allow for a specialized school facility in Highway-Commercial (C-H) zoning district as requested by Ombudsman Educational Services. Councilman Yost seconded the request. Councilman Carroll inquired as to whether the motion included the two conditions which were as follows: (1) Prepare a revised site plan that depicts parking layout that meets current code requirements, and re-stripe the parking lot accordingly, and (2) Either remove or modify the existing freestanding signs to comply with current code requirements. Councilwoman White stated that was correct. The motion was unanimously adopted (7-0) to enact Ordinance No. 2012-18, the complete text of which will be found in Ordinance Book XII.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of bids for two new fire trucks for the Fire Department (Bid No. 18-11-12).

Greg Brown, Purchasing Agent, stated that the Valdosta Fire Department has funding approved in SPLOST VI for the purchase of two new fire trucks. The new trucks are first responder trucks equipped with pumping units and other equipment to extinguish structural fires throughout the City and assist in other operations as necessary. A committee of firemen was created to assemble the specifications and hold a pre-bid meeting with perspective vendors. Sealed bids were received on July 17, 2012 and the low bid meeting specifications was submitted by Suthphen in the amount of \$874,522. Greg Brown recommended that Council approve the low bid meeting specifications submitted by Suthphen in the amount of \$874,522 and allow the Fire Department to proceed with the purchase. Councilman Vickers inquired as to the delivery time. Greg Brown stated that the fire trucks should be delivered in February, 2013.

A MOTION by Councilman Carroll, seconded by Councilman Vickers, was unanimously adopted (7-0) to approve the low bid meeting specifications submitted by Suthphen in the amount of \$874,522 and allow the Fire Department to proceed with the purchase of two new fire trucks.

Consideration of bids for maintenance of in-car camera systems for the Police Department (Bid No. 1-12-13).

Greg Brown, Purchasing Agent, stated that the Police Department utilizes an in-car camera system in the patrol units which is a couple of years old. As with any computerized system, upgrades are necessary for the hardware and software. The City had signed a maintenance agreement with Motorola for the maintenance of the DP-2 in-car system which has expired. Motorola and the system provider have now parted ways so it is necessary for us to deal directly with the provider Digital Safety Technologies (DST). DST has certified RCE of Valdosta as an authorized service center and they will be responsible for providing any updates or repairs in the future. The Police Department allocates funds each year in their annual budget for this service agreement. The cost of the agreement is \$36,800 and the vendor would be DST instead of Motorola as it has been in the past. Greg Brown recommended that Council approve the bid as presented to Digital Safety Technologies in the amount of \$36,800 and allow the Police Department to proceed with the purchase.

A MOTION by Councilman Payton, seconded by Councilman Carroll, was unanimously adopted (7-0) to approve the bid submitted by Digital Safety Technologies in the amount of \$36,800 and allow the Police Department to proceed with the purchase for maintenance of the in-car camera systems for the Police Department.

Consideration of a request for contract services for 100% design of the Withlacoochee Wastewater Treatment Plant pump station, force main, and the EQ basin and influent receiving station.

Henry Hicks, Utilities Director, stated that the Withlacoochee Wastewater Treatment Plant has continued to be significantly impacted by surface and ground water inflow and/or infiltration into its sewer service areas collection system as well as the 54-inch gravity main feeding the influent pump station at this facility. This Plant serves approximately 70% of the City and during significant rain events, cannot effectively pump and treat the combined sewer and stormwater flows. This causes violations of the facility's operating permit and sewer surcharges within low lying areas of the Plant's service area. In September, 2010, Council authorized the 30% design for this project utilizing Parsons. At completion of the 30% design, the Georgia Environmental Protection Division (EPD) required a formal review and approval of Design Development Report (DDR) and Environmental Impact Document (EID) before we could move forward on 100% design. That approval was received in early 2011. Since that time, the 100% design was put on hold as this scope was included in the City's second and final claims appeal to FEMA for the relocation of the Withlacoochee Plant to property purchased across from the landfill. On July 27, 2012, the City received preliminary notification that its second and final appeal to FEMA was denied. The scope of work includes the replacement of the problematic 54-inch gravity main with two new pump stations and force main going to a new influent receiving station which would utilize bar screens previously purchased by the Utility Department. The location of the new influent facility would also house a 4-5 million gallon equalization basin to manage and temporarily hold excess flows during large rain events. Flow from these new facilities would then be fed by gravity downhill to the existing Plant for final treatment. This would eliminate both the sewer surcharges in low lying areas served by the Withlacoochee Plant as well as inflows and/or infiltration along the old 54-inch gravity main which would be abandoned along with the Meadowbrook Drive area sewer interceptor and existing influent pump station which is prone to flooding. The proposed new receiving station location is on the property purchased by the City and would also be the site of a new Treatment Plant at some point in time in the future. The cost breakdown is as follows: (a) to complete 100% detailed design and bid packages (includes reviews at 60% and 90%) at \$1,052,056; (b) 3-construction site surveys at \$173,580; (c) required geotechnical work at \$18,000; and (d) easement survey for the force main route at \$137,812 for a total cost of \$1,381,448 plus a 10% contingency.

A MOTION by Councilman Yost, seconded by Councilwoman White, was unanimously adopted (7-0) to approve the request for contract services in the amount of \$1,381,448 plus a 10% contingency for 100% design of the Withlacoochee Wastewater Treatment Plant pump station, force main, and the EQ basin and influent receiving station.

Consideration of bids for the Closed Circuit Television (CCTV) evaluation of the Big Country Club pump station service area.

Henry Hicks, Utilities Director, stated that the inflow and Infiltration (I&I) problems within the sewer collection system have been a major contributor to sewer spills in the collection system and hydraulic overloads at the Wastewater Treatment Plants (WWTP) with the Withlacoochee WWTP facility service area seeing most of these problems. The Utilities Department's Master Plan for sanitary sewer system improvements identifies the need to address I&I on an annual basis over the next 20 to 30 years. The Utilities Department has taken a multi-pronged approach to eliminate I&I in the sewer collection system. This includes Lift Station upgrades and replacements, manhole rehabilitation or replacement, a new force main with lift stations, and a new headworks facility and equalization basin project for the Withlacoochee facility, as well as a find and fix program for leaking sewers. The find and fix approach consists of the following two phases: (a) Closed Circuit Televising (CCTV) of known portions of the sewer collection systems with higher than normal flow patterns following measurable rain events, and (b) selecting a technology to fix the I&I issues discovered in the CCTV evaluation. In the last year, the Utilities Department has been measuring flows at each of its lift stations to develop a priority list of lift station service areas with higher than normal flows during and after rain events. The Big Country Club pump station service area was identified as the highest priority for I&I evaluation and repair. The Utilities Department solicited bids for CCTV evaluation of the Big Country Club Pump Station service area. Four companies specializing in this work submitted quotations for this service with the low bid submitted by RedZone Robotics in the amount of \$107,590. Henry Hicks recommended that Council approve the low bid submitted by RedZone Robotics in the amount not to exceed \$107,590 in that the dual camera technology used is superior in detail and information versus the single camera technology used by others. In addition, RedZone does not require line cleaning for use of its camera and as a result can complete the work much quicker and can start work immediately upon award of contract.

A **MOTION** by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (7-0) to approve the low bid submitted by RedZone Robotics in the amount not to exceed \$107,590 for the Closed Circuit Television (CCTV) evaluation of the Big Country Club pump station service area.

Consideration of a Contract with the Georgia Department of Transportation for maintenance of State highway routes within the City of Valdosta.

Pat Collins, City Engineer, stated that the Georgia Department of Transportation (GDOT) contracts for the maintenance of State Routes within the jurisdiction of local municipalities. This Agenda Item seeks City Council authorization to enter into a Contract for Maintenance of Highways and requests that the Mayor and City Clerk be authorized and directed to execute the Contract for and on behalf of the City Council of the City of Valdosta. The amount paid to the City of Valdosta is \$3,500 per mile per year. This program has been in place since 1974. GDOT is paying the City for minor maintenance that is required by Georgia law O.C.G.A. 32-2-2 (a) (2010). The powers and duties of the Department, unless otherwise expressly limited by law, shall include but not be limited to the following: (1) The Department shall plan, designate, improve, manage, control, construct, and maintain a State highway system and shall have control of and responsibility for all construction, maintenance, or any other work upon the State highway system and all other work which may be designated to be done by the Department by this title or any other law; however, on those portions of the State highway system lying within the corporate limits of any municipality, the Department shall be required to provide only substantial maintenance activities and operations, including but not limited to reconstruction and major resurfacing, reconstruction of bridges, erection and maintenance of official department signs, painting of striping and pavement delineators, furnishing of guardrails and bridge rails, and other major maintenance activities. Furthermore, the Department may by contract, authorize, and require any rapid transit authority created by the General Assembly to plan, design, and construct, at no cost to the Department and subject to the Department's review and approval of design and construction, segments of the State highway system necessary to replace those portions of the system which the rapid transit authority and the Department agree must be relocated in order to avoid conflicts between the rapid transit authority's facilities and the state highway system. Under the Contract, the City will perform minor maintenance (including pavement patching, mowing and cleaning of right-of-way, shoulder maintenance, ditch cleaning, re-seeding and sodding, snow and ice removal, guard rail maintenance, emergency response, and pertinent maintenance for proper and safe operation), and GDOT will perform major maintenance (including highway signs, center and edge line striping, resurfacing, provide guardrail material, etc.) There are 26.58 miles of highway to maintain per the Contract and the total annual amount paid to the City will be \$93,030. The Contract will be automatically renewed every 12 months beginning with the effective date of the Contract and will continue to the year 2055. Either party may terminate the Contract by giving written notice to the other party no less than 30 days prior to the end of the 12-month Contract period.

A **MOTION** by Councilman Yost, seconded by Councilman Norton, was unanimously adopted (7-0) to approve a Contract with the Georgia Department of Transportation for maintenance of State highway routes within the City of Valdosta.

LOCAL FUNDING AND REQUESTS

ORDINANCE NO. 2012-19, AN ORDINANCE TO ESTABLISH THE 2012 TAX MILLAGE RATE

Consideration of a request to establish the 2012 Tax Millage Rate.

Mark Barber, Deputy City Manager of Administration, stated that this year he would be recommending a 4.106 millage rate which is a decrease from 4.112. The total millage that the City of Valdosta residents would pay is 30.896. The breakdown is as follows: (1) City of Valdosta – 4.106 mills, (2) Lowndes County – 7.31 mills, (3) Valdosta City Schools – 16.98 mills, (4) Recreation Authority – 1.25, (5) Industrial Authority – 1.00 mills, and (6) the State of Georgia – 0.25 mills. Property tax bill estimates would be \$1,051 for property assessed at \$100,000 and \$2,287 for property assessed at \$200,000. For every property tax dollar that is paid by citizens, the Industrial Authority gets \$.03, Lowndes County gets \$.24, the School System gets \$.55, the Parks and Recreation Authority gets \$.04, the State of Georgia gets \$.01, and the City of Valdosta gets \$.13. The Five Year History of Tax Levy was published in the Valdosta Daily Times on July 26, 2012, notifying the community of the proposed tax millage

to be set by the City of Valdosta. The purpose of this ad is to inform property owners of the growth in the ad valorem tax digest and the level of taxes collected in the last five years. All governmental units and school districts are required by State law to publish growth rates in the tax digest and changes in tax rates. The Valdosta Board of Education adopted a 16.98 millage rate for this year. The Board of Education established this millage at the August 6, 2012 meeting. The 2012 Net Tax digest increased by 3.74 percent (excluding inflationary growth) compared to the 2011 digest. Applying the proposed millage rate to the current digest will generate approximately \$5,982,784 in revenue, which represents a \$215,263 increase from the prior year. Additionally, adopting the proposed millage rate will create a \$16,684 favorable variance when compared to fiscal year 2013 projections. Also included in the Ordinance is 5 mills assessed on downtown property owners. This tax is utilized for operating and maintenance of the downtown area. In years past, an additional 10 mills had been levied for debt repayment in conjunction with the streetscape project and was then reduced to 5 mills. This tax is in a "sunset" status until delinquent taxes are collected. Mark Barber recommended that Council approve the Ordinance to establish the 2012 Tax Millage Rate. Councilman Vickers inquired as to what the inflationary growth. Mark Barber stated that when your property is reassessed and if you do not roll that back then it is considered a back door property tax increase. True growth would be a new facility in the community or someone adding on to their home.

A MOTION by Councilman Vickers, seconded by Councilman Wright, was unanimously adopted (7-0) to enact Ordinance No. 2012-19, an Ordinance establishing the 2012 Tax Millage Rate, the complete text of which will be found in Ordinance Book XII.

BOARDS, COMMISSIONS, AUTHORITIES, AND ADVISORY COMMITTEES

Consideration of appointments to the Valdosta Tree Commission.

Larry Hanson, City Manager, stated that the Valdosta Tree Commission has three members, Amy Hall, Angela Wall Bray, and Rusty Wetherington whose terms expire on September 6, 2012. Ms. Hall and Mr. Wetherington expressed an interest in serving again and Ms. Bray does not wish to be considered for re-appointment. This was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants applying for these positions are as follows in no order of preference: (1) Bessie B. Evans - Retired from P.C.A. Paper Mill, (2) Amy Hall - Budget Manager, City of Valdosta, (3) Leon S. Meeks - Physician, Valdosta State University Student Health Center, (4) Harriett F. Taswell - Currently unemployed but former teacher, and (5) Rusty Wetherington - Staff Assistant for Congressman Sanford Bishop.

Mayor Gayle asked for nominations for Position No. 1. Councilman Vickers placed in consideration the name of Bessie Evans. There being no other nominations, Mayor Gayle closed nominations. Bessie Evans was appointed by acclamation to serve a term of four years on the Valdosta Tree Commission.

Mayor Gayle asked for nominations for Position No. 2. Councilman Carroll placed in consideration the name of Leon Meeks. There being no other nominations, Mayor Gayle closed nominations. Leon Meeks was appointed by acclamation to serve a term of four years on the Valdosta Tree Commission.

Mayor Gayle asked for nominations for Position No. 3. Councilwoman White placed in consideration the name of Amy Hall. There being no other nominations, Mayor Gayle closed nominations. Amy Hall was re-appointed by acclamation to serve a term of four years on the Valdosta Tree Commission.

CITY MANAGER'S REPORT

Larry Hanson, City Manager, stated that Mayor Gayle attended and spoke at the Grand Opening for the DuPont Crop Protection facility that opened in Westside Business Park. This facility approximately 150,000 square feet and is the first new facility in the Business Park. They made a capital investment of approximately \$5 million and created 125 jobs during the time of construction. It will also have 25 full time jobs going forward.

The Engineering Department recently won an award for the Brown's Canal Project which has been a real success. It was selected by the Georgia Chapter of the American Society of Civil Engineers for the National Environment Project of the Year. The award will be presented on September 7, 2012 in Atlanta at Georgia Tech.

The City of Valdosta's Annual Photo Contest was on the front page of the Georgia Municipal Association's newsletter and Sementha Mathews, Public Information Officer, does a great job with that Contest every year. The photo exhibit is currently on display in the lobby of City Hall.

There was a "Burn the Note" Ceremony last week for the Community Improvement District (CID). The City of Valdosta's Downtown was the first one and remains the only Downtown to have a CID. When the \$800,000 tax was put into place in 2000 it was expected to take 20 years to repay the debt and 10 mills was needed to do that. We were able to cut the millage rate to 5 mills three years ago and eliminate it all together in 2012 which is eight years before it was planned to sunset. That is a great statement about public/private partnerships. You make a public investment as was done by the City in the Downtown area and private investment will follow with people buying buildings and improving property. When improvements are made taxes go up and when taxes go up you are able to pay off a bond earlier. This is a real success story and it shows that things can be imposed that do sunset and go away after they have served their purpose.

Larry Hanson, City Manager, stated that Council would need to have a brief Executive Session on a real estate matter, personnel matter, and possible litigation matter.

COUNCIL COMMENTS

Councilman Vickers inquired as to how they were able to pay that debt in 12 years and whether it was because of true growth in the Downtown area. Larry Hanson stated that if there were vacant buildings on the tax digest for \$100,000 and someone purchased and renovated them, then property that was being taxed at \$100,000 was then improved to \$700,000 and it paid off early because of private investment in the Downtown area generating additional taxes.

Councilman Yost thanked Henry Hicks for the Project at Sugar Creek and the Meadowbrook Drive area to correct spills and overflows. They still have some flooding in backyards in that area but they are working to correct that. Councilman Yost stated that he would be interested to see what the flow of water would be coming down from Tifton after all the rain we have had lately. Larry Hanson stated that it usually takes 24-48 hours for the water to flow down and the river is currently at 11 feet. Flood stage is 17-18 feet and the flooding we had three years ago was at 22-23 feet. That was a historic 500-year flood event.

CITIZENS TO BE HEARD

Ken Klanicki, 2208 Jerry Jones Drive, stated that there is one issue that has been bothering him for several weeks and he thought it would be resolved by now but it has not. On June 14, 2012, there was a three car accident in Brooks County and one of those vehicles was owned by the City and operated by a City employee. That accident was worked by the Georgia State Patrol and he has not heard what the outcome of the investigation was. Next Tuesday will be two months since the accident and as tax payers, they should have heard what the outcome of the investigation was. George Talley, City Attorney, stated that the State Patrol team investigating the accident has not issued a final report. Also, there has not been an investigation by the District Attorney's Office. Mr. Klanicki stated that he is 69 years old going on 70 and he hoped the report would be issued during his lifetime. George Talley stated that it would be.

Minister Willie C. Simon, 303 Hampton Lane, stated that he had a concern about water billing. It appears that the due dates have been set up to monopolize financially on a certain group of people. The due date states that you pay on that date and if you are one day late there is a \$10 fee. If you are nine days late after that you have to pay \$25 to have it reassessed and turned on. His concern is for fixed income people. If the due date is on the 25th and someone receives their fixed income on the 3rd, then they are already behind the eight ball as far as late charges are concerned. He did not know the number of people population-wise but at \$10 per head, even on a fixed income, that is quite a bit of money. Mr. Simon stated that he spoke with the Accounting Manager and he told him that it was on a cycle. He is concerned about the dollars that it is going to cost the fixed income people. Mr. Simon stated that he was not accusing them of profiling but you are setting up a situation to capitalize on a fixed group of people. Most fixed income people cannot afford to have these unexpected things. Mr. Simon asked for Council's consideration in having someone look into the situation.

George Boston Rhynes, 5004 Oak Drive, stated that starting July 1, 2012, Georgia has a new law and the jury and grand jury selection process will change. He has gone to the Lowndes County Clerk of Court but was unable to obtain any information about it. After 200 years, the State of Georgia is the last State to change the selection process of juries and grand juries. There is also something happening in South Georgia and there is going to be a new form of open government. If there is a committee meeting it has to be published within 24-48 hours of the meeting. Mr. Rhynes stated that there are things coming out now with the open government and open records legislation which will help this gentleman so he will not have to come up here and ask what is going on in our City. This is a plus for the people in Atlanta and hopefully we will have a more open government not only in Valdosta but in the State of Georgia.

John Robinson, 3227 San Juline Circle, Lake Park, stated that we have real problems in our City and he understood that people were hand-picked for the Analysis of Impediments. The deal with that is whether they are going to be in touch or out of touch with the reality of what is going on in the communities with the low income citizens and low bidders. Mr. Robinson stated that he was looking forward to working on putting some things in place, but he was not sure that they had the right people to represent the people in the real world where everything is coming apart. He heard what they said this afternoon and it sounded real good and how the City is thriving; however, we all know there is another part of the City that is not thriving and is actually dying. People are being victimized every day pertaining to policies and issues that are set by these boards and committees. Mr. Robinson stated that he filed a Federal complaint but withdrew it because down it was filed in Washington, got sent to the State of Georgia, and then to HUD. When it got to HUD, it got converted into a contract issue. He is not a contractor and that is why he withdrew it; however, that does not mean that he is not going to keep pursuing it even on Pennsylvania Avenue. They need some money on the south side and they need to get some things done. Mr. Robinson stated that he hoped some good would come out of this and asked Council's consideration in making certain that people look at the issues in the real world so that lives can be more justifiable and we get the City back on the right tract. He believes that if everyone could come together, face the hard core facts, and reinvest back into the people then our community can thrive for the very first time.

ADJOURNMENT

Mayor Gayle entertained a motion to adjourn the Council meeting and enter into an Executive Session for the purpose of discussing real estate, personnel, and possible litigation.

A MOTION by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (7-0) to adjourn the August 9, 2012 meeting of the Valdosta City Council at 6:36 p.m. and enter into Executive Session.

Mayor Gayle reconvened the regular City Council meeting at 7:23 p.m. and stated that there was discussion of real estate, personnel, and possible litigation in the Executive Session and no action was taken on the items that were discussed.

Mayor Gayle adjourned the August 9, 2012 meeting of the Valdosta City Council at 7:23 p.m. to meet again in regular session on Thursday, August 23, 2012.

City Clerk, City of Valdosta

Mayor, City of Valdosta