

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, JUNE 9, 2016
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, Sandra Tooley, Robert Yost, and Vivian Miller-Cody. Councilman Tim Carroll was absent and Councilman Alvin Payton, Jr. and Councilman Ben Norton arrived late. The invocation was given by Pastor Brian Sayer, Director of Pastoral Care for South Georgia Medical Center, followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

EMPLOYEE OF THE MONTH AWARD

Consideration of the June, 2016 Employee of the Month Award (Lt. Brent Johnson, Police Department).

Police Chief Brian Childress stated that Brent Johnson began his employment with the Valdosta Police Department in August, 1992, and presently holds the position of Lieutenant. Lt. Johnson is charged with overseeing the patrol Sergeants to ensure smooth operation of the road patrol shift. He also acts as the Shift Supervisor in the absence of the Captain and regularly patrols the City handling issues as they arise. In early January of this year, Officer Derrick Keene was dispatched to the James M. Beck overpass in reference to a person sitting on the edge of the bridge. Officer Keene arrived to find a man sitting on the bridge with his legs hanging over the edge. As Officer Keene attempted to approach the man to speak with him, he moved closer to the edge so Officer Keene stopped. Soon after that, Lt. Johnson arrived on the scene and began speaking with the man. Lt. Johnson has spent several years as a State Certified Training Instructor and taught classes to Valdosta Police Officers dealing with mentally ill and distraught persons. After only several minutes, Lt. Johnson was able to talk the man into coming off the ledge of the bridge safely. For these reasons and many others, the Employee Relations Committee nominated Lt. Brent Johnson as Employee of the Month.

APPROVAL OF MINUTES

The minutes of the May 19, 2016 Regular Meeting were approved by unanimous consent (6-0) of the Council.

PUBLIC HEARINGS

ORDINANCE NO. 2016-12, AN ORDINANCE ADOPTING THE FISCAL YEAR 2017 BUDGET

Public Hearing for the adoption of the Fiscal Year 2017 Budget. (Third Hearing)

Mark Barber, Assistant City 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. Nothing contained in the above mentioned Code precludes a local government from adopting a budget for any funds used by the local government other than those specified. These funds include Enterprise Funds, Internal Service Funds, and Fiduciary funds. The Fiscal Year 2017 Proposed City of Valdosta Budget has been reviewed and discussed at previous meetings, and two Public Hearings have been conducted to afford citizens the opportunity to make comments on the funding levels. The total source of revenue that we are expecting City-wide is \$96.2 million and we are expecting total uses of \$89.1 million. In the General Fund, we are expecting resources of \$37.3 million and uses of \$36.2 million. That does leave slightly over \$1 million in excess sources over uses. One of the Mayor and Council goals is to restructure and reconstruct the Fund Balance. In the early 2000’s, we had a \$12 million Fund Balance and this year we slipped to under \$2 million;

however, the Fund Balance is currently approaching \$4 million and we are getting back on the incline. The Special Revenue Fund includes Accommodations Tax and the HUD Funding. There is \$102,000 deficit because we are going to transfer some of the Fund Balance from Accommodations Tax to do a little work on the City Hall as well as Mathis Auditorium. The Capital Project Fund is the SPLOST funding and we are projecting \$11.2 million with uses of \$7.8 million. There is really a \$4.1 million deficit when it comes to SPLOST VII because our allocation was approximately \$80 million and we are expecting SPLOST to come in at \$68.5 million. The Enterprise Fund is the fund that includes charging fees for services such as water and sewer, sanitation, and inspections. In the Water/Sewer area, we will continue with our 5% fee. We have also had marginal increases in the Inspections area. The Sanitation Commercial area has also had a marginal increase in stormwater fees. The Internal Service Fund are funds of the City such as group insurance and the motor pool where they provide a service for other Departments and those Departments are then charged a pro-rata fee each month based on their usage. We have the Cemetery Trust Fund which was set up to be a Perpetual Care Fund to keep the Cemetery well maintained. In the General Fund, the Police Department makes up 40% and the Fire Department makes up 22%. If you compare us to other communities, we are a little higher. The General Fund is funded by sales and property taxes for the most part. We have had a lagging growth in sales tax due to Internet sales and unfunded mandates from the State. This year we are \$100,000 behind in sales tax. We are at collection rates of 2004 but we are in the year 2016 for expenses. We are, however, depending on a substantial increase in the tax digest which is what gives us our revenue for property tax. If that is not there in July and August then we will have to have discussions of a millage rate increase; however, we are hoping that the tax digest grows. Personal Services, which is the salaries and the benefits of people in the General Fund, is right at 70%. Contractual Services, which is mainly the electricity bill, is 10%. Other services and charges come in at 13% and this includes the vehicle fleet as well as our IT charges. The Capital charges are at 1% and this is why it is so important to continue to support SPLOST. The Water/Sewer numbers have been at \$30 million to \$40 million in the past; however, that will be back down to \$12.1 million to get back to some projects other than the Force Main Project and the Withlacoochee Wastewater Treatment Plant. The approximate \$1.5 million for motor pool is for the replacement of the fleet as we rotate out the older vehicles. The proposed Fiscal Year 2017 budget does include a utility rate increase based upon the water rate analysis and sufficiency study adopted by Mayor and Council, as well as marginal increases in commercial roll-off and small business pick up fees affecting the Sanitation Fund, and an increase in calculating permit fees which affects the Inspections Fund. The General Fund budget is presented and balanced with an anticipated millage rate increase which will be determined at the time the City receives the tax digest for 2016; however, the anticipated millage rate increase is expected to be approximately 1.50 mills. The millage rate increase is necessary to continue to provide the quality services expected by our citizens, specifically in public safety, as well as to begin restoring the Fund Balance in the General Fund. Additionally the City continues to collect significantly less in major General Fund revenue items such as sales tax, franchise fees, and motor vehicle sales. The proposed budget also includes the City-wide implementation of the Salary Compensation Survey beginning with the payroll ending September 28, 2016 and a 3% lump sum disbursement for those employees passing a five-year milestone of service with the City. The City's medical clinic continues to be funded in this proposed budget, with no increase in employee contributions for any City benefit offered. The consolidated proposed budget (uses) increased approximately \$3.78 million when compared to last fiscal year. The increase is attributed to the funding of the Compensation Study, increase in Engineering SPLOST VII capital projects, and the addition of two new employees.

Councilman Payton inquired about the 2016 sales tax collections being at the 2004 rate. Mark Barber stated that some of the months for this fiscal year have been at the 2004 rate. As of this date, we are \$100,000 short from where we were last year at this same time.

No one spoke in favor of the request.

No one spoke in opposition to the request.

A MOTION was made by Councilman Payton to adopt the Fiscal Year 2017 Budget. The motion was seconded by Councilman Norton. The motion was adopted (5-1) with Councilman Yost voting in opposition to enact Ordinance No. 2016-12, an Ordinance to adopt the Fiscal Year 2017 Budget, the complete text of which will be found in Ordinance Book XIII.

Consideration of an Ordinance to amend the City of Valdosta's Land Development Regulations (LDR) as it pertains to Chapter 106 Definitions, Chapter 210 Overlay Districts, and Chapter 230 Sign Regulations (File No. VA-2016-09). The Greater Lowndes Planning Commission reviewed this request at their May Regular Meeting and recommended approval (5-1 vote).

Matt Martin, Planning & Zoning Administrator, stated that the City of Valdosta is requesting to amend LDR Chapter 106 Definitions, Chapter 210 Overlay Districts, and Chapter 230 Sign Regulations. These Amendments are divided into four groups. The first two Amendment groups have to do with temporary signage. In the fall of 2010, there were proposed Amendments and Council voted to set aside some of the restrictions on temporary signage in hopes of helping businesses during a downturn in the economy. A sunset date was put into place for those changes which at that time was December, 2012. This was revisited again in December, 2012 and the sunset date was changed to December 30, 2015. Approximately six months ago, it was reviewed again and put off for another six months to June 30, 2016 so that the Mayor could appoint a Sign Regulations Committee to study a long term solution and recommendation for that. Three Council members were appointed and they met five times during the spring. They reviewed the existing regulations as well as past regulations all the way back to the 1990's. They also reviewed the sign permitting process and the enforcement process that goes with it. Out of that came a recommendation regarding the temporary signage which was then advertised and put forth to the Greater Lowndes Planning Commission. The two main areas that are recommended to be changed are portable signs and banners. Essentially, the recommendation is to roll back the language to the way it was before the fall of 2010 with a couple of minor changes. Portable signs would be allowed only in lieu of a free standing sign and for up to 90 days until a permanent free standing sign was put into place. The second Amendment group has to do with banners and the recommendation is to change the wording back to what was in place before the fall of 2010 with a couple of minor changes. In the fall of 2010, banners were allowed up to two times per year as a temporary banner permit would allow. The size would be limited based strictly on the size of the store front with a maximum cap of 48 square feet. In the main commercial districts and in the office and lower commercial districts it would be 30 square feet. The recommendation is to make a modification to that and to double the amount of time which would allow them four times per year (once per calendar quarter) and to put into place a minimum size allowance for banners. For wall signs, these are dictated by the width of the store front or building, and businesses are allowed one square foot per linear foot of width; however, every business is allowed at least 50 square feet regardless of size. As the wall front increases for the larger businesses beyond 50 feet, the wall signage allotment also increases. They did not have the same type of thing for banners. Banners are calculated as one square foot per three linear feet of wall width. For example, a store front in a shopping center that is only 18 feet wide (divided by 3) is allowed 6 square feet of banner which is fairly small. One of the recommendations of the Committee is to set a minimum standard of 24 square feet that would be allowed for all businesses regardless of the small size. As it increases in width, the amount of banner area would also increase up to the same cap of 48 square feet for commercial districts and 30 square feet for the office in the C-N District. The third Amendment has to do with Overlay Districts and the prohibition of metal siding on exterior walls. This is an attempt to clarify the language to prohibit them when the wall faces the street and also a customer parking lot as opposed to a loading or working area. This will also allow decorative metal siding. They had a case with the Zoning Board of Appeals a few years ago where someone was proposing a retro 1950's diner restaurant that had stainless steel siding. It would be attractive but steel metal siding is prohibited by the regulations. They went through a variance process and got a variance; however, the interpretation of the Zoning Board of Appeals was that the LDR should not be applicable to those situations. The proposal is to memorialize that into the language of the LDR. The fourth Amendment deals with Definitions and adding a definition for a transitional buffer in the Landscape Chapter. A few months ago there were some changes to the Landscape Chapter and the City Arborist noticed that there was not a definition for transitional buffering in the LDR. He felt it was important to include that for clarification. Also the fiscal calendar quarter is proposed to be added because not everyone thinks the same way about a calendar quarter. This would clarify that it would be the fiscal calendar quarters that most of us use. The Sign Regulations Committee has recommended these changes and the proposed effective date of all these Amendments would be July 1, 2016. Staff found the request consistent with the Comprehensive Plan, and recommended approval of the proposed Amendments. The Planning Commission reviewed this at their May 31, 2016 meeting, found it consistent with the Comprehensive Plan, and recommended approval (5-1 vote). This has also been reviewed by the SORT Committee and there were some positive comments from them. There has also been a lot of discussion in the past two days about this and some of it may be misinformation which could be clarified tonight.

Larry Hanson, City Manager, stated that some Council members were not present at the Work Session and he asked that Matt Martin, Planning & Zoning Administrator, to review the vote of the Planning Commission. Matt Martin stated that the one person on the Planning Commission who was in opposition to the Amendments took the position that the City's regulations were still not restrictive enough. There is a comparison with other local governments in the Council Packet in terms of temporary signage. Several of our peer communities in the southeast, particularly those in Georgia, prohibit portable signs and banners completely. This one member of the Planning Commission felt that we should do the same and voted in opposition to the Amendments. A couple of other members of the Planning Commission voiced the same sentiment and they would like to go back to the way things were. The City of Alpharetta prohibits them completely while the City of Athens prohibits portable signs as does Macon, Georgia, Clemson, South Carolina, Gainesville, Florida, and Johnson City, Tennessee. Many of these communities do allow banners; however, in many cases on a less frequent basis than what we are proposing. Some communities such as Clemson and Gainesville prohibit them altogether while some only allow for 15 consecutive days or only once or twice per year. Some allow banners only with a Special Event Permit so a business running a sale would not be eligible. We are not proposing to be that restrictive but simply go back to how things were done six years ago in 2010 with the relaxation of a few things such as doubling the amount of time (four times a year instead of twice a year) and allowing small businesses to have at least a 24 square foot banner.

Councilman Payton inquired as to which Council members were on the Sign Regulations Committee. Matt Martin stated that Councilman Carroll, Councilwoman Tooley, and Councilwoman Miller-Cody were on the Committee and Councilman Yost was the Chairman. Councilman Payton inquired as to whether any of the businesses were on the Committee or whether there was any input from them. Matt Martin stated that the Sign Regulations Committee Meetings were not Public Hearings; however, input was given to individuals through telephone calls and E-mails. There was a lot of discussion and a lot of topics were covered. The public comment period is through the Planning Commission's advertised Public Hearing and the Council Meeting tonight. Councilman Payton stated that when the Mayor appointed him to serve on the Tree and Landscape Committee he had some of the private businesses participate. They provided a different aspect on how they might be affected by the various changes. Matt Martin stated that over the past six years they have had several Public Hearings on whether to change or not change three different times. These were all advertised Public Hearings through the Planning Commission and the City Council. Councilman Payton stated that there has been a lot of discussion on the sign modifications in the past several days and inquired about the sunset date on June 30th. Matt Martin stated that the proposed effective date for these changes would be July 1st to coincide with that because of the existing permits that are out there for portable signs and banners. The permits expire on June 30th and the current language reads that whatever rules are in effect on July 1st then the temporary signs will need to be brought into compliance with those.

A MOTION was made by Councilman Payton to table this request until the first Council Meeting in July to give those private individuals who have contacted him an opportunity to speak to Council. Councilwoman Tooley seconded the motion. Matt Martin stated that if they table an Agenda Item beyond the next Regular Council Meeting they will have to readvertise per the Ordinance. If they table to the next Council Meeting there is no readvertisement requirement. Councilman Payton stated that he would amend the motion to table the request until the next Regular Council Meeting on June 23, 2016 and Councilwoman Tooley was in agreement. The motion was adopted (5-1) with Councilman Yost voting in opposition.

ORDINANCE NO. 2016-13, AN ORDINANCE FOR A PLANNED DEVELOPMENT APPROVAL FOR A MIXED-RESIDENTIAL DEVELOPMENT IN DUPLEX RESIDENTIAL (DR-10) AND RESIDENTIAL-PROFESSIONAL (R-P) ZONING DISTRICTS

Consideration of an Ordinance for a Planned Development Approval for a mixed-residential development in Duplex Residential (DR-10) and Residential-Professional (R-P) Zoning Districts (File No. VA-2016-08). The property consists of three parcels totaling 3.17 acres located at 2107 North Oak Street, 210 West Cranford Avenue and 200 West Cranford Avenue. The Greater Lowndes Planning Commission reviewed this request at their May Regular Meeting and recommended approval with six conditions (6-0 vote).

Matt Martin, Planning & Zoning Administrator, stated that Matt King, who represents Crown Development, LLC and K2 Ventures, LLC, is requesting Planned Development approval for a mixed-residential development in Duplex Residential (DR-10) and Residential-Professional (R-P) Zoning Districts. The property consists of three parcels totaling 3.17 acres located along the north side of West Cranford Avenue, east of North Oak Street. The property contains an existing single-family home on the parcel located at 2107 North Oak Street. It also contains an existing townhouse-style apartment complex located at 210 West Cranford Avenue (The Timbers, 18 units), and an older conventional apartment complex located at 200 West Cranford Avenue (The Woodlands, 28 units) which is now being fully renovated. The applicant is proposing to add 10 additional apartment units to The Woodlands parcel, as well as add a community center, outdoor pool/patio, additional parking, and connect all properties together under one master development plan and as one developed parcel. The property is located within an Established Residential (ER) Character Area on the Future Development Map of the Comprehensive Plan. It is also located within Valdosta's local Historic District. The applicant received approval from the Historic Preservation Commission (HPC) to construct The Timbers Apartment in 2013, which were completed later that year. The applicant also received Historic Preservation Commission (HPC) approval to renovate The Woodlands in January, 2016, and work is well underway. If the Planned Development is approved, the applicant will also need to obtain HPC approval for construction of the new 10-unit building, community center, and new site improvements. This is not a typical Planned Development approval request, but it qualifies for approval and consideration as a mixed-residential planned development. It is being triggered simply by the applicant's desire to go ahead and add a proposed 10-unit apartment building (all two bedroom units) in order to maximize the allowable overall density for the development, and to do so now while half of the property is already torn-up and undergoing redevelopment and still consists of three separate parcels of land. The main consideration for this development is that The Woodlands Apartments were built at a very high unit density more than 40 years ago; however, it consists of almost all one bedroom units whereas The Timbers Apartments were built recently but at a much lower density than would have otherwise been allowed in R-P zoning. Together they balance out to a unit density that is typical of a multi-family development. Although these properties have been acquired and developed/redeveloped in phases, the end result will be a 57-unit complex with an overall density of 18 units per acre which is equivalent to any other standard multi-family complex. There are only a couple of minor proposed deviations from the standard development requirements. To date, the applicant has demonstrated the ability to construct and maintain a quality residential development and has already begun making tremendous improvements to the blighted apartments (The Woodlands) that were recently acquired. The addition of the new building with matching architectural styles, and the addition of a community center and connected parking area, will nicely complete this overall development that was started in 2013. Staff is very supportive of this proposal with the recommended conditions listed below. Staff found the request consistent with the Comprehensive Plan and the Planned Development Review Criteria, and recommended approval subject to the following conditions: (1) Approval shall be granted for a mixed-residential Planned Development in accordance with the submitted master plan and architectural renderings. The development shall contain no more than 57 total dwelling units with only residential uses being allowed, including Home Occupations, but no Home Businesses or any non-residential uses. (2) The DR-10 portion of the development may be occupied by only one dwelling unit (existing single-family residence) and also the existing overflow parking area in the rear yard. There shall be no driveways connecting the parking areas through this property to North Oak Street. (3) Modification to building exteriors or existing site improvements shall remain subject to the City's Historic District Design Guidelines and any Certificate of Appropriateness (COA) approvals. (4) The development shall adhere to agreements with the City Engineering Department relating to management of offsite stormwater entering the site from the north. (5) Existing fences and landscaped buffers shall be maintained around the perimeter of the overall development adjacent to private property. (6) The three existing parcels shall be combined together into a single tract of land within one year, and the proposed 10-unit apartment building shall begin construction within two years of the approval date. Otherwise, Planned Development approval shall automatically expire. The Planning Commission reviewed this at their March 31, 2016 meeting, found it consistent with the Comprehensive Plan and the Planned Development Review Criteria, and recommended approval subject to the same six conditions as recommended by Staff (6-0 vote).

Jimmy Cone, 1806 Plum Street, spoke in favor of the request. Mr. Cone stated that he is the Architect on the Project and represented the owners. Mr. Cone asked Council's consideration in approving the request.

No one spoke in opposition to the request.

A **MOTION** was made by Councilman Yost to approve the request as presented. Councilman Payton seconded the motion. Councilman Yost stated that pictures of the property look so much better and this will enhance the neighborhood a great deal. The motion was unanimously adopted (6-0) to enact Ordinance No. 2016-13, an Ordinance for a Planned Development Approval for a mixed-residential development in Duplex Residential (DR-10) and Residential-Professional (R-P) Zoning Districts as requested by Matt King, the complete text of which will be found in Ordinance Book XIII.

Mayor Gayle stated that he wanted to call the Sign Regulations Committee back in to discuss some of the concerns and asked that anyone in the audience tonight who would like to be in attendance or to speak at that Committee Meeting to please come forward after the Council Meeting and provide your name and telephone number so they can be contacted.

LOCAL FUNDING AND REQUESTS

Consideration of a request to co-fund formation fees for the creation of the Valdosta/Lowndes County Community Housing Development Organization (CHDO).

Mark Barber, Assistant City Manager, stated that a Community Housing Development Organization (CHDO) is a special type of non-profit housing designation under the HOME Investment Partnership Program created by the Cranston-Gonzalez 1990 National Affordable Housing Act (NAHA). The purpose of the NAHA, as amended, is to promote partnerships between States, units of general local government and non-profit organizations, and to expand a non-profit organization's capacity to develop and manage decent and affordable housing. The State of Georgia's HOME allocations contain, at a minimum, fifteen (15%) percent set aside for CHDO's. Mark Stalvey, Executive Director of the Valdosta Housing Authority, and Stuart Mullis, Executive Director of the Valdosta-Lowndes County Habitat for Humanity, are seeking initial start-up support from both the City of Valdosta and Lowndes County in forming a CHDO for Lowndes County. Lowndes County has pledged \$5,000 toward the \$10,000 formation fees to create the Valdosta-Lowndes County CHDO and they are asking for \$5,000 from the City of Valdosta. This money is available in the 2013 HUD funding. There was a Resurfacing Project on Cypress Street and they had \$9,800 left over so they would like to use that \$5,000 of that money for the funding of this request. Mark Barber, Assistant City Manager, recommended that Council approve the request to co-fund formation fees for the creation of the Valdosta/Lowndes County Community Housing Development Organization (CHDO).

A **MOTION** by Councilman Payton, seconded by Councilwoman Tooley, was unanimously adopted (6-0) to approve the request to co-fund formation fees in the amount of \$5,000 for the creation of the Valdosta-Lowndes County Community Housing Development Organization (CHDO).

Consideration of an amendment to the City of Valdosta's Annual Action Plan for Fiscal Year 2016.

Mark Barber, Assistant City Manager, stated that the Annual Action Plan for the Community Development Block Grant (CDBG) Program for Fiscal Year 2016 was previously approved by Mayor and Council in March, 2016. Council had previously voted to approve \$400,000 of HUD funding for the South Troup Street Project and when they began the construction, much of the infrastructure was older than they thought and they needed over \$1 million to complete the Project. Council agreed to take \$400,000 from HUD funding and the remainder from SPLOST VII. These Infrastructure Projects are acceptable by HUD as one of the programmable items and Council will need to approve the reallocation of the funds. The \$5,000 for CHDO will come from the 2013 Street Paving Project and \$311,571 will be moved from the 2014 Residential Rehab Project to the 2016 South Troup Street Project. This will clear that account out. The reallocation of funds for the Small Business Seed Loan funds (\$50,000) from FY 2015 will be moved to the South Troup Street Project. Also, \$33,942 will be moved from the 2015 Single Family Residential Rehabilitation to the South Troup Street Project. Funding for the Great Promise Partnership from will also increase from \$48,960 to \$65,280. Mark Barber, Assistant City Manager, recommended that Council approve the amendment to the City of Valdosta's Annual Action Plan for Fiscal Year 2016.

A **MOTION** by Councilman Payton, seconded by Councilman Vickers, was unanimously adopted (6-0) to approve an amendment to the City of Valdosta's Annual Action Plan for Fiscal Year 2016 and move various funds as presented.

Consideration of a request to approve the purchase of electrode assemblies for the Water Plant's Hypochlorite System.

Henry Hicks, Utilities Director, stated that a ClorTec Onsite Hypochlorite Generation System was installed at the Water Treatment Plant in 2007 as part of the Plant's upgrade. The system consists of two hypochlorite generators that generate a sodium hypochlorite disinfection solution. Sodium hypochlorite is added to the City's water for final disinfection and to provide the required disinfection residual in the water distribution system. The main component of the hypochlorite generators is the electrode assembly, which has a 10-year operational life expectancy. Due to the age and current state of operational wear, the electrode assemblies will eventually need to be replaced for both hypochlorite generators. The current generators are losing their efficiency and will lose their ability to produce hypochlorite if the electrodes fail. De Nora Water Technologies is the sole manufacturer of the ClorTec Hypochlorite System and the sole provider for parts and services. The cost to purchase the two electrode assemblies from De Nora Water Technologies is \$116,000 plus shipping. Henry Hicks recommended that Council approve the purchase of electrode assemblies for the Water Plant's Hypochlorite System from De Nora Water Technologies in the amount of \$116,000.

A MOTION by Councilman Norton, seconded by Councilman Vickers, was unanimously adopted (6-0) to approve the purchase of electrode assemblies for the Water Treatment Plant's Hypochlorite System from De Nora Water Technologies in the amount of \$116,000.

Consideration of a request to abandon a drainage easement located at 210 West Cranford Avenue.

Mayor Gayle asked that Pat Collins, City Engineer, combine the presentation of Agenda Items 5(d) and 5(e) since they both deal with the abandonment of easements on the same Project. Pat Collins stated that on behalf of K2 Innovations, LLC, Innovate Engineering Solutions has petitioned the City to abandon an existing 10' drainage easement located at 210 West Cranford Avenue. The easement at 210 West Cranford was deeded to the City in June, 1979 from Ernest and Marjorie McDonald for the purpose of maintaining an existing 24" storm pipe on the neighboring property that captured runoff from the adjoining properties to the north and conveyed that runoff to the City's pipe network along Cranford Avenue. A few years ago, K2 Innovations, LLC purchased the property and has subsequently constructed an apartment complex known as The Timbers Apartments on the property. Stormwater from this development is now captured in an underground detention system and piped independent of the before mentioned 24" pipe. In addition, Innovate Engineering Solutions has petitioned the City to abandon an existing drainage easement located at 200 West Cranford Avenue on behalf of Crown Real Estate Development. This neighboring property is being redeveloped into a complex that will be known as The Woodlands Apartments. The easement for 200 West Cranford Avenue was deeded to the City in May, 1979 from Charles McLeod and Raymond Copeland for the purpose of maintaining an existing 24" storm pipe on the property that captured runoff from the adjoining properties to the north and conveyed that runoff to the City's pipe network along Cranford Avenue. Part of this new development includes a new weir/drop inlet in the northwest corner of the development to capture and convey the runoff from the adjoining properties to the north. There is no longer a need for drainage easements on either of these properties. Pat Collins, City Engineer, recommended that Council approve the request to abandon the drainage easements located at 210 West Cranford Avenue and 200 West Cranford Avenue.

A MOTION by Councilman Yost, seconded by Councilman Norton, was unanimously adopted (6-0) to approve the abandonment of a drainage easement located at 210 West Cranford Avenue.

Consideration of a request to abandon a drainage easement located at 200 West Cranford Avenue.

Pat Collins, City Engineer, recommended that Council approve the request to abandon a drainage easement located at 200 West Cranford Avenue.

A MOTION by Councilman Yost, seconded by Councilman Norton, was unanimously adopted (6-0) to approve the abandonment of a drainage easement located at 200 West Cranford Avenue.

Consideration of a request for a Change Order for Annexed Island 69A.

Pat Collins, City Engineer, stated that on September 18, 2015, the City of Valdosta entered into an agreement with Standard Contractors, Inc. in the amount of \$828,865.75 to construct utility line extensions in Island 69A. The total purchase order amount, which included a 10% contingency, totaled \$911,752.33. As part of the contract for the sewer and water expansion, the work included resurfacing of roadways on Harmon Drive and Hickory Road. The resurfacing was to be placed on the existing asphalt pavement. Harmon Drive and Hickory Road, respectively, have 35-foot rights-of-way and 35 feet is considered narrow. The City standard for new streets currently requires 50-foot right-of-ways. Due to conflicts with utilities (the depths required for sewage gravity flow and the narrow 35-foot right-of-way), the gravity sewer needs to be moved underneath the roadway which requires replacement of the entire roadway base. The additional roadway base is the reason for the cost over-run. The original scope of work only included roadway base at spot locations where the existing pavement was in disrepair. Based on this factor, Standard Contractors was asked to submit a tabulation of projected costs which includes other miscellaneous unforeseen circumstances. The total amount to complete the Project is \$1,058,102.66, which exceeds the purchase order amount (\$911,752.33) by \$146,350.33. The relocation of the sewer and the resulting increase in roadway base is considered the proper engineering solution to achieve a long service life for the project. Pat Collins, City Engineer, recommended that Council approve the Change Order for Standard Contractors in the amount of \$146,350.33 for repairs.

A MOTION by Councilman Vickers, seconded by Councilman Norton, was unanimously adopted (6-0) to approve the Change Order for Standard Contractors in the amount of \$146,350.33 for repairs in the Annexed Island 69 Project.

CITY MANAGER’S REPORT

Larry Hanson, City Manager, stated the City recently came on-line with the new Wastewater Treatment Plant as well as the Force Main collection system. The storm this week was the first test since there was four inches of rain receive over a 24-hour period. In the past, there would have been some problems associated with that; however, the new system worked as planned and the new Plant handled the excess capacity. Based on the assessment, there was approximately one million gallons of stormwater which before would have gone into the 54 inch line. This is an approximate 25% reduction in inflow and infiltration from that part of the system. It worked as planned and that is very positive. We are currently in the process of scheduling the dedication of the new Wastewater Treatment Plant which will be held in July.

Larry Hanson, City Manager, stated that they had previously amended the budget to add Griffin Avenue and substitute it for the sidewalk plan on South Oak Street because we felt we could get 70% State matching money and 30% local money. We received a letter today from the Georgia Department of Transportation committing to \$300,000 (70%) for that Project. Pat Collins, City Engineer, is preparing to get the bid and Council has already approved the contract to design the Project.

The Georgia Department of Transportation is currently working to improve 12 intersections along Ashley Street and North Patterson Street which are State routes. They will be installing video detection systems that will help manage traffic flow. The camera will replace loops in the ground and will read traffic to help time the signal better to improve the traffic flow. They will also have mask arms instead of span wires along with LED lights. There will also be new crosswalks with countdown signals for pedestrians and wheelchair ramps. A local contractor got the job which is approximately \$1.8 million and is expected to be completed early next year.

The City of Valdosta’s Farms Days is currently being held in the Downtown area and Council is encouraged to attend on June 11, 2016 from 9:00 a.m. until 12:00 p.m. at the Courthouse square.

The City is also installing two new water wells to expand capacity for the future and to replace one well that is out of service. These new wells have been completed and the Environmental Protection Division (EPD) will be coming to inspect them on June 15, 2016.

The Great Promise Partnership is headed up by former Georgia Department of Community Affairs Commissioner Mike Beatty and the City has agreed to be a partner. The Program offers employment, job training, and income opportunities to students as an incentive to finish high school. The City of Valdosta was selected to

participate in 2013 in order to give high school juniors and seniors two years of job training and income. The Partnership has now expanded from four students to eight because City Staff recently interviewed students at Valdosta High School and found many more that they wanted to hire. They will begin their employment on July 5, 2016 and will be working in Engineering, Planning and Zoning, Customer Service, Human Resources, Inspections, Permits, Public Information, Main Street, Police, and Neighborhood Development. We are excited to be able to put these students to work and help them on the road to a bright future.

Larry Hanson, City Manager, also thanked the Mayor and Council for adoption of the budget which included a compensation plan that is important to our employees and our City. There were many hours of budget hearings last week and Council was very patient and asked good questions. It takes a lot of time to build the budget and Council's support is greatly appreciated. This will be a good retention and recruitment tool for the City going forward.

COUNCIL COMMENTS

Councilman Vickers commended Mayor Gayle for allowing citizens to sign up and provide input on the proposed sign changes. It is good for them to be included and involved in the planning.

Councilman Norton inquired as to whether the new lights on Ashley Street and Patterson Street would have the new flashing caution arrows for turning. Larry Hanson, City Manager, stated that they would have the new technology which will help with the traffic flow. Councilman Norton inquired as to whether the City has some traffic signals that could be changed to this new technology. Larry Hanson stated that we do want to transition some of our signals to this new technology; however, it is all about cost because the new signals are not cheap.

Councilwoman Tooley inquired as to whether we have any of those signals because she has seen some of the lights flashing. Larry Hanson stated that was just the signal light flashing and not the turn arrows. We do have some signals that will go into a flashing mode if the signal is disabled or if there is not a lot of traffic flow.

Councilman Yost stated that he did not receive any phone calls during the storm that brought four inches of rain because that is where most of the overflows occur (Meadowbrook Drive and Park Lane). This is great news because the City has spent a lot of time, money, and effort on this. Councilman Yost also stated that as Chairman of the Sign Committee, he has no problem meeting with anyone who would like to participate; however, he would like for everyone to come with realistic numbers because what was presented was realistic and was an upgrade from what they had done previously. They worked very hard as a Committee and listened to others. Also, Councilman Yost stated that he truly feels that the four members that represent this Council on the Hospital Authority should resign immediately and the CEO and the Attorney for the Hospital should be fired.

Councilwoman Miller-Cody thanked the Mayor and Council, Parks and Recreation, and the Chief of Police for support of the Eastside Community Day. It was a great event and there were over 350 people who attended. It was well received and everyone enjoyed it very much.

CITIZENS TO BE HEARD

Roy Taylor, 2209 Bridlewood Drive, stated that he sat there tonight and watched the Council handle City business while he waited to be heard. He is 83 years old and has a legitimate complaint. He votes for Council and works for Council because he loves you if you do a good job. Former Mayor John Fretti was the one who switched the Citizens to be Heard portion of the Agenda to the end of the Council Meeting so that citizens had to wait to express their opinions. Mr. Taylor asked Council's consideration in changing the Citizens to be Heard portion to the beginning of the Agenda. Also, regarding the Sign Committee, he did not know anything about it until yesterday when he saw it in the newspaper and contacted his Council representative who is out of town. His Council representative did tell him that others on the Sign Committee would be glad if he came and asked to put it off. Some of the citizens should be on the Committee because it is their land and City and you are their Council members and Mayor.

Diane Cox, 1009 Cherry Creek Drive, stated that Council's decision to change the Sign Regulations and reinstate the draconian Sign Regulations comes at a bad time. We are in a long economic recession and local businesses are hurting, tax revenues are down, and Council is now talking about raising taxes. Businesses have a right to advertise at will with signs and banners. With social media and the Internet attracting customers, our local businesses need all the help they can get. Five years ago when her husband and several other businessmen met with the Council to roll back the overzealous Sign Regulations, Council showed some common sense. Ms. Cox stated that she hopes that Council will do that again.

Rev. Willie Simons, 303 Hampton Lane, stated that he had a question concerning the public swimming pool adjacent to the Mildred Hunter Center. Rev. Simons inquired as to whether there was a fee charged for children to use the pool. Larry Hanson, City Manager, stated that the swimming pool is owned and operated by the Parks and Recreation Authority and not the City of Valdosta. They pass the rules and policies and there is a fee associated with using the pool. There is also a fee waiver policy; however, that is a Parks and Recreation Authority issue. Rev. Simons inquired as to whether that was a separate entity from the City of Valdosta. Larry Hanson stated that the Parks and Recreation Authority is a legal unit of government and is separate from the City of Valdosta. They have their own Authority. Rev. Simons inquired as to whether they are provided by the taxpayers. Larry Hanson stated that they do receive tax millage directly from the Tax Commissioner and they are not funded by the City of Valdosta. Mayor Gayle stated that they receive a direct tax allocation of 1.25 mills and that is what they use to run their facilities. They do charge a fee but no one has ever been turned away. Rev. Simons stated that he was concerned about it because he understood that the children at Hudson Docket could not utilize it because of the \$2.00 fee. Rev. Simons inquired as to whether there were certain days they could go to the pool without having to pay. The taxpayers paid for the pool to be installed and operated. Larry Hanson stated that there is a fee and he would be happy to give Rev. Simons the meeting schedule for the Parks and Recreation Authority so that he can attend and ask those questions during the Citizens to be Heard portion of their meeting. Rev. Simons also stated that there is a canal that runs adjacent to West Adair Street that has stones and wire mesh along the entire area. He inquired as to whether that could be done to the canal behind Hudson Docket. It would beautify that area. Mayor Gayle stated that they would have to look into that. Larry Hanson stated that the Adair Street Project came about due to a disaster flood and cost \$1 million. We were able to get some Federal money to stabilize that area. Rev. Simons stated that the area behind Hudson Docket is also a flood area. Larry Hanson stated that the Adair Street area was declared as part of a disaster flood so there was Federal money available to help make that improvement. Rev. Simons inquired as to who came to that decision. Larry Hanson stated that the Federal Emergency Management Agency (FEMA) came to that decision. Rev. Simons inquired as to whether he should contact FEMA to find out why they are not considered a flood zone. Larry Hanson stated that it was a matter of being a victim of a flood.

Luneatha Lancaster stated that she is representing her sister, Rochelle Mack, who is very ill. She is an employee of South Georgia Medical Center. Ms. Lancaster wanted to speak to Council members about her experience there. Ms. Mack has been telling her about the hardships and non-compliance that the Hospital has done toward many employees. Ms. Lancaster has spoken to a lot of them because several attend the same therapy group as Ms. Mack and you hear them talking about the different things that have been done to them. A lot of it sounds like Department of Labor violations as well as Family Medical Leave Act violations. There are afraid to speak out for fear of losing their jobs. Her sister is one of those who will speak out. She does not know who to talk to and she called the City about her City Council representative and they were not sure because she was on the dividing line. Her address is 504 East Alden Avenue. Ms. Lancaster stated that she would love to speak to someone about her situation as well as others who work at the Hospital. Larry Hanson, City Manager, stated that if they feel there is an issue regarding overtime or fair labor standards then that is an issue of the State and Federal Government and the Department of Labor would be an appropriate place for them to have that discussion. That is not something that the City has any regulatory authority over. Ms. Lancaster stated that they thought since the Hospital operates here in Valdosta there has to be some type of governance organization over the Hospital. You should want them to be good neighbors and treat the citizens right so someone should really know what is going on and that is why she came here.

Kent Buescher, 5 Ramblewood Circle, stated that he is the owner and operator of U. S. Press located in the Industrial Park. Mr. Buescher commended Council on the fact that they opened the Council Meeting with a prayer and a pledge to the Flag because in a lot of communities that does not happen anymore. He is proud to have been

here tonight to observe that. Mr. Buescher stated that he also appreciates Council's decision to postpone the decision on the sign changes. He was glad that they are going to revisit that and invite members of the community to participate. He would be more than happy to sign up for that tonight. Mr. Buescher stated that he would like to help our community any way he can. He has lived in Valdosta for 58 years and is 60 years old. He was born in Fayetteville, Arkansas, and his father moved their family here in 1957. For the last 43 years, he has owned and operated various businesses. Throughout that time his goal has always been to build up the community. He has contributed in many ways to accomplish that and he would like to be able to continue that. He does have some concerns which he will address with the Sign Regulations Committee. He heard tonight that the sales tax revenue has fallen and the last thing they need to do is to erect barriers that prevent the businesses from being what they can be. He does not care what they do in other communities, but he cares about what we do in our community. When we come out with regulations, however well intended, that prohibits making Valdosta a better place and that is a big mistake. We have businesses deciding not to do business in Valdosta and going other places. He wants to see Ashley Street turn from a blight with closed businesses to a place that is thriving. Mr. Buescher stated that he is looking forward to meeting with the Council and providing some positive input that will help us to be where we need to be and help continue the growth in our community.

Dan Davis, 1001 Cherry Creek Drive, stated that he is the owner of Davis Creations located at 402 Murray Road and he has been in business in Valdosta for 41 years. It has been a pleasure up until the last few years. When he started 41 years ago, this was a pro-small business town. There was a Chamber and Mayor and Council that supported small businesses. Since that time he has watched the LDR develop and it is over 2000 pages. There are 332 Chapters in it and there are over 28 pages of Sign Ordinance. This is the reason why 9 out of 10 new small businesses in Valdosta fail. This is the reason you go to Thomasville and find no spaces available to rent. You go to Tifton and there are no stores available to rent because these are progressive towns that support small businesses; however, if you go to Valdosta there are plenty of stores to rent. The worse thing this Mayor and Council can do is to take away a store's right to advertise with banners and flags. The LDR is incredibly restrictive. Matt Martin, Planning & Zoning Administrator, did a great job in researching Georgia, Florida, North Carolina, and Tennessee to find five cities that are more restrictive than Valdosta and when you look at the map, that leaves 50,000 cities that are less restrictive than Valdosta. They are pro-business and allow the businesses to have the signage they need to be successful. He has maintained offices in Miami, Atlanta, Charlotte, New York City, and Providence, Rhode Island. He has worked all over the country and the world and you cannot keep killing small businesses. You are coming up short on revenue so you raise taxes and that is great. When he comes up short on revenue he cannot go to the taxpayers. He has to lay off an employee and cut expenses. If you steal the ability for small businesses to advertise on their signs then you have just put them out of business. These signs are very important and he asked that Council go speak to small businesses. This is the first he has heard about the secret Committee Meeting which was in the Valdosta Daily Times yesterday morning. Fortunately he was in town to hear about it because otherwise it would have been a done deal and rubber stamped. Mr. Davis asked that they expand the Committee and put some additional Council Members on there that are pro-business and pro-sign to make things a little fairer. He would also encourage them to have people from the sign business community like Mr. Buescher and talk to some of the businesses that use these signs. The only thing keeping businesses alive is their signage and if you steal that then you put them out of business. This adds rules and regulations which increases the cost of opening a business by \$15,000 to \$20,000. Also, he is sorry that Councilman Carroll is not in attendance tonight because he would like for him to explain why he cannot have banners to advertise his business yet Councilman Carroll parks a truck at Five Points Shopping Center that is in violation of the City Sign Ordinance. He has a banner that is used for the back of it and the entire side of the truck. This truck is being used solely as a sign and it is in violation of Section 230-7 Prohibited Signs, Section E which states that signs attached to or painted on vehicles of any type which are conspicuously parked for more than 48 hours on commercial and proximity to a street so as to have an effect similar to that of a sign are prohibited. Mr. Davis stated that the truck has not had a license plate since 2014 and it is a sign; however, Councilman Carroll is going to tell him and other small businesses that they cannot have signs or advertise their business yet he is not abiding by the same rules that are shoved down their throats. It is totally disgusting and he would like to see more Council members appointed that are more pro-business to this Committee.

Johnny Johnson stated that some time ago Council voted where citizens had to pay sewer on an excess amount. It used to be that the City would take January, February, and March and citizens paid sewage on that the rest of the year; however, now they have to pay it on everything. He had called about getting an irrigation meter

installed for his swimming pool and to irrigate his yard. He was told that he would have to pay sewage on that as well so that is useless. Mr. Johnson inquired as to whether there was any way they could come up with a system where people can water their yards, put water in their swimming pools, and let kids play under the sprinkler. There is no sense in paying sewage on water that is not going into the sewer. He goes around town and sees fire hydrants open five and six weeks at a time and inquired as to who pays sewage on that. Mr. Johnson asked Council's consideration in looking into this situation to see if there is something they can do to help the citizens. Larry Hanson, City Manager, stated that Henry Hicks, Utilities Director, would be glad to speak to him after the Council Meeting because the City does allow irrigation meters and they do not have sewer fees on them. There is a base fee and a monthly usage fee for the water. Mr. Johnson stated that another Ordinance that the City has passed is cutting grass on right-of-ways. Mr. Johnson inquired as to how far the City cuts grass in the Downtown area. He received a certified letter to cut the grass near his shoe shop. He received it on a Friday so he loaded up his lawnmower and cut the grass on Saturday. Then he saw the City was cutting the grass down there on Monday. He called the City Marshal and asked him about that. The City Marshal said that his boss told him to send out letters to everyone Downtown. There were five or six of them in the same area that got the letters. Mr. Johnson inquired as to why they should have that responsibility when the City is doing it. Larry Hanson, City Manager, inquired as to whether he was talking about the area that fronts Patterson Street and not the side street. Patterson Street is a State route and the City does cut State routes on behalf of the State. They would not be mowing on a side street. Mr. Johnson stated that it was hard to cut that little strip without blowing grass in the street. Larry Hanson stated that the Ordinance was changed several years ago and the right-of-way is the responsibility of the owner who abuts the right-of-way. There is not much in the Downtown area that has any grass right-of-way.

ADJOURNMENT

Mayor Gayle entertained a motion for adjournment.

A MOTION by Councilman Vickers, seconded by Councilman Norton, was unanimously adopted (6-0) to adjourn the June 9, 2016 Meeting of the Valdosta City Council at 7:01 p.m. to meet again in Regular Session on Thursday, June 23, 2016.

City Clerk, City of Valdosta

Mayor, City of Valdosta