

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, OCTOBER 25, 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., Deidra White, Robert Yost, and James Wright. The invocation was given by Pastor Martin Collins, Southland Church, followed by the Pledge of Allegiance to the American Flag.

APPROVAL OF MINUTES

The minutes of the October 11, 2012 Regular Meeting were approved by unanimous consent (7-0) of the Council.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of a request to approve a contract for relocation of underground utilities for the West Hill Avenue Overpass Project.

Henry Hicks, Utilities Director, stated that the Utilities Department was informed by the Georgia Department of Transportation (GDOT) approximately one year ago that all underground water and sewer utilities would need to be relocated prior to scheduled construction of the railroad overpass on West Hill Avenue (Highway 84). Construction was scheduled to begin in late 2012. The Utilities Department immediately requested bids from local Engineering firms to do the required design for the relocation of underground water and sewer infrastructure to conform with the GDOT requirements. Innovate Engineering was selected as the low bidder and began working with the Utilities Department Staff and GDOT Engineers on utility relocation design. Following numerous meetings, the City and other utilities in that area learned that utility relocation could not be placed within the GDOT right-of-way and each utility would be required to purchase additional easements in order to relocate our respective utilities. The Utilities Department then contracted with a retired GDOT Easement Acquisition Specialist to obtain the necessary easements. For the past several months, the Utilities Department has been working on acquiring 16 easements and have 10 secured to date and 3 are waiting final execution. GDOT awarded the contract for construction of the overpass to Reames and Sons Construction Company, Inc. with a notice to proceed date of October 1, 2012, and a project construction deadline date of November 15, 2014. Due to the delays in acquiring new water and sewer utility easements, additional complicating factors such as planning and coordinating various construction phases with GDOT traffic control requirements, and coordination of other utility relocations, the Utilities Department did not have adequate time to bid out this relocation project. In order to ensure timely completion of the project within the GDOT timeline constraints, the Utilities Department is recommending that Reames and Sons Construction Company, Inc. be authorized to undertake the water and sewer utilities relocation as part of the overall project. The Utilities Department, in conjunction with Innovate Engineering, has verified costs for materials and quantities as well as other associated costs necessary to perform this work and agree with the costs provided by Reames & Sons Construction in the amount of \$1,397,823.36. Henry Hicks recommended that Council authorize the award of a contract to relocate underground water and sewer infrastructure to Reames and Sons Construction Company, Inc. in the amount of \$1,397,823.36 plus a 20% contingency to handle any unforeseen circumstances.

A MOTION was made by Councilman Vickers to approve a contract with Reames and Sons Construction Company, Inc. in the amount of \$1,397,823.36 for relocation of underground utilities for the West Hill Avenue Overpass Project. The motion was seconded by Councilman Payton. Councilman Carroll inquired as to whether the motion included the 20% contingency to handle any unforeseen circumstances. Councilman Vickers stated that it did. Councilman Payton inquired as to why the contingency was changed from 10% to 20%. Larry Hanson stated that Henry Hicks, Utilities Director, had some concerns about what might be found when they start the relocation of the underground utilities so he asked for a 20% contingency just as a safeguard. Henry Hicks stated that from past experience in digging up utilities they know they may run into things and they just wanted to be safe. They have to relocate all of the underground utilities before GDOT can start work on the road because they have to

tear everything out after that. Councilman Vickers inquired about the number of easements that we are still lacking. Henry Hicks stated that there are two that are hung up in a corporation. The Gibson-McDonald Furniture Store (parcel 13) has been non-responsive and the easement we are asking for is the last piece of green space that they have left in front of the store. They will be a meeting with GDOT tomorrow to see if they will agree to allow us to put the proposed sewer line that was going in that easement under their sidewalk. The motion was unanimously adopted (7-0).

CITY MANAGER'S REPORT

Larry Hanson, City Manager, stated that the Georgia City/County Manager's Association Meeting is currently being held in Valdosta and there are approximately 120 City and County Managers and others from around the State in attendance. All 120 attendees came to Downtown Valdosta last night and ate at four restaurants. They will be here until tomorrow and events have been planned for them this afternoon including a tour of Moody Air Force Base and a personal demonstration from the Thunderbirds.

The Valdosta Fire Department will have a graduation and promotion ceremony tomorrow at 4:00 p.m. at the Valdosta High School Performing Arts Center. These ceremonies welcome the new recruits that have completed their training and those firemen who have received promotions. There will be eight new recruits as well as six promotions (four Sergeants, one Lieutenant, and one Captain).

Make A Difference Day will be held on Saturday, October 27, 2012 from 8:30 a.m. to 11:30 a.m. and those interested in participating can contact Aaron Strickland, Executive Director of Keep Lowndes-Valdosta Beautiful.

There will be an Open House and Air Show at Moody Air Force Base on October 27-28, 2012 and everyone is encouraged to attend. The Open House and Air Show is entitled "Legacy of Liberty" and it is very impressive to see all the events that they have planned which includes the famous Thunderbirds.

The Electronic Recycling Event is scheduled for Saturday, November 3, 2012 from 9:00 a.m. to 1:00 p.m. at Mathis Auditorium. This has become a very popular event for citizens in our community and is an opportunity to get rid of the electronic items such as televisions, computers, computer screens, and other electronic items in order to keep them out of the landfill.

The deadline to apply for six vacancies we have on various Boards, Commissions, Authorities, and Advisory Committees is October 31, 2012. If citizens are interested in serving they can find the Board Application on the City's website.

COUNCIL COMMENTS

Councilman James Wright stated that he and Mayor Gayle had some conversations today and some of the Council members may have heard or feel some of the same sentiments that he has; however, he wanted to share his concerns and where he stands on issues in his District and SPLOST. In all things social, such as religion, race, and creed, we can be separate as fingers yet we can be as one in all things essential for the share of proper growth of our City. Our communities have supported all seven SPLOSTs, yet the south, east, and north sides of our town are being taxed for not being properly developed. He has tried every method he knows to meet and communicate this problem. He has tried to warn Council about the unrest and concerns of the community and now we are at a point where we must answer to the people we serve. We can no longer ignore their concerns and leave them unanswered. We must find a way for equal distribution of these taxes and answer their concerns. They have concerns about sidewalks. He gave them the list that he had and of that list, East Hill, Clay Road, Forrest Street, Bemiss Road to Forrest Street, and Hill Avenue to Fry Street have all been put on an indefinite finish date. Park Avenue and J. L. Newbern have a let date of August, 2013, and Larry Hanson, City Manager, and Mara Register, Assistant to the City Manager, have spoken with the Georgia Department of Transportation to try and get those done. The water tower has actually started and he did not know about the ditch piping. He did not know about the capital projects and the water and sewer annexation was on the list but he did not know a let date on that. He did not have a let date for Vallotton, and he met with the Tom Town Fair Housing Loan Program people and promised we would start that but we have not started yet. He had no record or indication of a start date for the intersection project of Brookwood

Drive and Troup Street. The detention pond at Continental Drive does not have a start date. Cypress Street and railroad improvements do not have a start date. He has asked for sidewalks since he has been on Council and sidewalks have been in every SPLOST; however, he does not know of one sidewalk installed in the area. District 1 has the fewest sidewalks of any District. District 1 has 35,000 feet of sidewalks, District 2 has 120,000 feet of sidewalks, District 3 has 80,000 feet of sidewalks, District 4 has 105,000 feet of sidewalks, District 5 has 75,000 feet of sidewalks, and District 6 has 90,000 feet of sidewalks for a total of 465,000 feet. Despite the fact that sidewalks have been on every SPLOST list, his District has not received one sidewalk installed from the SPLOST projects and this is not fair to the community. They are suffering in that area from infrastructure problems and water and sewage problems. To say they are getting their fair share is not a fair statement. They are promised things every year and they do not get them. Councilman Wright stated that he wanted to request from the City Attorney, on behalf of the citizens in his area, a copy of the Ordinance whereby the City could be charged by a Utility Company to make improvements to our right-of-ways. George Talley, City Attorney, inquired as to whether Councilman Wright was referring to improvements that would be done and we would be charged based on footage. Councilman Wright stated that he was referring to right-of-ways such as the MLK Project where an AT&T wire had to be removed and AT&T charge the City to remove the wire. George Talley stated that he was not familiar with an Ordinance dealing with that but there is a State law. The City is currently in litigation and AT&T is being challenged for that particular instance. We have denied the bill and that has been six months and AT&T has yet to file suit on it. Councilman Wright requested that the City Attorney provide that to him in writing. Councilman Wright stated that what is happening is that these projects go out and he tells the citizens that this project will start on a certain date and then it does not happen. The citizens come back to him and ask what is going and he tells them that he does not know but he will check on it. It begins to make the citizens think that he is incompetent and he does not know what he is doing. It causes a lot of stress, aggravation, and anxiety and these are the things that he has to deal with on a regular basis. It is not fair to him or the property development of our City. Councilman Wright asked for Council's support. He is not a Tea Party person and he does not think that he should have to be convinced of a personal opinion. They should be able to debate an opinion and come to an agreement on how they can work out a problem. He did not want to have someone dictate to him their opinion and that his opinion is wrong and their opinion is right.

CITIZENS TO BE HEARD

Barbara Dye, 704 East Brookwood Place, stated that she was a concerned citizen, taxpayer, and a property owner. Ms. Dye stated that she spoke with Pat Collins, City Engineer, prior to the Council Meeting and got a very good response from him; however, she wanted to say that it has been almost three years now that they have been fighting to get sidewalks. The last time she came before Council she was told that they would be done by July. July came and went and they still do not have any sidewalks. At that time, Von Shipman was the City Engineer and he promised the sidewalks would be done by December. December came and went and they still did not have any sidewalks. He told her that they had to get another engineer and redo it from the south side to the north side and to her no one is a man of their word. Now she has to wait on Mr. Collins and she is taking him for his word that they will get some sidewalks. Ms. Dye stated that she wanted to know what was taking so long to get sidewalks in that area.

Dr. J. P. Miller, Pastor of Beulah Temple Ministries, 1813 Northside Drive, stated that the lack of sidewalks causes people in that area to walk in the streets. Because of the high traffic in that area, it poses quite a hazard. The cars and motorcycles are traveling at a high rate of speed and he is concerned that there will be a great injury either to the pedestrians or the motorists on that street. Dr. Miller stated that he understood that libraries are needed but with the advent of the Internet and the move toward a more wireless society, people are not using them as much but they are walking. Dr. Miller asked Council's consideration in putting sidewalks in that area.

George Boston Rhynes, 5004 Oak Drive, stated that he agreed with Councilman Wright and he appreciated him having the courage to stand up on behalf of his constituents who are the voters in our community. He sometimes wondered how elected officials can sit while the people in the community are torn apart. It is cutting to a degree that deep does not even define the pain. Mr. Rhynes stated that he hoped they could move forward in actually addressing the issues. For over three years he and John Robinson have been talking about the Federal funds coming into the community and they have been given a lot of reasons and justification. J-Quad did a study and they are still wondering how the Federal funds are being spent and dispensed. Mr. Rhynes stated that he was

going to vote against the SPLOST because he has people tell him that they are doing nothing with the money in their community and it goes somewhere else so why should they vote in favor of SPLOST. Mr. Rhynes stated that he received a phone call several days ago about campaign signs being on the Industrial Authority property. He filmed it and put it on You Tube, Channel Boston GBR. He spoke with the people at the Industrial Authority and he asked them if he could put a Barrack Obama and Democrat sign out there. He believes in fairness and he noticed today that they are gone. Mr. Rhynes also stated that he has spoken to Council before about Valdosta embracing change. They have had 30 jail deaths and at least his records reflect that 1994 to 2009. From 2009 to the present we do not know because no one is talking about; however, the inmates who call him and the jail guards and deputies who trust him have told him what is going on out there. No one is talking about the things going on in the jail on the A-pod. He wanted to highlight that because he knew that Council would not get back with him because that does not concern them. Mr. Rhynes stated that it concerns him whenever human life is at stake. There have been five debates in the City and he records them and puts them on You Tube. A lot of people are watching his You Tube and they are asking him why the City officials are not at any of the debates. He was just throwing that out there because sometimes there is a great possibility that someone may get a positive vibe about their elected officials. Mr. Rhynes stated that he listened to the radio station 105.9 this morning and the Mayor and City Manager did an outstanding job the way they outlined the justification for SPLOST; however, only 105.9 and most of the people who listen to a conservative radio station know anything about that.

Dr. Michael Noll, 2305 Glynndale Drive, stated that he wondered how many mountains we could move and climb if we would work together as a community. We have a lot of potential for that because he has seen it. They were able to defeat a Biomass Plant because they were able to work together and had broad support across the political spectrum. They were able to defeat a consolidation attempt despite the odds. He does believe that they will also be able to defeat the Charter School Amendment. He heard Mr. Rhynes and Councilman Wright but he does believe that we do need taxes to pay for projects from sidewalks to public libraries; however, it is necessary that such funds be equally distributed so that those who need it will have access to the funds as well. Dr. Noll stated that if he could vote he would vote in favor of SPLOST VII with the hope that we would do the best we can to use those funds for projects that are in dire need. He had a conversation with his daughter this morning and she was asking him questions about SPLOST VII. He tried to explain it to her and then she inquired as to whether these people had ever been to the public library and seen how full it is and that they do have problems with the roof. Dr. Noll stated that there are projects that we need to take care of as a community and that includes sidewalks, public libraries, and bicycle paths. Dr. Noll stated that he hoped SPLOST VII passes and that Council has the wisdom to use those funds in an appropriate fashion.

ADJOURNMENT

Mayor Gayle entertained a motion for adjournment.

A MOTION by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (7-0) to adjourn the October 25, 2012 meeting of the Valdosta City Council at 6:05 p.m. to meet again in a rescheduled regular session on Thursday, November 15, 2012.

City Clerk, City of Valdosta

Mayor, City of Valdosta