

**MINUTES**  
**REGULAR MEETING OF THE VALDOSTA CITY COUNCIL**  
**5:30 P.M., THURSDAY, OCTOBER 8, 2009**  
**COUNCIL CHAMBERS, CITY HALL**

**OPENING CEREMONIES**

Mayor John J. Fretti called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Sonny Vickers, Tim Carroll, Alvin Payton, Jr., Willie Head, Jr., John Eunice, Robert Yost, and James Wright. The invocation was given by Rev. George Bennett, followed by the Pledge of Allegiance.

**AWARDS AND PRESENTATIONS**

**PRESENTATION OF THE OCTOBER, 2009 EMPLOYEE OF THE MONTH AWARD POSTPONED**

Consideration of the October Employee of the Month Award (Michael Meyer, Community Development Department).

Mayor Fretti stated that Michael Meyer, City Marshal, was unable to attend the Council meeting due to his attendance at the Georgia Association of Code Enforcement Training and asked Council's consideration in postponing the presentation for two weeks until the next Council meeting.

A **MOTION** by Councilman Carroll, seconded by Councilman Vickers, was unanimously adopted (7-0) to postpone the October, 2009 Employee of the Month Award for two weeks until the October 22, 2009 regular Council meeting.

**PRESENTATION FROM THE DEEP SOUTH REGIONAL MUNICIPAL SOLID WASTE MANAGEMENT AUTHORITY**

Mayor Fretti stated that Marty LeFiles, Representative of the Deep South Regional Municipal Solid Waste Management Authority, and Lowndes County Commissioner Richard Lee, current Chairman of the Authority, would be making a presentation to the Mayor and Council.

Marty LeFiles stated that in 1996, the Deep South Authority was formed with the assistance of Larry Hanson, City Manager, and County Commissioner Richard Lee. There were six charter members consisting of Valdosta, Lowndes County, Nashville, Berrien County, Lakeland, and Lanier County. The idea at the time was to purchase land, secure the operating permit for a Subtitle D Landfill, and operate the Landfill by the Authority on behalf of the six members. After a period of time, they decided to enter into negotiations with Veolia Environmental Services who also owns the Pecan Row Landfill in Lowndes County. As a result, the Authority sold the land and operating permit to Veolia in exchange for money and a 50-year contract with the Authority members which guarantees the lowest tipping fee they can charge. The tipping fee started at \$21.95/ton and can only increase every year based on a formula that takes into account the inflation rate and everyone who is participating with Veolia and who is a member of the Authority is now paying the lowest tipping which is \$22.95/ton. Larry Hanson stated that the fee can only increase every fifth year based on the CPI and any State-mandated pass along. Marty LeFiles stated that according to Veolia, the average tipping fee is approximately \$32/ton. Larry Hanson stated that at the time they signed the contract they were paying \$28.95/ton. Marty LeFiles stated that Veolia also agreed to pay the Authority a royalty fee for each ton of solid waste that comes into the new Evergreen Landfill which will open in early 2010. The Authority recognized that considering the economy and the problems faced by the local, State, and Federal levels, a lot of the members are seeing financial stress as a result of the cost of solid waste. The Board voted to take two-thirds of the funds that the Authority has on hand, which is approximately \$600,000, and refund that back to members of the Authority using a formula that takes into account the population of the City and the amount of tonnage that is collected and disposed of at Veolia by the City. As a result, the Deep South Regional Municipal Solid Waste Management Authority wanted to present a check for the City of Valdosta in the amount \$336,233.04. The purpose of these funds is to help offset the cost that the City has incurred this year or in future years for solid waste programs. The money will need to be spent by December, 2010 but the City could also reimburse itself on what was spent on during this fiscal year on solid waste management programs. There is also a Memorandum of Agreement for the Mayor and Council to approve which states that the City understands

this is what the funds will be used for. Also, in 2010, the new royalty fees will start coming into the Authority and the Board has already decided to continue with that same two-thirds distribution of those fees back to each member of the Authority. They have not settled on the exact formula yet but beginning in 2010 there will be a sharing of that revenue back to the members of the Authority.

Chairman Richard Lee commended Larry Hanson, City Manager, who has been at the forefront of this organization and has been instrumental in growing the resources of the Authority and developing ways to get this money back to the member governments to use for recycling, disposal, collection, and litter control. The Authority anticipates approximately \$750,000 coming in on an annual basis when the new landfill is opened. This is a one-time rebate out of the existing General fund; however, the Authority will roll those fees back out when the new formula is determined. This will help governments to continue with the recycling, collection, and litter control programs. The Authority is also hopeful that some of the former member governments will participate in bringing their waste to the landfill which would result in a lower tipping fee for them as well as an increase tonnage and revenue for the landfill. Mayor Fretti thanked Chairman Lee on behalf of the Council for his dedication to the Authority and stated that the Authority has done a great job in managing the solid waste and the City of Valdosta was honored to accept the check.

### **APPROVAL OF MINUTES**

The minutes of the September 24, 2009 Regular Meeting of the Valdosta City Council were approved by unanimous consent (7-0) of the Council.

### **CITIZENS TO BE HEARD**

Roy E. Taylor, Sr., 2209 Bridlewood Drive, stated that he has lived there for 36 years and by choice he asked to come into the City limits of Valdosta. He would like to think that he has been an excellent citizen and has tried to give back to Valdosta part of what has been given to him by hard work. At one time he bought 17 buildings downtown after seeing the deterioration of that area and went to Greenville, South Carolina, the premier city in America today in rehabilitation, to get some ideas for refurbishing the buildings. He later donated two of the buildings to the City to help with establishing businesses downtown. After finishing the first building, he ran into some problems with the Historic Preservation Commission and almost had the building completed before he realized what he was facing. Mr. Taylor then asked Council's permission to complete the building above the objection of the Historic Preservation Commission because you cannot take a 45-year old cement block building and make it look 150 years old. He found out that the lawyer next to him had finished his building without having to get any permits. Mr. Taylor stated that he also wanted to build a ten story building across from the bank and make it look like an old hotel to keep it in uniform with the Historic Preservation Commission; however, when he and his wife went before the Commission she left crying because she was not expecting that kind talking down to Mr. Taylor. He had not done anything to hurt their feelings and had gone to the City Manager because the City had just purchased a fire truck that would go up to 12 stories. They would take out four of the old buildings and have underground parking, businesses on the first floors, and lawyers' offices on the second, third, and fourth floors. The top floors would have been for apartments for people to live downtown. Mr. Taylor stated that he lost his patience and decided not to pursue the project. Now he has invested in Ashley Street and purchased three properties that were run down and deteriorated. Two of the properties, the Margarita Restaurant and the building next to it, have been remodeled and look good. He then purchased a building at the corner of Gordon Street and Ashley Street which had been repossessed by a bank. Nothing had been done to the building for approximately two years. Mr. Taylor stated that he contacted Von Shipman, City Engineer, regarding the potholes in the alley behind the building and went to Mr. O'Neal before he rented the building and promised him that they would make the building look nice and be a good neighbor. Mr. Taylor rented the building to Andy Corrado, Auto Connection, who already had a car lot on Ashley Street. He created five jobs by opening this business. There was already a sign on the building and no one said anything about the sign. Mr. Corrado repaired the sign by putting the plywood back like it was initially. He got his business license after the sign repair and no one said anything about the sign. Mr. Taylor stated that the sign has been there for 15 years and now he has received a letter from the Planning and Zoning Administrator regarding the sign. It is unfair for Council to pass ordinances that hurt the small businessman

because they are the ones that keep the community afloat. Ashley Street, from one end to the other, has always been a commercial street with signs. There are some real monster signs on Ashley Street now and he had thought about putting one of those up to take the place of this sign but after speaking with the City Manager he was told that there would be no more of those. Mr. Taylor stated that now they are asking him to take the sign down to approximately half of what it is now. He has always been a good citizen and businessman and every piece of property he has purchased has been remodeled to make it look better. Mr. Taylor stated that these people are barely making a living there but he has run his business in an honorable manner. There has never been a complaint about the business and he pays his rent promptly. Mr. Taylor asked for Council's consideration in finding some way to grandfather this sign in as it is without changing it.

## **PUBLIC HEARINGS**

### **AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS ORDINANCE POSTPONED**

Consideration of an Ordinance to rezone 11.53 acres from Single-Family Residential (R-10) to Multi-Family Residential (R-M) as requested by Jimmy Bennett (File No. VA-2009-22). The property is located between Hickory Road and Harmon Drive. The Planning Commission reviewed this request at their September regular meeting and recommended postponement until the October regular meeting (5-3 vote).

Anne-Marie Wolff, Planning and Zoning Administrative, stated that the applicant is requesting to rezone of 16 parcels from Single-Family Residential (R-10) to Multi-Family Residential (R-M) to accommodate an extension of a multi-family apartment complex. The initial rezoning of three parcels was approved by Council in December, 2008. The current properties total 11.53 acres and contain single family residences. The parcels are located on Hickory Road and Harmon Drive north of their intersections with North St. Augustine Road and west of the established commercial development along Norman Drive which is in an Established Residential Character Area on the Future Development Map. A Regional Activity Center Character Area is directly adjacent to the north and west of the proposed rezoning. The site plan depicts 6 additional buildings with a total of 54 one-bedroom units, 54 two-bedroom units, and 18 three-bedroom units for 126 total units. The plan also depicts the three apartment buildings under construction with a total of 21 three-bedroom units on the current R-M property, as well as a clubhouse/office and pool. A total of 267 parking spaces are shown. The site plan does not incorporate all parcels within the rezoning request. Two driveways are required due to the number of units being developed. A traffic impact study is needed to determine if improvements are needed where Harmon Drive intersects St. Augustine Road. While these parcels are within an Established Residential Center Character Area on the Future Development Map, the area is proposed for a Transitional Neighborhood Character Area which does support multi-family. Additionally, the area is close to major retail opportunities and Regional Activity Center Character Area. Staff had some concerns about the ability of Hickory Road and Harmon Drive to handle additional traffic. The City Engineer will require a traffic impact study and upgrading the roads may be merited. Also, since the apartments are so close to retail and other commercial opportunities, sidewalks are strongly encouraged and in some instances will be required; however, given the recent rezoning of 10 acres in the immediate area to R-M, the proximity of the parcel to a Regional Activity Center Character Area, and the area's ongoing transition, Staff found the request consistent with the goals and policies of the Comprehensive Plan and recommended approval of the request. The Planning Commission reviewed this request at their September 28, 2009 regularly scheduled meeting and recommended postponing the request until the October meeting (5-3 vote) in order to provide the applicant time to complete the additional information needed for a complete traffic impact study. The Planning Commission also had concerns about the consistency of the request with the Comprehensive Plan, specifically the Future Development Map and the Standards for Exercise of Zoning Power, and the impact of the additional traffic on Hickory Road and Harmon Drive. Two concerns that were brought up at the Work Session are related to both the current development and the proposed development were water service and transportation infrastructure both in the amount of traffic generated and the existing condition of the roads. It is Council's discretion as to whether they want to postpone the request for one month to resolve the issues or the rezoning request could be approved with the understanding that no additional permitting would occur for the new development until the issues are resolved. Staff was concerned about the existing roads because they are not built for this type of traffic. Anne-Marie Wolff stated that it would need to be determined what the developer would be responsible for as far as putting in sidewalks and ensuring that

the roads are ready. The water issue is a permitting issue and will be addressed during the permitting process and has no impact on the zoning. It is an appropriate zoning for the area and the water issue will have to be resolved before the applicant could continue building.

Mayor Fretti stated that if it is Council's discretion to postpone the request then they would not need to call for the Public Hearing portion of this request and inquired as to whether Ms. Wolff has had any conversations with the applicant about the issues. Ms. Wolff stated that the applicant would like to see the request move forward because it is a lot easier to get funding for a project when the property is already zoned. The applicant is aware of the fact that the water issue will have to be resolved and he would be willing to partner in making the transportation improvements but it has not been worked out as to what the partnership would be. Mayor Fretti inquired as to whether Council would like to hear from the applicant. Councilman Yost stated that he has received a telephone call from one individual who lives in the area and had concerns about the runoff with the current development and the lighting in the area. The developer needs to discuss the project with those living in the area because there is a problem with the water runoff into Sugar Creek and some other things that have occurred with the first phase of this development. Councilman Eunice inquired as to whether the cost sharing would need to be worked out prior to Council taking a vote on this. Anne-Marie Wolff stated that it does not have to be worked out prior to a vote because the improvements would need to occur regardless of whether the property is rezoned now or a month from now. It is up to Council's discretion as to whether they are comfortable with approving the rezoning knowing that those discussions still have to occur and that they will occur. Councilman Eunice inquired about the traffic study. Anne-Marie Wolff stated that the City Engineer has current traffic counts for the east and westbound traffic for that location and just received those today. Von Shipman, City Engineer, stated that after reviewing the data he was surprised at how reasonable the numbers were for that section of St. Augustine Road. There were only a couple of hours during the day that the traffic appears to be at a level that would cause traffic to back up. From 5:00 p.m. to 7:00 p.m. the westbound traffic is very heavy and the other times of the morning there should be no problem getting in and out. Von Shipman stated that he wanted to see the results of the full traffic study and work with that Engineer to project the traffic counts for in the future. Councilman Eunice inquired as to whether 30 days would give the City Engineer sufficient time to review the data. Von Shipman stated that he had only heard from that Traffic Engineer that they contacted and he has not had an opportunity to discuss the study with him. Councilman Wright inquired as to what type of funding would be used for the project and the concerns brought up by Councilman Yost. Anne-Marie Wolff stated that it would be typical financing for construction. Larry Hanson stated that most financial institutions want to have the zoning in place to support the development prior to providing the loan. This request is unique in that this was an unincorporated island that came into the City and the issue to be negotiated is the water and sewer based upon the decision made as to how to handle the islands but it can certainly be overcome. Mayor Fretti stated that if there is a motion to postpone then they could dispense with the public hearing portion and move on to the next agenda item. If the motion fails then they will go to the public hearing portion.

**A MOTION** was made by Councilman Eunice to postpone the request for 30 days to give Staff time to review the traffic study and other information and for the request to go back to the Planning Commission. Councilman Head seconded the motion. Councilman Carroll stated that 30 days may not allow an adequate amount of time for this request to go back before the Planning Commission. Council would hear the request again at the first meeting in November and the Planning Commission would hear it in October. Councilman Carroll asked that the motion be stated that the request would be heard at the first Council meeting in November. Councilman Eunice and Councilman Head were in agreement. Councilman Yost stated that he would like for the Staff and the developer to meet with individuals to discuss some of the problems prior to this request coming back to Council. The motion was unanimously adopted (7-0).

**ORDINANCE NO. 2009-42, AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS ORDINANCE**

Consideration of an Ordinance for Text Amendments to the Land Development Regulations (LDR) for various Chapters in Title 2 as requested by the City of Valdosta (File No. VA-2009-17). The Planning Commission reviewed this request at their September regular meeting and recommended approval (8-0 vote).

Anne-Marie Wolff, Planning and Zoning Administrative, stated that due to the sheer size of the new Land Development Regulations, it was anticipated that various Text Amendments would need to occur. This request represents the third in a series of Amendments. Each proposed Amendment is as follows: (1) Amendment #1 - Multi-Family Residential (R-M) Standards - This amendment addresses changes in the standards related to Multi-Family Residential developments. It moves the standards listed in Chapter 206 to Chapter 218-3 so that all supplemental standards are listed together. It also reduces some of the requirements thus making multi-family development less complex and more consistent with industry trends. (2) Amendment #2 - Residential Parking Overlay Changes - As we continue to implement the residential parking overlay regulations, several unintended consequences have developed. The Text Amendment will also provide for administrative variances for the 25% requirement. There are some smaller lots that 25% may not be appropriate and may need a higher number as far as the maximum amount of impervious surface. The Text Amendment also lists some approved materials if they do not want to use asphalt or concrete and the materials will need to be well maintained. Another minor change that is included in the Text Amendment was suggested by Councilman Carroll to remove the word “divots” and replace it with “potholes”. The Text Amendment will also provide guidance to help those properties that have always had unimproved driveways that do not have any other option but to use those driveways and keep them well maintained. (3) Amendment #3 - Historic Preservation Signage and Certificates of Appropriateness - This amendment addresses the size of signs within the Historic District as listed in the Design Guidelines by revising the regulations in Chapter 230 for compatibility with the Design Guidelines. It also permits the approval of construction or demolition of the American Disabilities Act (ADA) accessible ramps by Staff rather than requiring Historic Preservation Commission approval, thus saving the applicant time and money. Each of the proposed Text Amendments will strengthen the implementation of the Land Development Regulations and improve the overall service provided to the citizens. Staff found the request consistent with the goals and policies of Comprehensive Plan and recommended approval. The Planning Commission reviewed this request at their September 28, 2009 regularly scheduled meeting and based on consistency with the Comprehensive Plan recommended approval of the Text Amendments (8-0 vote).

No one spoke in favor of the request.

No one spoke in opposition to the request.

**A MOTION** by Councilman Head, seconded by Councilman Yost, was unanimously adopted (7-0) to approve the changes as presented by the Planning and Zoning Administrator and enact Ordinance No. 2009-42, an Ordinance for Text Amendments to the Land Development Regulations (LDR) for various Chapters in Title 2 as requested by the City of Valdosta, the complete text of which will be found in Ordinance Book XI.

Councilman Vickers left the meeting at 6:23 p.m.

**ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 2009-43, AN ORDINANCE TO AMEND THE STOPPING, STANDING, AND PARKING ORDINANCE**

Consideration of an Ordinance to amend the Stopping, Standing, and Parking Ordinance.

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the City adopted new Land Development Regulations last year which became effective Jan. 1, 2009 and new parking requirements were included. An Ordinance amending the Stopping, Standing, and Parking Ordinance was adopted by the Mayor and Council on August 6, 2009 with an effective date of September 1, 2009. The implementation of this Ordinance was intended to improve enforcement and to allow both Police and City Marshals the right to enforce parking violations on residential properties within the parking overlay zone identified in the LDR. The Ordinance more clearly defines illegal parking and provides greater explanation of improved surfaces and parking limitations. This amendment to the current Stopping, Standing, and Parking Ordinance will further streamline the Ordinance and make additional allowances for improved surfaces as well as provide an exception for existing non-improved driveways. Anne-Marie Wolff recommended that council approve the Ordinance to amend the Stopping, Standing, & Parking Ordinance.

## **ORDINANCE NO. 2009-43 (CON'T)**

A **MOTION** by Councilman Eunice, seconded by Councilman Carroll, was unanimously adopted (6-0) to enact Ordinance No. 2009-43, an Ordinance to amend the Stopping, Standing, & Parking Ordinance, the complete text of which will be found in Ordinance Book XI.

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

Consideration of bids for Freedom Park Phase 2 improvements.

Von Shipman, City Engineer, stated that the City has planned for many years for the expansion of Freedom Park. It was identified in the list of SPLOST V projects. Lose & Associates was chosen to design both the Scott Park Improvements and the Freedom Park Improvements. Bids were received on October 6, 2009 with the low bid submitted by Pinnacle Prime Contractors in the amount of \$1.1 million. The Engineering estimate was \$1.4 million. Councilman Yost inquired as to why the number of days to complete the project was not on the bid tabulation sheet and stated that he would like to see it on every bid tabulation sheet submitted to Council. Von Shipman stated that this was something that is usually on the bid tabulation sheet and it would take approximately 200 days to complete this project. Councilman Yost inquired as to the start date if this bid is approved by Council. Von Shipman stated that the start date would be after all the contract documents are in and the pre-bid conference is held. The Engineering Department works with the contractor and the City Attorney on the contract documents, they select a date that is convenient for all, and then a Notice to Proceed is issued. Councilman Yost inquired as to who would be managing the project. Von Shipman stated that the Engineering Department would oversee the project. Larry Hanson, City Manager, stated that they are outsourcing the transportation projects to The LPA Group in order to have adequate resources to manage the other non-transportation projects. Councilman Yost stated that he wanted the Engineering Department to make sure that the City is getting what they are paying for and that the contractors are on time. The contractors are expected to complete the projects in a timely manner and if they are running behind then they need to be fined. If they are ahead of schedule then they need to be commended. Councilman Wright inquired as to what would happen after the 200 days. Von Shipman stated that there are liquidated damages in the contract. Councilman Head stated that there needs to be some type of contract management system in place. At one point, Council received a list of projects and what phase they were in which gave Council an idea of what was being done. Councilman Head urged the Engineering Department to work toward acquiring some type of contract management software. Von Shipman stated that there was a meeting to review program management software which Jim Martinez, Project Manager, attended and they expect to have something in place to assist them in keeping track of the projects. Though the Engineering Department lost their Construction Coordinator and Contract Manager, they are trying to spread out the duties as well as advertise for an Assistant Engineer. Larry Hanson stated that one of the Mayor and Council goals was to outsource project management for transportation which has been accomplished. They had committed to develop a system for project management and multiple Departments have reviewed different project management software and one has been selected. Councilman Head stated that when the City conducted the information technology review by Red Oak Consulting all of the Departments were to be contacted to discuss their workload and activity. Von Shipman stated that they have been looking for some time for the right program to ensure that it fits in with all of the Departments. Larry Hanson stated that the Red Oak Consulting study led to the purchase of an overall software system which has been rolled out this year but not all modules have been implemented. Staff has been working on selecting a program that meets multiple needs and they have taken additional time to do that. Mayor Fretti stated that \$1.1 million is a lot of money for a dog park and a walking track and asked for additional information from Von Shipman and Eric Hahn, Director of Parks and Recreation. There will be 57 spaces for parking at the track area, which will be asphalt, and 103 parking spaces in an area that will not have anything except for future pavilions so this could be part of the cost. Von Shipman stated that there will also be a lot of grading on the property. Larry Hanson stated that there are some tremendous elevation changes on the property and when it was purchased it was 20 feet back to front so there will be a lot of grading and preparation in this for future phases. There will be a five-field youth complex in this area which will require a lot of grading. Also, when Freedom Park was built there was no sewer in the area so a major part of the cost is placing sewer infrastructure. Von Shipman stated that the sewer infrastructure would run from the walking trail restroom to the maintenance center. Mayor Fretti stated that it appears they are spending \$1.1 million on a dog park and they need to explain this better because they are running sewer, they have 103 parking spots which is probably \$300,000, and they are doing grading for a future phase. They need to do better at selling this because all of this would be given to the Parks and Recreation Authority.

If it was not too late they could make the parking lot by the dog park a green parking lot because asphalt will have to be maintained. Mayor Fretti inquired as to what material would be used for the walking track. Von Shipman stated that the walking tract would be asphalt. Mayor Fretti inquired as to whether there was a Council member on the Committee. Larry Hanson stated that Councilman Payton was on the Committee. Councilman Payton stated that he was not on the Freedom Park Committee but it is in his district. Mayor Fretti stated that this could have been looked at a little better and it could have been a little more organic and cooler. He heard there would be Frisbee golf but it is not on the drawing. Larry Hanson stated that there would be Frisbee golf. Councilman Head inquired as to how much has been spent on Freedom Park since its inception and how much communication has been going on with the Parks and Recreation Authority as to what is happening now and what is going to happen in the future. Eric Hahn, Director of Parks and Recreation, stated that part of the Design Contract also created a Master Plan for Freedom Park which included the five-field youth complex and some other amenities including the Frisbee golf and a picnic area with a large shelter to accommodate a big group. There will also be some normal size picnic shelters, an aquatic center, tennis courts, and a teen area. These were things that they selected from the Master Plan that could be done with the budget they have at this time. Councilman Head inquired as to whether this would now be open to the public. Eric Hahn stated that it is currently opened to the public. Councilman Payton stated that the City Manager was correct in that he was involved in the Master Plan and they were talking about spending \$6 million but he was not involved in the stage they are in now. Larry Hanson stated that this will be a 230-acre complex and in the early 1990's the City adopted a 20-year Master Plan that called for a \$20 million investment in Freedom Park. It was master planned to be a regional park and not a neighborhood park. Von Shipman recommended that Council approve the low bid submitted by Pinnacle Prime Contractors in the amount of \$1.1 million plus a 10% contingency.

**A MOTION** by Councilman Payton, seconded by Councilman Wright, was unanimously adopted (6-0) to approve the low bid submitted by Pinnacle Prime Contractors in the amount of \$1.1 million for Freedom Park Phase 2 improvements.

Consideration of bids for McKey Park Tennis Center improvements.

Von Shipman, City Engineer, stated that improvements to the tennis center area at McKey Park were proposed as part of the SPLOST VI referendum. The firm of IPG Architects, Inc. was hired by the City to plan and design the new improvements which will include additional courts and a new building with a pavilion for viewing. Underground stormwater detention is proposed to handle stormwater runoff. The cost of the project is estimated to be \$1.75 million. Von Shipman stated that he found out today that the Architect felt that they would be pushing the \$1.75 million so he did not include the gazebo. There was an Alternate No. 1 on the bid tabulation sheet which was placed there if the price came in higher than what he thought and it would be a deduct to remove some of the lighting and sidewalk; however, they are not entertaining Alternate No. 1. Bids were received on Wednesday, October 7, 2009 with the low bid submitted by Cauthan Construction in the amount of \$1,267,762. Cauthan Construction is ready to start construction immediately. There will 12 tennis courts instead of 8 and a lot of drainage improvements made. There will also be the centerpiece which will allow people to observe tennis from a height. Councilman Payton clarified that the bids did not include the gazebo. Von Shipman stated that was correct. Councilman Payton inquired as to whether the storage bins located at the corner of the courts were still included and whether the surfaces would be concrete. Eric Hahn stated that those were still included and all of the surfaces would be an asphalt base with a synthetic surface on top. Councilman Payton inquired about the lighting. Von Shipman stated that the base bid included lighting for the entire area and he had thought that if the price came in too high they would have an alternate to omit some of the lighting; however, since the price came in well under the lighting will be included for the entire complex. Councilman Yost inquired as to how much more the gazebo would cost if added to the \$1.2 million. Von Shipman stated that there are several choices. They could have an allowance put in for a gazebo and look at building one or procuring one. All of the electrical work is being run to the gazebo and is part of the bid so it would be a matter of ordering or building what they want. Larry Hanson inquired as to whether it was designed and just not bid. Eric Hahn stated that it was not designed and they felt like they could go with a pre-made gazebo. Councilman Yost stated that if this was something needed and they have the funding then they need to proceed with it and not do it in several different phases. Councilman Yost inquired as to whether the facility in the middle could be lined up between the two sets of courts all the way down instead of the gazebo. Von Shipman stated that there were some trees in that area that they were trying to save. Councilman Yost inquired as

to what was going in the middle structure. Eric Hahn stated that the facility will include a small pro shop, restrooms, concession area, storage, and an office for the tennis pro. Councilman Yost stated that he would like to see an updated budget for the Parks and Recreation Authority which was approved in June and a project update. Councilman Payton stated that there was a lot of discussion about various types of gazebos and he was surprised that this was removed from the bid. Eric Hahn stated that in hindsight they could have put it in there as a deduct like they did the lighting but they felt like they were going to be a lot closer to \$1.75 million. Councilman Payton inquired about the cost of a prefab shelter like the one at the Wood Valley Community Center. Eric Hahn stated that it was over \$100,000 with the restrooms. Larry Hanson stated that he would like for the architect to prepare a design for the gazebo since they are spending \$1.2 million for this facility because if you purchase a prefab then it would not have the same design scheme or character. They could probably get a nice gazebo for \$30,000 that would blend in well and compliment the rest of the project. Councilman Wright stated that if they could find money for this addition then he hoped they could find money to go back and add those things that were left out of Scott Park like the splash park and pavilions. They had discussed coming back and adding those things in Phase 2 so if they do all of this at one time then Scott Park should be considered. Councilman Wright also inquired as to whether the old lighting would be taken out because they kept the old lighting at Scott Park and added in additional lighting. Von Shipman stated that it would be all new lighting because the courts are being reconfigured and will meet tournament guidelines. Larry Hanson stated that in case of this project there was a budget of \$1.5 million and the project came in at \$1.2 million so it is less than the budget and easier to add things. With Scott Park there was a budget of \$1.2 million and bids came in at \$1.6 million so the bids were greater than the project budget and some things had to be taken out. In the end the City spent more than what was budgeted on the Scott Park project and still had to take things out of the project. The reason there could potentially be money in the Freedom Park project is that they are under budget for this project at this time. Councilman Head stated that he had visited Scott Park and there are only lights on the east side of the walking track. This could be dangerous for people walking around the track and they need to look at the lighting at Scott Park. Von Shipman recommended that Council approve the low bid submitted by Cauthan Construction in the amount of \$1,267,762 plus a 10% contingency for McKey Park Tennis Center improvements.

**A MOTION** by Councilman Payton, seconded by Councilman Head, was unanimously adopted (6-0) to approve the low bid submitted by Cauthan Construction in the amount of \$1,267,762 plus a 10% contingency for McKey Park Tennis Center improvements.

Consideration of a request to approve a contract with the Georgia Department of Transportation for the One Mile Branch at Park Avenue box culvert.

Von Shipman, City Engineer, stated that in 2005 the City received a commitment from the Georgia Department of Transportation (DOT) to contribute \$75,000 for each of three drainage improvements on State routes (Patterson Street at Two Mile Branch, Ashley Street at One Mile Branch, and Park Avenue at One Mile Branch). In 2007 it was decided to use the entire \$225,000 on the Park Avenue at One Mile Branch project since that street was removed from the State highway system. Plans for the new culvert were designed in 2005. The new Stormwater Master Plan Consultant, Camp Dresser & McKee (CDM) is moving forward with the evaluation of One-Mile Branch to determine if the size of the structure is to remain the same as what was proposed in the first Stormwater Master Plan. Because of the need to improve the downstream culverts on One Mile Branch at Ashley Street and at Patterson Street, CDM will also recommend a restrictor plate which will hold back stormwater at the new culvert on Park Avenue to protect downstream areas; however, the water level will only be allowed to reach a maximum elevation thus improving upstream drainage conditions. The total cost of the drainage improvement project is expected to be \$500,000. The project should be ready for bid in January, 2010 and completed by the summer. Von Shipman recommended that Council approve the contract with the Georgia Department of Transportation for the One Mile Branch at Park Avenue box culvert.

**A MOTION** by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (5-0) to approve the contract with the Georgia Department of Transportation for the One Mile Branch at Park Avenue box culvert. Councilman Yost was absent for the vote.



Consideration of a request to approve the Deep South Regional Municipal Solid Waste Management Authority Memorandum of Agreement.

Larry Hanson, City Manager, stated that the Deep South Regional Municipal Solid Waste Management Authority Memorandum of Agreement will need to be executed in order for the City of Valdosta to receive a check in the amount of \$336,233.04 which was presented by Marty LeFiles and Richard Lee earlier in the meeting.

**A MOTION** by Councilman Eunice, seconded by Councilman Payton, was unanimously adopted (6-0) to approve the Deep South Regional Municipal Solid Waste Management Authority Memorandum of Agreement.

### **LOCAL FUNDING AND REQUESTS**

Consideration of a request to select a Consultant for the U. S. Environmental Protection Agency (EPA) Brownfields Grant.

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the City was awarded a \$400,000 U. S. EPA Brownfields Assessment Grant to complete a community wide inventory and assessment of petroleum and hazardous waste sites. These funds were awarded as part of the American Recovery and Reinvestment Act (ARRA) Stimulus Funds. Following the grant award, the City issued a Request for Qualifications for consulting firms to complete the five tasks of the grant. A selection committee, consisting of Anne-Marie Wolff, Mike Martin, Von Shipman, and Councilman Willie Head, reviewed the 14 submitted proposals. The proposals were narrowed down to the top three firms for which interviews were held on September 29, 2009. Following the interviews, TTL, Inc. was selected as the preferred firm. TTL is partnering with Lovell Engineering Associates, P.C. and Arrowood Environmental Group, Inc. Due to the nature of the grant, there is no established contract amount and \$375,000 of the \$400,000 grant is reserved for contractual services. Anne-Marie Wolff, Planning and Zoning Administrator, recommended that Council approve the selection of TTL as the Consultant for the U. S. Environmental Protection Agency (EPA) Brownfields Grant.

**A MOTION** by Councilman Head, seconded by Councilman Yost, was unanimously adopted (6-0) to approve the selection of TTL as the Consultant for the U. S. Environmental Protection Agency (EPA) Brownfields Grant.

### **CITY MANAGER'S REPORT**

Larry Hanson, City Manager, stated that there will be a Make-A-Difference Day sponsored by the City, the County, and the Keep Lowndes Valdosta Beautiful Board on October 24, 2009 from 8:30 a.m. to 11:30 a.m. There will be two sites, one in the City and one in the County, targeted for the cleanup.

There will be a Health Fair on October 22, 2009 from 8:00 a.m. to 5:00 p.m. at Mathis Auditorium for all City employees.

The Lowndes County Historical Society will be hosting the Valle d Aosta Sesquicentennial Preview at their 34<sup>th</sup> Annual Dinner on October 13, 2009 at the Valdosta Country Club. Council is invited to attend.

Customer Service Training was held for City employees and there were 59 employees who received certification. A recognition breakfast was held on October 5, 2009 for the employees and they received a pin to wear. There will now be Customer Satisfaction Survey Cards in every City office and all citizens who make contact with a City Department or an individual employed with the City will have an opportunity to evaluate that person on their experience. The Customer Service Training was conducted in collaboration with Valdosta Technical College and the Human Resources Department.

Larry Hanson stated that the Mayor and Council would need to have a brief Executive Session on real estate.

Councilman Payton inquired about the status of the MLK Corridor Project. Larry Hanson stated that there was one impediment that slowed the progress on one of the property acquisitions due to a family issue. This should be resolved within several days. Von Shipman stated that there was also one minor plan revision that has been resolved and the contractor is ready to finish the project.

**ADJOURNMENT**

Mayor Fretti entertained a motion to adjourn the Council meeting and enter into an Executive Session for the purpose of discussing real estate.

**A MOTION** by Councilman Head, seconded by Councilman Payton, was unanimously adopted (6-0) to adjourn the October 8, 2009 meeting of the Valdosta City Council at 7:13 p.m. and enter into Executive Session.

Mayor Fretti reconvened the regular City Council meeting at 7:50 p.m. and stated that there was discussion of real estate in the Executive Session and no action was taken.

Mayor Fretti entertained a motion for adjournment.

**A MOTION** by Councilman Yost, seconded by Councilman Carroll, was unanimously adopted (6-0) to adjourn the October 8, 2009 meeting of the Valdosta City Council at 7:51 p.m. to meet again in regular session on Thursday, October 22, 2009.

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City Clerk, City of Valdosta

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Mayor, City of Valdosta