

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, NOVEMBER 11, 2010
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

Mayor John Fretti called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Tim Carroll, Alvin Payton, Jr., Deidra White, and James Wright. Councilmen Robert Yost and Sonny Vickers were absent. Larry Hanson, City Manager, was absent and Mark Barber, Deputy City Manager of Administration, was in attendance in Mr. Hanson's absence. The invocation was given by Rev. George Bennett, followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

Mayor Fretti entertained a motion for Awards and Presentations.

A **MOTION** by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (4-0) for the November Awards and Presentations.

SPECIAL RECOGNITION OF THE WINNERS OF THE GEORGIA INSURANCE AND SAFETY FIRE COMMISSIONER'S ESSAY CONTEST

Special recognition of the winners of the Georgia Insurance and Safety Fire Commissioner's Essay Contest.

Mayor Fretti stated that the Georgia Insurance & Safety Fire Commissioner's Office held its 18th Annual Life, Fire, and Safety Awards Luncheon in Atlanta, on October 28, 2010 honoring the winners of its statewide contests. The City of Valdosta School system produced four winners in the essay writing category. There were two options in the essay writing competition. The first option allowed students in K-3rd grades to write essays describing "The Role of the Fire Safety House" in preventing fires. Devan Bush, a 1st grader from Sallas Mahone Elementary School, took third place in this part of the competition for his grade level. The second option in the writing competition allowed the older students to submit essays based on this year's National Fire Prevention Week theme, "Smoke Alarms--A Sound You Can Live With." Darius Perkins, a 7th grader at J.L. Newbern Middle School, took third place for his grade level, Laura Murphy, a 10th grader at Valdosta High School, took second place for her grade level, and Mikkih Taylor, an 8th grader at the Valdosta Early College Academy, took first place for his grade level. Each award winner received a \$100 United States Saving Bond along with gifts and a certificate recognizing their achievement. Mayor Fretti congratulated all of the winners in the statewide Annual Life, Fire, and Safety Awards.

PRESENTATION OF THE NOVEMBER, 2010 EMPLOYEE OF THE MONTH AWARD

Mayor Fretti presented the November, 2010 Employee of the Month Award to Cindy Randall, Engineering Department.

Cindy Randall began her employment with the City of Valdosta as an Administrative Secretary in the Engineering Department in March, 2004 which is the position she currently holds. In this position, Ms. Randall is responsible for all administrative functions in the Engineering Department to include directing incoming phone calls, scheduling appointments, dispatching radio calls, processing records, payroll, and typing correspondence. She also issues permits to contractors performing work for the City and coordinates the work of City inspectors during construction activities. Prior to her employment with the City, Ms. Randall worked as a Customer Service Manager in the private sector for eight years. This experience has helped improve the operation of the Engineering Department and resulted in numerous cost-saving procedures. She is recognized by both employees and citizens for her cheerful and friendly attitude and she is always seeking ways to serve others by her participation in the Employee Relations Committee and other such activities. The great American motivational speaker Earl Nightingale once stated, "Our rewards will always be in exact proportion to our service." This being said, Ms. Randall has had an exceptionally rewarding career with the City of Valdosta as she is a model of customer service

to which all others should strive. For these reasons and many others, the Employee Relations Committee nominated Cindy Randall as Employee of the Month.

APPROVAL OF MINUTES

The minutes of the October 21, 2010 Regular Meeting were approved by unanimous consent (4-0) of the Council.

CITIZENS TO BE HEARD

Dr. Susan Wehling, 2410 Georgia Avenue, thanked Council Payton for attending a presentation on Biomass Plants by Dr. William Sammons from Massachusetts and encouraged Council to attend his upcoming meetings on November 15-16, 2010. Ms. Wehling thanked Councilman Carroll for protecting the trees in her neighborhood from further development. She also thanked Councilman Wright for all his efforts in promoting safe sidewalks in his District. Dr. Wehling stated that she appeared before Council in June to discuss the Biomass Plant and at that time Council did not have very much information and all they were doing was leasing the land. Sterling Planet has not been very sterling in their record of honesty and openness and neither has the Valdosta-Lowndes County Industrial Authority Board. Now that the information is becoming public about what the proposed Biomass Plant will do to the City and the health of the citizens it is very important for the City to reconsider the lease. Many children will be affected by the output from the Biomass Plant. It is unbelievable that we are warned about smoke coming from Clinch County in the newspaper today and yet we are guaranteed that this Biomass Plant is going to burn a ton of wood a minute and it will not go any further than a mile radius. Mayor Fretti stated that the City of Valdosta only agreed to lease two acres for the solar array and the land for the Biomass Plant is in the County. It was rezoned for that eight or nine months ago. Dr. Wehling inquired as to whether the City would be leasing the water from Mud Creek for the Biomass Plant. Mayor Fretti stated that the City has no agreement on the water, leaves and limbs, or biosolids. There are two water issues and the Biomass Plant will need potable water which is an extraterritorial request and the City is waiting on the County's response. Whenever someone outside the City requests water service the City has to get approval from the County because it is their jurisdiction. The City has asked the County for permission and has received a verbal response but not a written response. Dr. Wehling inquired as to whether the City could say no to providing the water. Mayor Fretti stated that was correct. Dr. Wehling stated that she has been trying to determine who in charge of the Industrial Authority Board and learned that the City appoints two members along with a joint appointment with the County. Dr. Wehling stated that she hoped the Industrial Authority Board would be concerned about the health of this community and not just a quick dollar. Ohio is planning a Biomass Plant where they will be getting wood chips from Georgia and Florida. Dr. Sammons is now in Washington, D. C. testifying at the U. S. Environmental Protection Agency about the Biomass Plant and it is important that the City does not make a bad choice and then back peddle later which will cost us a lot of money. Dr. Wehling asked for Council's consideration in looking into the Biomass Plant and the health of the children.

Matthew Richard, P. O. Box 147, Naylor, Georgia, stated that he was concerned about the Biomass Plant. Prior to Dr. Sammons' visit he was under the impression that this was an innocuous project and he was not overly concerned about it. He started to do some research and wanted to provided some information on three items that he felt was pertinent to the community and beyond. First, these Plants could not exist without subsidies. They are subsidized for five years and bankruptcy follows very quickly once the subsidies run out. They are economic boon doggles and are not efficient. Second, they consume a great deal of wood which will drive up the cost of wood and wood scraps. It will also put other companies out of business, such as Langboard because they depend on wood chips. Though you would gain 25 jobs with the Biomass Plant you would be threatening 300 other jobs because the price of wood will go through the roof. Third, there will be global warming. Our forests are our carbon sinks and are vital to the ecology of the planet. The forests absorb all of the CO₂ and the Biomass Plants will gobble up all of our forests and will add tremendously to CO₂ global warming threats. Mr. Richard stated that he was very concerned about the long term issues.

George Boston Rhynes, 5004 Oak Drive, stated that the Georgia flag on the Martin Luther King, Jr. monument was torn in half and needs to be replaced. Also, he was concerned about the At Large position for the City Council. There are people in the community who think John Eunice, Sr. is John Eunice, Jr. and for the benefit

of the voters the State of Georgia or the City needs to specify that these are two different individuals. Otherwise, voters could be misled or deceived. He does not want John Eunice, Sr. to be identified with the John Eunice that was on a certain radio station with the majority of the people but never came to the lesser of the population. It would be in the best interest of the other candidate, Ken Norton, to have an equal chance for this office since there could be some votes given for the son and not intended for the father. Mr. Rhynes also spoke with Deb Cox, Lowndes County Board of Elections, but there was nothing that she could do because she would not want to show favoritism over one candidate.

Tory Small, 4603 Ridgeview Circle, stated that he wanted to discuss the Liquor Ordinance. He and his family own a nightclub located at 2159 Bemiss Road in District 2 as well as Sensations Nightclub at 319 East Hill Avenue. Mayor Fretti inquired as to whether Mr. Small had a case pending with the City or if he had any violations. Mr. Small stated that he had no case pending or any violations but wanted to discuss the time they must stop serving alcohol. The City's Ordinance states that they must stop serving at 2:00 a.m. and the County's Ordinance states they can stop serving at 3:00 a.m. and can stay open until 5:00 a.m. This gives them an unfair advantage because they cannot compete with that and they are losing revenue. Mr. Small stated that in the past two months since the new club opened on Highway 84 his business is down 75% due to the fact that they can serve later and can stay open later. Mr. Small employs over 30 people and at least 10 off duty Police Officers every week. Mayor Fretti stated that he would not want people to leave one establishment to go to another one and be on the road more than once but Council would take this under consideration. Mr. Small stated that is exactly what is happening which leaves more drivers on the road at a later time. The positive thing to that is the revenue it would generate because if he makes more money then he pays more taxes to the City. Without this being addressed it is very difficult to compete with the County. Mayor Fretti recommended that Mr. Small contact his Councilman as well.

Karen Noll, 2305 Glynnedale Drive, stated that she was concerned about the Biomass Plant and the health of her children. The last time she spoke before Council she was not as versed in this issue as she was now through an effort to get information out so the community could make a good decision about this. Ms. Noll stated that she has reviewed the Air Permit and there will be 247 tons a year of sulfur dioxide, nitrogen oxides, and carbon monoxides. These are three tons a year under the limit for the Air Permit which is a Minor Source Permit. With a higher level Permit they would then be required to do best available control technology which they have clearly tried to avoid according to the Permit. Ms. Noll stated that this company is not concerned about the community's respiratory health because these three things are very dangerous. Particulate matter is also involved which is very dangerous to young developing lungs and the elderly. According to the permit, hazardous air pollutants came out all right only when averaged together; however, according to the Environmental Protection Division's calculations, which they had to recalculate because of a miscalculation by the company, the dioxin emissions are higher than expected. Dioxin is a very toxic substance and has no lower limit that is safe. This means that the emissions are higher in toxicity than expected although it passed the Hazardous Air Pollutants according to the EPD. Wiregrass does not show the responsibility for the health of our community and the welfare of our families that a very concerned company would do. The air emissions from the proposed Plant are expected to equal 1,156 tons a year which would make it the largest polluter in our County by double. In one location we are going to have double the amount of air pollution and this location is next to three elementary schools, two head starts, a facility for the elderly, and thousands of residents who will be breathing in that area every day. These numbers show beyond a shadow of a doubt that the proposed Biomass Plant is not a clean source of energy. Our community will have a major pollution source whether they have applied for a Minor Source Permit or not. We do not need it nor do we want it. Ms. Noll stated that she had petitions signed by constituents stating that they do not want this large pollution source in our community because the American Lung Association, the American Cancer Society, and the American Heart Association also find that it is not healthy and they oppose biomass incineration. Ms. Noll inquired as to what steps Council could take to represent their constituents and let them know what they are going to do to help stop this from being a medical disaster.

Dr. Michael Noll, 2305 Glynnedale Drive, stated that there will be two meetings in Valdosta next week with Dr. Bill Sammons. The first meeting will be held on Monday, November 15, 2010 at 4:15 p.m. at Dr. Angela Manning's church, New Life Ministries, and the second meeting will be held on Tuesday, November 16, 2010 at 1:00 p.m. at Valdosta State University's Student Union Theater. Dr. Sammons will discuss the various issues related to the Biomass Plant. Mr. Noll stated that no one in the room, if they had known what they know today,

would go ahead and talk about the Biomass Plant. They now have information available and are trying to educate the public. Mr. Noll invited the Mayor and Council to attend.

Elaine Ward, 920 Lausanne Drive, stated that she was concerned about the property that is being built by the Church of Christ which is adjacent to her property. There have been loud noise levels from the work going on seven days a week. It seems like there has also been an increase in crime in the neighborhood because they have more materials available and they may not have security guards. Ms. Ward stated that she was also concerned about the type of residency. They are catering to senior citizens but she was not sure if that was the case. Mayor Fretti stated that he would meet with the Police Chief to determine if there has been an increase crime in that area.

Gary Minchew, 908 Moss Way, stated that he is currently a member of the Valdosta-Lowndes County Industrial Authority and has applied for a second term. Mr. Minchew stated that he has read about the Biomass Project in the newspaper and he called Ms. Touchton and asked for a meeting with her and Dr. and Ms. Noll to discuss the Project. Mr. Minchew stated that they met today and his proposal was for the Industrial Authority to have one more public meeting with 15 minutes of pros and cons and then hopefully that will be the end of discussion. He had also suggested that they select a spokesperson and the Industrial Authority would have Wiregrass send a representative to explain the project. They agreed and hopefully this will get this off of Council's desk.

PUBLIC HEARINGS

ORDINANCE NO. 2010-32, AN ORDINANCE FOR A CONDITIONAL USE PERMIT TO ALLOW A MAJOR AUTOMOTIVE REPAIR SHOP IN THE URBAN COMMERCIAL CORRIDOR OVERLAY DISTRICT

Consideration of an Ordinance for a Conditional Use Permit to allow a major automotive repair shop in the Urban Commercial Corridor Overlay District (UCCOD) as requested by Kevin Hollis (File No. CU-2010-10). The property is located at 324 North St. Augustine Road. The Planning Commission reviewed this request at their October Regular Meeting and recommended approval with conditions (7-0 vote).

Matt Martin, Interim Planning and Zoning Administrator, stated that Kevin Hollis is requesting a Conditional Use Permit (CUP) to allow a major automotive repair shop in the Urban Commercial Corridor Overlay District (UCCOD). While minor auto repair such as oil changes, alignment, and tire replacement is allowed by right in the UCCOD, major auto repair such as body work, painting, and transmission work is allowed only through obtaining a CUP. The property consists of 0.73 acres and is located at the southwest corner of North St. Augustine Road and Myrtle Avenue which is approximately one quarter of a mile south of the intersection with Lankford Drive. The property is currently vacant and is zoned Highway-Commercial (C-H). The property is located within a Community Activity Center Character Area on the Future Development Map of the Comprehensive Plan. The proposed site plan depicts a single commercial building (4,800 square feet) with four to five large service bays and it will utilize underground storm detention. One-way inbound access is proposed directly from North St. Augustine Road with a two-way driveway onto Maxine Avenue to the south. The driveway from North St. Augustine Road requires a Georgia Department of Transportation (DOT) permit since it is a State highway (Hwy. 133) and this has reportedly already been approved by the (DOT). This portion of North St. Augustine Road between Myrtle Avenue and Maxine Avenue only has approximately 200 feet of total frontage which is split between two parcels. In order to minimize the overall number of access points along this arterial roadway and to help reduce the number of access points that are too close together, it would be a good idea for these two parcels to eventually share one driveway access point along North St. Augustine Road particularly since the existing curb cuts for both of these properties are already very close together. The applicant could provide half of a shared access easement in this location in order to facilitate a possible future shared driveway with the property to the south. In the future when the property to the south is redeveloped, and depending on its future design configuration, it could provide the other half of the easement and install the joint-use driveway. The property to the immediate west is currently zoned R-6 and a 30 foot transitional buffer yard is required. This buffer width can be reduced by up to 10 feet with the approval of an Administrative Variance and the installation of a six foot high opaque fence. The applicant is proposing a 20 foot wide buffer yard along this boundary, and this is supported by Staff due to the irregular shape of the property and to allow a needed small parking area in this portion of the site. There is currently no stormwater management pond depicted on the site plan; however, there appears to be sufficient extra space on the site to satisfy this requirement.

Otherwise, the proposed conceptual layout appears to meet all other applicable development standards. The surrounding land use pattern is a mixture of commercial uses, with many of them being automotive in nature including several automotive repair businesses. With proper conditions of approval, the proposed development would be very compatible with both the existing and proposed future land use pattern along this portion of North St. Augustine Road. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval with the following conditions: (1) Any required fencing associated with the buffer yard shall be located at least five feet from the property line, (2) If the North St. Augustine driveway is approved by the DOT, then such driveway shall be located immediately along the southern property line with a cross-access easement being provided for the adjacent property in order to accommodate a future shared driveway, (3) Conditional Use approval shall expire after five years if construction of the automotive repair facility has not been initiated. The Planning Commission reviewed this at their October 25, 2010 meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to the following conditions (7-0 vote): (1) Any required fencing associated with the buffer yard shall be located at least five feet from the property line, (2) If the North St. Augustine driveway is approved by DOT (which it has reportedly already been approved by the DOT), then such driveway shall be located immediately along the southern property line with a cross-access easement being provided for the adjacent property in order to accommodate a future shared driveway, and (3) Conditional Use approval shall expire after three years if construction of the automotive repair facility has not been initiated.

Kevin Hollis, 3750 Boring Pond Road, spoke in favor of the request. Mr. Hollis stated that the one issue of concern is having a fence five feet off of the rear property line. There would be landscaping on each side of it and the landscaper would have to go around the fence or through the fence if there is a gate to maintain the area. For centuries, fences have typically been placed on or very near the property line for the main reason of having use of all of your property. It is difficult to understand the intent of putting a fence five feet off of the property line. Matt Martin, Interim Planning and Zoning Administrator, stated that a buffer yard is required to be at least 30 feet wide per the regulations but you would be allowed to reduce that by up to ten feet or 50% if you include a six foot high fence. Since the applicant is constrained on the western boundary, they are proposing a 20-foot buffer yard with the fence which is intended to be part of the buffer yard. The Regulations require the fence to be on the side of the buffer where the most intensive use is and in this case that would be the applicant's side. Staff's view is that the fence is intended to augment the buffer and therefore within the buffer would be fine. This is something that the applicant could also discuss with the neighboring property owner to see which would be preferably as far as the fence location. This is not a condition that Staff feels strongly about but rather they were trying to read into the intent of the regulations. Mayor Fretti stated that if the applicant speaks to the neighbor and the neighbor agrees that they would not be harmed if the fence was placed on the property line they could do that. Matt Martin stated that many times a neighbor objects to a fence being placed along the property line that they have no say so over; therefore, the intent of putting it within the buffer is that part of the vegetation buffers the fence. The fence could be all on the property line but the intent is to have some type of vegetation on the other side or place the fence completely on the interior side. There are different schools of thought on how to orchestrate a buffer yard and this was an attempt to split it in middle which is difficult. Kevin Hollis stated that by legal right if this fence was not required to be a condition of what they are using it for then as a property owner he would still have the right to put that fence near the property line. Mayor Fretti stated that this could be put into a motion to change it to a suggestion and remove something. Matt Martin stated that one thing they could do would be that as part of the landscaping plan, the applicant could work out the details of the buffer yard with the City Arborist. The Arborist will have to review the fence and how it is compatible with the vegetation that is being proposed. Kevin Hollis stated that the issue that he had was if the landscaping is required on both sides of the fence. You have an adjacent property owner that will be seeing people coming into the yard to work on that strip. George Talley, City Attorney, inquired as to whether it would be compatible if the Arborist said it would be fine to move it 6-12 inches off the line if the landscaping was done so that as it grew it would blend in. Matt Martin stated that if the Arborist approves that as part of the approved landscape plan for the property then Staff would go along with that. Councilman Payton inquired as to whether there was any discussion among the Planning Commission members about this issue. Matt Martin stated that the fence was not discussed at the Planning Commission Meeting.

No one spoke in opposition to the request.

A MOTION by Councilman Payton, seconded by Councilman Carroll, was unanimously adopted (4-0) to enact Ordinance No. 2010-32, an Ordinance for a Conditional Use Permit to allow a major automotive repair shop

in the Urban Commercial Corridor Overlay District (UCCOD) as requested by Kevin Hollis with the following conditions and a modification on Condition (1): (1) Allow the property owner, Mr. Hollis, to have the fence within a foot of his property line and the landscaping be approved by the City Arborist, (2) If the North St. Augustine driveway is approved by DOT (which it has reportedly already been approved by the DOT), then such driveway shall be located immediately along the southern property line with a cross-access easement being provided for the adjacent property in order to accommodate a future shared driveway, and (3) Conditional Use approval shall expire after three years if construction of the automotive repair facility has not been initiated, the complete text of which will be found in Ordinance Book XII.

ORDINANCE NO. 2010-33, AN ORDINANCE FOR A CONDITIONAL USE PERMIT TO ALLOW EXPANSION OF A CHURCH IN A SINGLE-FAMILY RESIDENTIAL (R-6) ZONING DISTRICT

Consideration of an Ordinance for a Conditional Use Permit to allow expansion of a church in a Single-Family Residential (R-6) Zoning District as requested by Woodlawn Forrest Church (File No. CU-2010-12). The property is located at 1515 North Forrest Street. The Planning Commission reviewed this request at their October Regular Meeting and recommended approval with conditions (7-0 vote).

Matt Martin, Interim Planning and Zoning Administrator, stated that Woodlawn Forrest Church of Christ is requesting a Conditional Use Permit (CUP) to allow expansion of a church in a Single-Family Residential (R-6) Zoning District. The applicant did receive approval for a Special Exception in 1998; however, that was for a limited site plan and they now have a more developed master plan. The property consists of 12.32 acres and is located along the east side of the road approximately one-half mile south of East Park Avenue. The property currently contains an existing church facility as well as some vacant acreage and is located within a Neighborhood Activity Center Character Area on the Future Development Map of the Comprehensive Plan. The church is proposing an expansion of its existing facility which triggers the need for the Conditional Use Permit (CUP) approval. The master plan depicts the existing Worship Center (12,000 square feet), a new activity center (17,000 square feet), a future gym/activity center (25,000 square feet), as well as recreation fields to the rear of the site. It also depicts the Woodlawn Terrace Apartments site which is owned by the church and is currently being developed. Given that the church is already established, the surrounding mixed-residential development pattern with some other institutional uses nearby, and its location along North Forrest Street which is a minor arterial, this is a very good location for a church. The proposed master plan and the property's abundant size demonstrates there is plenty of room for the proposed buildings and all of the parking, drainage facilities, and open space. The site is large enough to accommodate an even larger facility with still minimal impacts; however, a larger facility should demonstrate care by not developing too close to the adjacent single-family homes to the north. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria and recommended approval with the following conditions: (1) Approval shall be for a church facility with related accessory uses in accordance with the general layout of the submitted site plan, plus room for future expansions in the areas indicated. Buildings shall not cumulatively exceed 75,000 square feet. Any expansions beyond this point shall require re-approval by the City. (2) Maintain minimum 15' undisturbed landscaped buffer along the northern property line adjacent to single-family residential development. (3) Maintain secondary access pathway (ingress/egress easement) for the adjacent Woodlawn Terrace Apts. The Planning Commission reviewed this at their October 25, 2010 meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval with the following conditions (7-0 vote): (1) Approval shall be for a church facility with related accessory uses in accordance with the general layout of the submitted site plan, plus room for future expansions in the areas indicated. Buildings shall not cumulatively exceed 75,000 square feet. Any expansions beyond this point shall require re-approval by the City. (2) Maintain minimum 15' undisturbed landscaped buffer along the northern property line adjacent to single-family residential development. (3) Maintain secondary access pathway (ingress/egress easement) for the adjacent Woodlawn Terrace Apts. Councilman Wright stated that Ms. Ward had spoken about this during the Citizens to be Heard portion of the Council Meeting but she mistakenly referenced the Church of Christ. Matt Martin stated that Ms. Ward was talking about the apartment complex located on the south side which is currently under construction. Councilman Wright inquired as to whether the Conditional Use Permits follow the same procedure in that the residents are notified about the conditional use. Matt Martin stated that a sign is posted on the property, it is advertised in the newspaper, and a certified letter is sent to each surrounding property owner. In this case there is the church property, the apartments, and Ms. Ward's neighborhood. Notifications would not have been sent to her neighborhood since it does not abut

the church portion of the development. The neighborhoods on the northern and eastern sides do abut this property and they were notified.

Leroy Butler, Jr., Pastor of Woodlawn Forrest Church of Christ, 4131 Quail Run Circle, spoke in favor of the request. Pastor Butler stated that they would like to expand the parking lot and proceed with the expansion of the church and asked Council's consideration in approving the Conditional Use Permit. Councilman Wright inquired as to whether the construction crews were working late at night. Pastor Butler stated that he was not personally handling the construction management or the issues concerning the work schedule. The Ambling Company and Woodlawn Terrace, LLC are the actual partners that are managing the project. Pastor Butler stated that he would be glad to contact them about any concerns. Councilman Payton inquired about the clientele that the apartment complex would be catering to. Pastor Butler stated that they had a public hearing prior to the construction and received final approval through the City and other agencies before going forward with the project. The apartments will be for low income senior housing and this is a tax credit project so the funds are conditional on this being a low income senior housing apartment complex.

No one spoke in opposition to the request.

A MOTION by Councilman Wright, seconded by Councilman Carroll, was unanimously adopted (4-0) to approve the request as presented and enact Ordinance No. 2010-33, an Ordinance for a Conditional Use Permit to allow expansion of a church in a Single-Family Residential (R-6) Zoning District as requested by Woodlawn Forrest Church with the following conditions: (1) Approval shall be for a church facility with related accessory uses in accordance with the general layout of the submitted site plan, plus room for future expansions in the areas indicate, the buildings shall not cumulatively exceed 75,000 square feet, and any expansions beyond this point shall require re-approval by the City, (2) Maintain minimum 15' undisturbed landscaped buffer along the northern property line adjacent to single-family residential development, and (3) Maintain secondary access pathway (ingress/egress easement) for the adjacent Woodlawn Terrace Apartments, the complete text of which will be found in Ordinance Book XII.

RESOLUTION NO. 2010-16, A RESOLUTION TO AMEND THE COMPREHENSIVE PLAN'S FUTURE DEVELOPMENT MAP

Consideration of a Resolution to amend the Comprehensive Plan's Future Development Map as requested by the City of Valdosta (File No. VA-2010-14). The Planning Commission reviewed this request at their September 27, 2010 Regular Meeting and recommended tabling for one month with re-advertisement (10-0 vote) and reviewed this at their October 25, 2010 Regular Meeting and recommended approval of the proposed changes with minor modifications (7-0 vote). Mayor/Council tabled the request at the October 7, 2010 Regular Meeting for one month with re-advertisement.

Matt Martin, Interim Planning and Zoning Administrator, stated that in February, 2010 the City Council amended the Character Area boundaries in several areas on the Comprehensive Plan's Future Development Map. This map is very important in that it sets the overall policy for land use patterns within the City, and by law, we look at the possibility of amending this twice per year. Since the last set of Map amendments in February, Staff has identified several more areas that need examination and possible amendment; however, this is not a process that should be rushed and both Staff and the Planning Commission requested one additional month for further review and discussion, and also to allow direct input from the City's elected officials in preparing the final draft changes. Mayor and Council approved the request to table the Agenda Item for one month with re-advertisement at the October 7, 2010 Regular Meeting. Matt Martin stated that there are a series of 16 maps that constitute the amendments and there was a minor change made to Map 8. There was also a change to one of the pages in the Summary Chart. Many of the proposed changes include the cleaning up of the Character Area boundaries to more closely align with property or zoning district boundaries. Other proposed changes result from the re-evaluation of street corridors and neighborhood areas in terms of their planned future development patterns, and reflect an effort to transition areas of the City into a more "nodal" rather than "strip development" land use pattern. Less emphasis was given to the perimeter areas of the City where many of the Character Areas overlap across the City Limits into the unincorporated County. More substantial updates to the Comprehensive Plan are being planned for next calendar year. A more thorough review of all Greater Lowndes' Character Areas will be made at that time, and such changes to the Character Areas near jurisdictional boundaries will be coordinated among all of Greater

Lowndes' governments. Staff reviewed the proposed changes and recommended approval. The Planning Commission reviewed this at their October 25, 2010 meeting, finalized the proposed changes with minor modifications, found them consistent with the Comprehensive Plan, and recommended approval (7-0 vote).

No one spoke in favor of the request.

No one spoke in opposition to the request.

A MOTION was made by Councilman Carroll to approve the Resolution to amend the Comprehensive Plan's Future Development Map as noted at the Work Session and presented to Council tonight. Councilman Payton seconded the motion. Councilman Wright thanked Matt Martin for meeting with him to review his District Map which helped him to have a better understanding. The motion was unanimously adopted (4-0) to enact Resolution No. 2010-16, the complete text of which will be found in Resolution Book V.

ORDINANCE NO. 2010-34, AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS

Consideration of an Ordinance to rezone 2.35 acres from Wholesale/Light Industrial (M-1) to Highway-Commercial (C-H) to accommodate a church as requested by Kevin Hollis (File No. VA-2010-16). The property is located at 603 West Savannah Avenue. The Planning Commission reviewed this request at their October Regular Meeting and recommended approval (7-0 vote).

Matt Martin, Interim Planning and Zoning Administrator, stated that Kevin Hollis is requesting to rezone 2.35 acres from Wholesale/Light Industrial (M-1) to Highway Commercial (C-H). The property is located at 603 West Savannah Avenue along the south side of the road between the railroad crossings of CSX and Norfolk-Southern. The property contains an existing commercial building and the applicant is proposing to develop the property for a church, which is not allowed in the existing M-1 zoning. The property is located within an Industrial Activity Center Character Area on the Future Development Map of the Comprehensive Plan and is also located just outside the City's local Historic District which is north of West Savannah Avenue. The applicant is proposing to convert the existing building (3,400 square feet) into a church facility and redevelop the site to include a paved parking lot in front with 20 spaces and an overflow parking in the rear with approximately 29 spaces on asphalt millings. This gives a potential total of 49 parking spaces. With the largest assembly room of the church consisting of approximately 1,500 square feet, the church will be required to have at least 15 parking spaces which are easily accommodated on site; however, the design and materials of the proposed overflow parking will need special approval from the City Engineer. Pending that outcome, the site may need to provide additional stormwater detention and may need to obtain a variance for having too much parking (more than 125% of the minimum requirement). Given the size of the property, there is plenty of room and flexibility in which to accommodate all of the development requirements, and any remaining issues with these will be resolved as part of the permitting process. Although the property is surrounded by M-1 zoning on three sides, many of the industrial uses in this area have ceased operations. There has been a slow trend of properties along this portion of West Savannah Avenue (east of the Norfolk-Southern tracks) converting to government offices and non-industrial uses over the past few decades. There is even an existing church already located on West Savannah Avenue approximately 250 feet to the east. The applicant is proposing to down-zone the property to C-H, which is the same as what already exists on property to the north, and this zoning classification is allowable in the Industrial Activity Center Character Area. Staff found the request consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommended approval. The Planning Commission reviewed this at their October 25, 2010 meeting, found it consistent with the Comprehensive Plan and the SFEZP, and recommended approval (7-0 vote).

Kevin Hollis, 3750 Boring Pond Road, spoke in favor of the request. Mr. Hollis thanked Matt Martin and his Staff for their approach in assisting him with the request.

No one spoke in opposition to the request.

A MOTION by Councilman Carroll, seconded by Councilman Wright, was unanimously adopted (4-0) to enact Ordinance No. 2010-34, an Ordinance to rezone 2.35 acres from Wholesale/Light Industrial (M-1) to

Highway-Commercial (C-H) to accommodate a church as requested by Kevin Hollis, the complete text of which will be found in Ordinance Book XII.

REQUESTS TO REZONE AND ANNEX PROPERTY AND ISSUE A CONDITIONAL USE PERMIT POSTPONED

Consideration of Ordinances to rezone 3.8 acres from Single-Family Residential (R-10) County and Wholesale/Light Industrial (M-1) City to Highway-Commercial (C-H) City, annex 1.8 acres, and issue a Conditional Use Permit to allow a mini-warehouse in a C-H Zoning District for property located at 1406 and 1408 ½ Madison Highway as requested by Bart Butler (File Nos. VA-2010-17, VA-2010-18, and CU-2010-11). The Planning Commission reviewed this request at their October Regular Meeting and recommended approval (7-0 vote).

Mayor Fretti stated that the applicant has asked for a postponement of the requests to rezone 3.8 acres from Single-Family Residential (R-10) County and Wholesale/Light Industrial (M-1) City to Highway-Commercial (C-H) City, annex 1.8 acres, and issuance of a Conditional Use Permit to allow a mini-warehouse in a C-H Zoning District for property located at 1406 and 1408 ½ Madison Highway.

Mayor Fretti entertained a motion to postpone.

A **MOTION** was made by Councilman Payton to postpone Agenda Items 5(e), 5(f), and 5(g) to rezone 3.8 acres from Single-Family Residential (R-10) County and Wholesale/Light Industrial (M-1) City to Highway-Commercial (C-H) City, annex 1.8 acres, and issuance of a Conditional Use Permit to allow a mini-warehouse in a C-H Zoning District for property located at 1406 and 1408 ½ Madison Highway as requested by Bart Butler until the December 9, 2010 regular Council Meeting. Councilman Carroll seconded the motion. Councilman Wright inquired as to why the applicant asked for the postponement. Mayor Fretti stated that the applicant requested the postponement due to the violation in clear cutting trees on the property. They will now have to appear in Municipal Court and they would rather take care of the violation prior to appearing before Council for the rezoning, annexation, and Conditional Use Permit. The motion was unanimously adopted (4-0).

ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 2010-17, A RESOLUTION OF SUPPORT FOR THE VALDOSTA CITY SCHOOL BOARD TO FILE AN APPLICATION FOR GRANT FUNDS WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION'S SAFE ROUTES TO SCHOOL PROGRAM TO FUND SIDEWALKS, BICYCLE LANES, AND BICYCLE FACILITIES TO J. L. NEWBERN MIDDLE SCHOOL

Consideration of a Resolution of Support for the Valdosta City School Board to file an application for grant funds with the Georgia Department of Transportation's Safe Routes to School Program to fund sidewalks, bicycle lanes, and bicycle facilities to J. L. Newbern Middle School.

Kevin Tolliver, Interim City Engineer, stated that the Georgia Department of Transportation is authorized to make grants to state, regional, local, county and city governments, and school districts for the purpose of making bicycling and walking to school safe and routine through providing funds and services for infrastructure improvements, and education, encouragement, and enforcement activities. The City of Valdosta has been asked to support the Valdosta City School Board's application to the Georgia Department of Transportation for their Safe Routes to School grant application seeking up to \$280,000 in funding to provide sidewalks, bicycle lanes, and bicycle facilities to J. L. Newbern Middle School with no required matching funds. The sidewalk would run from J. L. Newbern Middle School on the north side of Park Avenue all the way to Forrest Street. Kevin Tolliver recommended that Council approve the request to approve a Resolution of Support for the Valdosta City School Board to file an application for grant funds with the Georgia Department of Transportation's Safe Routes to School Program.

A **MOTION** by Councilman Payton, seconded by Councilman Wright, was unanimously adopted (4-0) to enact Resolution No. 2010-17, a Resolution of Support for the Valdosta City School Board to file an application for grant funds with the Georgia Department of Transportation's Safe Routes to School Program to fund sidewalks,

bicycle lanes, and bicycle facilities to J. L. Newbern Middle School, the complete text of which will be found in Resolution Book V.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of Amendment No. 2 to the Camp Dresser & McKee, Inc. (CDM) Agreement for remediation or redevelopment of the City of Valdosta's Water Treatment Plant Well No. 4.

Henry Hicks, Utilities Director, stated that the well field at the City of Valdosta's Water Treatment Plant has slowly started to encounter water quality issues associated with surface water intrusion. As a result, Well No. 3 was recently abandoned as directed by Georgia Environmental Protection Division (EPD). As part of the agreement to abandon Well No. 3, the Georgia EPD authorized the City to attempt remediation or to redevelop three other wells (4, 6, and 7) also showing the influence of surface water versus their abandonment. Well No. 4 has the highest level on surface water influence and can be covered under Phase I of the 2006 GEFA Loan. The current Camp Dresser & McKee, Inc. (CDM) contract will need to be amended to include the remediation or rehabilitation of Well No. 4. It is necessary to rehabilitate three existing wells in the City of Valdosta's well field. This well field has slowly come under the influence of surface water most likely due to karst (solution) features that serve as conduit pathways. Well No. 3 has been abandoned and plugged in an effort to stop surface water intrusion through a large solution feature in the well from contaminating the remainder of the well field. Wells 4, 6, and 7 show indications of surface water influence. The proposed scope of work would be to redevelop and rehabilitate the wells starting with Well No. 4. Rehabilitation would include assessment of the well condition with geophysical and video logging in order to determine the depth for new well casing to be installed. Also, the well will be disinfected and redeveloped after reconstruction in an attempt to clean out any former source water. If the well cannot be remediated, it will be abandoned and later replaced at another location. Upon completion of rehabilitation or abandonment of Well No. 4, remediation or abandonment of Wells 6 and 7 will follow in succession. The work for remediation/rehabilitation of Well No. 4 is funded through a Georgia Environmental Facilities Authority (GEFA) Loan administered through the Georgia EPD. This amends CDM's contract for bidding and construction services by \$103,140. It is the intent that CDM and the successful contractor's bids will be amended to include the work of Wells 6 and 7 at a later date and the work would be funded similarly through Phase II of the GEFA Loan. Henry Hicks recommended that Council authorize Amendment No. 2 in the amount of \$103,140 for CDM to perform the bidding and construction services for the Well No. 4 remediation/rehabilitation project. This work will be paid for by GEFA under the Phase I loan. Mayor Fretti inquired as to whether Well No. 3 is currently not operating. Henry Hicks stated that it was taken off line in 2002 and last year they plugged it and removed the pump casing. Mayor Fretti inquired as to whether another location has been found to add an additional well. Henry Hicks stated that they have not found another location at this time and they can meet capacity right now with the remaining wells.

A MOTION by Councilman Carroll, seconded by Councilman Wright, was unanimously adopted (4-0) to authorize Amendment No. 2 to the existing contract with CDM to perform the bidding and construction services for the Well No. 4 remediation/rehabilitation project in the amount of \$103,140.

Consideration of Amendment No. 1 to the Camp Dresser & McKee, Inc. (CDM) Agreement for pump station upgrades.

Henry Hicks, Utilities Director, stated that the majority of the existing sewer pump stations is approaching 30 years in service and has deteriorated to the point where major upgrades are necessary. Pump and motor parts are extremely difficult to find and typically require fabrication or rebuilding. Electric control systems are obsolete and in need of constant repair. Ponderosa and Big Country Club pump stations were severely damaged during the flood in April, 2009 and funding for their replacement was requested from the Federal Emergency Management Agency (FEMA). To date, FEMA has only approved \$23,000 for Ponderosa and \$53,000 for Big Country Club pump stations repairs. This combined total is approximately half of the upgrade cost of a single pump station; however, the upgrade costs of these two pump stations, as well as Mack Drive and Eastwind, can be funded under the 2006 Georgia Environmental Facilities Authority (GEFA) Loan. This loan was split into two phases last year in order to retain funding. Projects covered under the Phase 1 portion of the 2006 loan are expected to be completed by February, 2011 thus freeing up funds for Phase 2 projects. Due to the condition of Mack Drive and Eastwind pump stations, all four stations require immediate upgrade. By bidding a combination of pump stations for upgrade at one

time, better pricing should be realized versus one or two at a time. The City of Valdosta has also applied for Federal grant funding to replace an additional 10 pump stations. Grant funding for these appears to be very promising. The current contract with Camp Dresser & McKee, Inc. (CDM) will need to be amended for the Ponderosa and Big Country pump stations to include bidding and engineering services during construction. The design is complete and includes the upgrades of four pump stations within the City (Ponderosa, Big Country Club, Eastwind, and Mack Drive). The pump stations will include submersible pumps and will remote monitoring and control. The construction phase of the project is funded through a GEFA loan administered through the Georgia Environmental Protection Division (EPD). The work will be advertised for bid on November 5, 2010 and the expected Notice to Proceed is January, 2011 with total construction duration of 12 months. This amends CDM's contract for bidding and construction services for all four pump stations by \$86,728. Henry Hicks recommended that Council approve Amendment No. 1 to the current CDM contract in the amount of \$86,728 for CDM to perform the bidding and construction services for the pump station improvements. This work will be paid for by GEFA under the Phase II portion of the 2006 loan.

A MOTION by Councilman Wright, seconded by Councilman Carroll, was unanimously adopted (4-0) to authorize Amendment No. 1 to the current CDM contract in the amount of \$86,728 for CDM to perform the bidding and construction services for the pump station upgrades.

Consideration of Amendments and Change Orders to the Camp Dresser & McKee, Inc. (CDM) Agreement for the Mud Creek Water Pollution Control Plant Biosolids Project.

Henry Hicks, Utilities Director, stated that in 2008, Camp Dresser & McKee, Inc. (CDM) was contracted by the City of Valdosta to perform a comprehensive review of solids handling and treatment processes at both the Withlacoochee and Mud Creek Water Wastewater Treatment Plants and to make a recommendation for an alternative for future disposal. In 2009, CDM presented a Biosolids Management Master Plan which recommended thermal drying at the Mud Creek Facility. To prepare for the future possibility of thermal drying, a dewatering process would need to be implemented as an initial step. In subsequent meetings with Utilities Staff during 2009, the belt filter press dewatering process was selected as the best fit. The expansion of the Mud Creek Wastewater Treatment Plant is currently underway, but the biosolids handling and outfall portion of this project was not included in that scope due to the fact that work needed to be started immediately to meet American Recovery & Reinvestment Act (ARRA) funding requirements. The combination of a Georgia Environmental Facilities Authority (GEFA) loan and ARRA funding for this project ensures that there are adequate funds available to cover the costs associated with the dewatering process and new outfall design and construction work. In order to complete the total expansion project, it is necessary to amend the current CDM contract for the Mud Creek Water Pollution Control Plant (WPCP) Upgrade and Expansion Project to include construction, bidding, and engineering services during construction of the outfall and dewatering facility improvements. This is the final component of the work to complete the upgrade and expansion of the Mud Creek WPCP from 3.2 mgd to 5.27 mgd and it includes a new 36-inch outfall pipe, dewatering facility, and modifications to the existing sludge holding tank. This work is completely funded through a State Revolving Fund (SRF) fund loan administered through the Georgia Environmental Protection Division (EPD). The loan has already been approved is currently being administered for the liquid treatment portion of the work on-going. The work will run concurrently with the ongoing construction and will be completed by February, 2012. This amends CDM's Construction Manager at Risk (CMAR) construction contract in the amount of \$5,173,180 and their engineering services during construction in the amount of \$455,000. The Guaranteed Maximum Price (GMP) for construction of the biosolids handling facility is \$4,796,545 and \$1,288,641 for construction of the new effluent outfall. To summarize funding, the total loan for this upgrade and expansion project was \$45,000,000 (\$35,000,000 through GEFA and \$10,000,000 in Federal ARRA Funding). Of this total, \$34,900,000 has been allocated for construction and engineering services of the new liquids treatment processes. Of the remaining \$10,100,000 in funding available, \$5,628,180 is allocated for both construction and engineering services for the biosolids and outfall portions. Henry Hicks recommended that Council approve Amendment No. 1 to the CDM contact for the biosolids portion and Amendment No. 2 for the outfall portion for engineering services in the amount of \$455,000 as well as Change Order No. 1 in the amount of \$3,939,539 for construction of the biosolids facility and Change Order No. 2 for the construction of the new outfall in the amount of \$1,233,641 at the Mud Creek Wastewater Treatment Plant.

A MOTION by Councilman Payton, seconded by Councilman Carroll, was unanimously adopted (4-0) to approve Amendment No. 1 to the CDM contact for the biosolids portion and Amendment No. 2 for the outfall

portion for engineering services in the amount of \$455,000 as well as Change Order No. 1 in the amount of \$3,939,539 for construction of the biosolids facility and Change Order No. 2 for the construction of the new outfall in the amount of \$1,233,641 at the Mud Creek Wastewater Treatment Plant.

Consideration of a request to approve a Project Development Agreement between the City of Valdosta, Veolia ES Evergreen Landfill, Inc., and Deep South Regional Municipal Solid Waste Management Authority.

George Talley, City Attorney, stated that Veolia currently holds a permit from the Environmental Protection Division for the development and operation of the Evergreen Landfill which is currently under construction for commencement and operation and receipt of waste. Veolia proposed to include the City's closed Landfill property into the design and permit proposals for the new Evergreen Landfill and the City has agreed. Upon receipt of all necessary governmental permits, approvals, and authorizations, Veolia would acquire the title to the City Landfill and would assume all obligations under applicable laws and regulations for any prospective post-closure and corrective action at the City Landfill. There presently exists between Veolia and the Deep South Solid Waste Management Authority Disposal Fee Agreements and Veolia has agreed to provide disposal services at the Evergreen Landfill for the disposal of non-hazardous solid waste generated by Authority members and their citizens at disposal rates set forth in the Disposal Fee Agreement. Veolia and the Authority are also parties to a Royalty Agreement which provides for payment by Veolia to the Authority for the benefit of its members of certain royalties on solid waste disposed on the Evergreen Landfill property. On February 11, 2010, Council approved a Letter of Understanding (LOU) between Veolia ES Evergreen Landfill, the City of Valdosta, and the Deep South Solid Waste Management Authority regarding the reconfiguration/ expansion of the Veolia Evergreen Landfill and the proposed inclusion of the City's Wetherington Lane Landfill site. Council also approved an Easement Agreement which will be deeded to Veolia following completion of several requirements, including relocation of the current footprint of the new Evergreen Landfill, and adding capacity that will serve the members of the Deep South Authority, including Valdosta and Lowndes County, for approximately 50 years of disposal. The proposed Project Development Agreement will make the terms of the LOU binding on the parties for purposes of this project and specifically for inclusion in the project of the closed City Landfill and the property containing it. George Talley recommended that Council approve the Project Development Agreement.

A MOTION by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (4-0) to approve a Project Development Agreement between the City of Valdosta, Veolia ES Evergreen Landfill, Inc., and Deep South Regional Municipal Solid Waste Management Authority.

RESOLUTION NO. 2010-18, A RESOLUTION FOR ACCEPTANCE AND EXECUTION OF THE FEDERAL AVIATION ADMINISTRATION'S GRANT AGREEMENT FOR PHASE II OF THE AIRFIELD DRAINAGE IMPROVEMENTS AT THE AIRPORT

Consideration of a Resolution for acceptance and execution of the Federal Aviation Administration's Grant Agreement for Phase II of the airfield drainage improvements at the Airport (Project Number AIP-27).

Mark Barber, Deputy City Manager of Administration, stated that the design work for the Valdosta Regional Airport's airfield drainage project has been completed and the Federal Aviation Administration (FAA) has participating funds for airfield drainage improvements. This Airport Project (Project Number AIP-27) is Phase II of a two part project. The original Grant Application was filed with the FAA on March 3, 2010 and Phase I of this Grant was awarded in April, 2010. Phase II of this Grant will enable the Airport to complete the entire Project which will specifically address mid-field drainage improvements at the Airport. Mayor and Council approved the request to approve the FAA Grant Agreement at the August 18, 2010 regular Council Meeting. A Resolution authorizing, adopting, approving, and accepting and ratifying the execution of the Grant Agreement was inadvertently omitted. Mark Barber recommended that Council approve the Resolution for acceptance and execution of the Federal Aviation Administration's Grant Agreement for Phase II of the airfield drainage improvements at the Airport.

A MOTION by Councilman Payton, seconded by Councilman Wright, was unanimously adopted (4-0) to enact Resolution No. 2010-18, a Resolution for acceptance and execution of the Federal Aviation Administration's Grant Agreement for Phase II of the airfield drainage improvements at the Airport, the complete text of which will be found in Resolution Book V.

RESOLUTION NO. 2010-19, A RESOLUTION FOR APPROVAL AND ACCEPTANCE OF A CONTRACT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR AIRFIELD DRAINAGE IMPROVEMENTS

11/11/10 CONTINUED

Consideration of a request from the Valdosta-Lowndes County Airport Authority to approve and accept a contract with the Georgia Department of Transportation for Phase II of the Airfield Drainage Improvements Project [Project No. AP011-9000-25(185)].

Mark Barber, Deputy City Manager of Administration, stated that the design work for the Valdosta Regional Airport's Airfield Drainage Project has been completed and this contract is for the Georgia Department of Transportation's participating funds for airfield drainage improvements. This Airport Project is Phase II of a two part project. The original Grant Application was filed with the FAA on March 3, 2010 and Phase I of this Grant was awarded in April, 2010. Phase II of this Project will enable the Airport Authority to complete the entire project which will specifically address mid-field drainage improvements at the Airport. Mayor and Council previously approved the FAA Grant Agreement for Phase II at the August 18, 2010 regular Council Meeting. The Georgia Department of Transportation (DOT) has submitted a contract for their portion of the Project for approval by Mayor and Council. A Resolution authorizing, adopting, approving, accepting, and ratifying the DOT's portion of Phase II of the Airfield Drainage Project will also need to be adopted. Mark Barber recommended that Council approve the contract with the DOT for Phase II of the Airfield Drainage Project along with the Resolution.

A MOTION by Councilman Payton, seconded by Councilman Carroll, was unanimously adopted (4-0) to approve the contract with the Georgia Department of Transportation and to enact Resolution No. 2010-19, a Resolution for acceptance and execution of the DOT contract for Phase II of the airfield drainage improvements at the Airport, the complete text of which will be found in Resolution Book V.

LOCAL FUNDING AND REQUESTS

Consideration of a request to accept a Deed for property located at 722 East Alley Street from Habitat for Humanity.

Henry Hicks, Utilities Director, stated that the property located at 722 East Alley Street is property that is immediately west of the existing Utilities Department. It has been the desire of the City for some time to acquire this property in order to have additional property for expansion of the Utilities Department and Public Works Department facilities as needed in the future. Habitat for Humanity executed an option to purchase the property at 722 East Alley Street at a cost of \$27,600. Due to the cost of new infrastructure needed on the property to support new housing, Habitat approached the City about a property exchange. Habitat proposed to deed the subject property to the City in exchange for the following: (1) deeding of property owned by the Valdosta-Lowndes County Land Bank Authority at the corner of Webster and Troup to Habitat for Humanity in order to continue to construct new homes across the street from three existing Habitat homes, which has a value of \$8,040, and (2) providing additional properties to Habitat for the construction of new homes in the amount of \$19,560 either through property donations or acquisition on behalf of Habitat. The Valdosta-Lowndes County Land Bank Authority voted at their meeting on October 14, 2010 to deed the property at the corner of Webster and Troup to Habitat for Humanity. Staff now continues to work with Habitat to acquire the remaining value of property. Henry Hicks recommended that Council approve the request to accept the deed to 722 East Alley Street from Habitat for Humanity.

A MOTION by Councilman Wright, seconded by Councilman Payton, was unanimously adopted (4-0) to accept a Deed for property located at 722 East Alley Street from Habitat for Humanity.

Consideration of a request to approve the Master Stormwater Management Plan.

Kevin Tolliver, Interim City Engineer, stated that the City has experienced growth in the last 25 years that has required re-evaluation of its stormwater infrastructure in earnest. The City developed a Master Stormwater Management Plan in 1996. That report includes a list of known stormwater deficiencies for each of its major tributary areas. In addition, the City initiated a study of the Two Mile Branch basin in 2007 to assess the condition of the area in terms of fecal coliform contamination. In 2006, the City implemented a stormwater utility which assessed its citizens at pre-determined rates to fund stormwater infrastructure maintenance and repair. Recent

storms, such as the April, 2009 storm, have caused incidents of localized flooding and the inundation or failure of some stormwater systems. The City retained Camp Dresser & McKee, Inc. (CDM) to produce a Master Stormwater Management Plan. As part of that effort, CDM assembled a Committee composed of interested stakeholders in the community. That Committee determined a policy for the acceptable levels of service for its stormwater infrastructure. The Committee reported to Council in June, 2010. This presentation is the culmination of the efforts of CDM, except for the Knight's Creek Basin, which Council will decide to authorize at a later date. This effort gives recommended stormwater projects to take to the detailed design phase based on a scoring system determined in conjunction with City staff. Kevin Tolliver recommended that Council approve the Stormwater Management Plan.

A **MOTION** by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (4-0) to approve the Master Stormwater Management Plan.

BOARDS, COMMISSIONS, AUTHORITIES, AND ADVISORY COMMITTEES

Consideration of appointments to the Central Valdosta Development Authority Downtown Development Authority.

Mark Barber, Deputy City Manager of Administration, stated that the Central Valdosta Development Authority/Downtown Development Authority has three members, Joanne Griner, Howard Dasher, III, and Dr. Amanda Brown, whose terms will expire on December 31, 2010. These appointments were advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. Mr. Dasher and Dr. Brown have both expressed an interest in being reappointed. Ms. Griner does not wish to be reappointed and her position will be re-advertised for an appointment in February, 2011. Mayor Fretti stated that the seat would remain unoccupied or Ms. Griner may continue to serve until someone is appointed. The applicants for Council's consideration in no order of preference are as follows: (1) Dr. Amanda Brown – Retired, and (2) Howard Dasher, III - Attorney, David M. Wolfson, P.C.

Mayor Fretti asked for nominations for Position #1. Councilman Carroll placed in consideration the name of Dr. Amanda Brown. There being no other nominations, Mayor Fretti closed nominations. Dr. Amanda Brown was reappointed by acclamation to serve a term of two years on the Central Valdosta Development Authority/Downtown Development Authority.

Mayor Fretti asked for nominations for Position #2. Councilman Carroll placed in consideration the name of Howard Dasher, III. There being no other nominations, Mayor Fretti closed nominations. Howard Dasher, III was reappointed by acclamation to serve a term of two years on the Central Valdosta Development Authority/Downtown Development Authority.

Consideration of an appointment to the Lowndes County Board of Health.

Mark Barber, Deputy City Manager of Administration, stated that the Lowndes County Board of Health has a member, Dr. Mary Margaret Richardson, whose term will expire on December 31, 2010. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. Dr. Richardson has expressed an interest in being reappointed to the Lowndes County Board of Health and was the only applicant who submitted an application for consideration.

Mayor Fretti asked for nominations. Councilman Payton placed in consideration the name of Dr. Mary Margaret Richardson. There being no other nominations, Mayor Fretti closed nominations. Dr. Mary Margaret Richardson was reappointed by acclamation to serve a term of six years on the Lowndes County Board of Health.

Consideration of an appointment to the Valdosta-Lowndes Co. Industrial Authority.

Mark Barber, Deputy City Manager of Administration, stated that the Valdosta-Lowndes County Industrial Authority has a member, Gary Minchew, whose term will expire on January 1, 2011. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. Mr. Minchew has expressed an interest in being reappointed to the Industrial Authority.

The applicants for Council's consideration in no order of preference are as follows: (1) Thomas (Tom) B. Call, Jr. - Realtor, Coldwell Banker Premier Real Estate, (2) Kenneth E. Garren - Retired from the Valdosta-Lowndes County Industrial Authority, (3) Gary Minchew - Real Estate Broker/Developer, Gary Minchew Realty, (4) Jennifer Powell - Chief Administrator, Fresh Beginnings, (5) Joe Prater - Retired from the U. S. Air Force and College Dean, and (6) Carlos D. Hundley - Communicable Disease Specialist, South Health District. This was Mr. Hundley's second choice for a Board Appointment.

Mayor Fretti asked for nominations. Councilman Carroll placed in consideration the name of Jennifer Powell. Councilman Wright placed in consideration the name of Gary Minchew. Councilwoman White placed in consideration the name of Thomas B. Call, Jr. There being no other nominations, Mayor Fretti closed nominations.

Jennifer Powell received one vote. Gary Minchew received one vote. Tom Call received two votes. Mayor Fretti stated that a majority would be needed for an appointment and advised Council that the person who is appointed will need three votes. Since Tom Call has two votes his name will be placed aside and Council will need to come up with another primary candidate between Jennifer Powell and Gary Minchew. Mayor Fretti stated that if there was a deadlock he would have to break the tie. Mayor Fretti asked for Councilman Carroll and Councilman Wright to vote again. Jennifer Powell received one vote. Gary Minchew received one vote. Mayor Fretti broke the tie and voted for Jennifer Powell.

Mayor Fretti asked for a vote between Jennifer Powell and Tom Call. Tom Call received three votes. Jennifer Powell received one vote. Tom Call was appointed to serve a term of five years on the Valdosta-Lowndes County Industrial Authority.

Consideration of an appointment to the Valdosta-Lowndes County Conference Center & Tourism Authority.

Mayor Fretti stated that the Valdosta-Lowndes County Conference Center & Tourism Authority has a member, Rob Evans, whose term will expire on December 31, 2010. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. Mr. Evans has expressed an interest in being reappointed to the Valdosta-Lowndes County Conference Center & Tourism Authority. The applicants for Council's consideration in no order of preference are: (1) Rob Evans - Architect, IPG Architects, Inc., and (2) Robert Montgomery - General Manager, Wild Adventures. Councilman Carroll stated that officially today the Conference Center's Interim Executive Director sent a letter to County Manager Joe Pritchard indicating that Jeff Moxley, who is a County appointee and whose term will not expire until December, 2011, has resigned and will be leaving the area. This will give the County two openings and Bob Montgomery will fill one of those spots for the County.

Mayor Fretti asked for nominations. Councilman Carroll placed in consideration the name of Rob Evans. There being no other nominations, Mayor Fretti closed nominations. Rob Evans was reappointed by acclamation to serve term of three years on the Valdosta-Lowndes County Conference Center & Tourism Authority.

CITY MANAGER'S REPORT

Mark Barber, Deputy City Manager of Administration, stated that the Make-A-Difference Day was held on October 23, 2010 and areas cleaned were on Gordon Street, Miller Lane, Baytree Road, Oak Street, and the Sugar Creek headwaters in Remerton. Volunteers picked up 4.33 tons of debris and trash. Some of the Adopt-A-Road organizations and Good Will Industries participated and they collected 120 lbs of debris on Baytree Road. The Valdosta State University Rotaract Club worked on North Valdosta Road, Northside Drive, and Perimeter Road and they picked up 160 lbs of trash and debris. The total amount of trash and debris picked up in the community was 13.92 tons of trash in one day.

The application for the City Government 101 Class is included in the latest issues of the City Beat Newsletter and the classes will begin in April, 2011 and will run for six weeks. The deadline to turn in applications is February 18, 2010.

The City has received some funding from the Georgia Emergency Management Agency (GEMA) for some of the public safety areas and the Homeland Security Grant was awarded to the City and the Police Department received \$3,500 for the Improvised Explosive Device (IED) Canine Program. The City also received \$21,350 for the biometric finger print system which the Police Department will work in conjunction with the Georgia Bureau of Investigation. The Fire Department received \$20,000 for the Georgia Search and Rescue (GSAR) Program.

The Moody Air Force Base Air Show will be held on Saturday, November 13, 2010 and Council members are invited to attend.

Mark Barber, Deputy City Manager of Administration, stated that two employees of the City of Valdosta were recognized this week and participated in the World Class Employee event sponsored by the Valdosta-Lowndes County Chamber of Commerce. Sgt. Marcus Haynes, Fire Department, and Gary Turner, Public Works, represented the City very well. We are very fortunate to have these employees working with the City and we are very proud of their accomplishments.

COUNCIL COMMENTS

Mayor Fretti stated that Larry Hanson, City Manager, is attending the Georgia City/County Manager's Association Meeting and is being awarded the Pillars of Excellence Award. This Award is for the best governmental Manager in counties and cities in the State of Georgia and is only offered every three years. Mayor Fretti extended his thanks and congratulations to Larry Hanson for all of his efforts and accomplishments.

Mayor Fretti stated that he has the sole appointment authority for the Valdosta Housing Authority and one position was vacated by Jim Godbee who resigned recently. Mayor Fretti appointed Thompson Kurrie, Jr. to fill the unexpired term of Mr. Godbee. Also, Judy Hinton's term expires on December 31, 2010 and Mayor Fretti re-appointed her to serve a term of five years on the Valdosta Housing Authority.

Councilman Payton thanked Staff for providing a detailed electronic copy of the Council packet. He also thanked Mark Barber, Deputy City of Administration, for his comments. Councilman Payton stated that he will be traveling to Colorado for the National League of Cities Conference on November 29-December 4, 2010.

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 Carroll, seconded by Councilman Payton, was unanimously adopted (4-0) to adjourn the November 11, 2010 meeting of the Valdosta City Council at 7:16 p.m. and enter into Executive Session.

Mayor Fretti reconvened the regular City Council meeting at 7:33 p.m. and stated that there was discussion of real estate in the Executive Session and no action will need to be taken in Regular Session.

Mayor Fretti entertained a motion for adjournment.

A MOTION by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (4-0) to adjourn the November 11, 2010 meeting of the Valdosta City Council at 7:34 p.m. to meet again in regular session on Thursday, December 9, 2010.

City Clerk, City of Valdosta

Mayor, City of Valdosta