

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, MARCH 22, 2007
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, David Sumner, Alvin Payton, Jr., Willie Head, Jr., John Eunice, Robert Yost, and James Wright. The invocation was given by Councilman Payton, followed by the Pledge of Allegiance to the American Flag.

APPROVAL OF MINUTES

The minutes of the March 8, 2007 Regular Meeting of the Valdosta City Council were approved by unanimous consent (7-0) of the Council.

CITIZENS TO BE HEARD

There were no citizens to be heard.

PUBLIC HEARINGS

Consideration of a request to close the alley off South Toombs Street.

Larry Hanson, City Manager, stated that the City is required to place a public notice in the newspaper when there is a consideration to close an alley. A request was received from John and Gloria McIntosh and James Garland along with a signed petition to close the alley off South Toombs Street. There has been no opposition to date. Mayor Fretti inquired as to whether the property owner of the smaller parcel located near church was notified because that portion is not being closed and it would make this a dead end alley. Larry Hanson stated that adjacent property owners were notified.

Gloria McIntosh, 704 South Toombs Street, spoke in favor of the request. Ms. McIntosh stated that her car has almost been hit several times when people exit the alley and asked Council's consideration in closing the alley. Councilman Vickers inquired as to where the cars were coming from when they use the alley. Ms. McIntosh stated that they use the alley as a short cut to avoid Toombs Street and they cut through her driveway to get to Oak Street. Councilman Vickers stated that the entire alley should be closed. Councilman Head inquired as to whether the church congregation uses the alley. Ms. McIntosh stated that they use Oak Street. Mayor Fretti deferred to the City Manager to see if the City could proceed with closing the other half of the alley when the request only pertains to the eastern half. Larry Hanson, City Manager, stated that they could not proceed with closing the entire alley because public notice has not been given.

No one spoke in opposition to the request.

A MOTION by Councilman Vickers, seconded by Councilman Head, was unanimously adopted (7-0) to grant the request to close the portion of the alley off South Toombs Street and to advertise the other portion of the alley for closure.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of bids for a street sweeper for the Public Works Department (Bid No. 09-06-07).

Greg Brown, Purchasing Agent, stated that the Public Works Department is in need of a new street sweeper to assist with their duties. This item will be funded through the Motor Pool Budget and is a Council-approved

budget item for this fiscal year. Sealed bids were received on March 13, 2007. The low bid was submitted by Municipal Equipment in the amount of \$134,205. Greg Brown recommended that Council approve the low bid submitted by Municipal Equipment in the amount of \$134,205 and allow the Public Works Department to proceed with the purchase.

A MOTION by Councilman Head, seconded by Councilman Yost, was unanimously adopted (7-0) to follow the recommendation of the Purchasing Agent to approve the low bid of Municipal Equipment in the amount of \$134,205 and allow the Public Works Department to proceed with the purchase.

Consideration of bids for rubber surfacing added to play structures at McKey and Drexel Parks (31-06-07).

Greg Brown, Purchasing Agent, stated that the Parks and Recreation Department has requested that a new bonded, pour in rubber surface be added to the play structures at McKey and Drexel Parks. This surface will protect individuals that might fall from the structure. Funds are available in the SPLOST account for this purchase. Sealed bids were received on March 13, 2007 with the low bid submitted by Southern Playgrounds in the amount of \$68,215. Greg Brown recommended that Council approve the low bid submitted by Southern Playgrounds in the amount of \$68,215 and allow the Parks and Recreation Department to proceed with the purchase. Councilman Vickers inquired as to whether all of the playgrounds would have this type of surface added to the play structures. Larry Hanson, City Manager, stated that as the playground equipment is replaced then the new surface would be added and eventually all of the parks will receive the new rubber surface.

A MOTION by Councilman Yost, seconded by Councilman Wright, was unanimously adopted (7-0) to follow the recommendation of the Purchasing Agent to approve the low bid of Southern Playgrounds in the amount of \$68,215 and allow the Parks and Recreation Department to proceed with the purchase.

Consideration of bids for a solar messenger board for the Engineering Department (Bid No. 32-06-07).

Greg Brown, Purchasing Agent, stated that the Traffic Division of the Engineering Department is in need of a new traffic control sign board. This sign board is solar powered and trailer mounted. Funds are available for this purchase through the Engineering Department's yearly budget. Sealed bids were received on March 13, 2007 with the low bid submitted by ASAP in the amount of \$17,480. Greg Brown recommended that Council approve the low bid of ASAP in the amount of \$17,480 and allow the Engineering Department to proceed with the purchase.

A MOTION by Councilman Yost, seconded by Councilman Wright, was unanimously adopted (7-0) to follow the recommendation of the Purchasing Agent to approve the low bid of ASAP in the amount of \$17,480 and allow the Engineering Department to proceed with the purchase.

Consideration of bids for six traffic control cabinets for the Engineering Department (Bid No. 33-06-07).

Greg Brown, Purchasing Agent, stated that the Traffic Division of the Engineering Department is in need of six new traffic control cabinets. These cabinets have been approved by the Georgia Department of Transportation and will house assorted traffic control equipment. A sealed bid submitted by Temple Incorporated in the amount of \$32,520 was received on March 13, 2007. Several other vendors chose not to respond to the invitation to bid. Greg Brown recommended that Council approve the bid of Temple Incorporated in the amount of \$32,520 and allow the Engineering Department to proceed with the purchase.

A MOTION by Councilman Wright, seconded by Councilman Head, was unanimously adopted (7-0) to follow the recommendation of the Purchasing Agent to approve the bid of Temple Incorporated in the amount of \$32,520 and allow the Engineering Department to proceed with the purchase.

Consideration of bids for traffic control equipment for the Engineering Department (Bid No. 34-06-07).

Greg Brown, Purchasing Agent, stated that the Traffic Division of the Engineering Department is in need of this equipment to install in the six new traffic control cabinets. The cabinets will be placed at various intersections throughout the City. A sealed bid submitted by Temple Incorporated in the amount of \$18,789.84 was

received on March 13, 2007. Several other vendors chose not to respond to the invitation to bid. Greg Brown recommended that Council approve the low bid of Temple Incorporated in the amount of \$18,789.84 and allow the Engineering Department to proceed with the purchase.

A MOTION by Councilman Payton, seconded by Councilman Head, was unanimously adopted (7-0) to follow the recommendation of the Purchasing Agent to approve the bid of Temple Incorporated in the amount of \$18,789.84 and allow the Engineering Department to proceed with the purchase.

Consideration of a contract with Camp, Dresser and McKee, Inc. (CDM) for Phase 1A-Water Transmission Main Design.

Leon Weeks, Utilities Director, stated that the Water and Sewer Master Plan for the City recommended that the water plant be expanded and two additional water transmission mains be constructed as future growth occurred to deliver an adequate supply into the City from the water plant. The expansion of the plant will be completed within the next three months. Mayor and Council had accepted the recommendation of Staff to negotiate with Camp, Dresser and McKee, Inc. (CDM) and to add a Task Order to their contract for the design of the of the first phase of the water main. The main will run south and east from the plant to connect to several existing mains on the northeast corner of the water system. The City also obtained a loan in December, 2006 from the Georgia Environmental Facilities Authority that included funds in the amount of \$4,031,000 for Phase 1A of the main which will run from the plant to Inner Perimeter Road and on to Northside Drive. CDM has presented a proposed scope of services and price in the amount of \$276,818 for surveying the route for the new main, designing the pipe, and preparing plans, specifications, easement drawings, permit drawings, and other materials required for construction of the main. The proposal also includes services to assist the City in obtaining bids for the construction of the project as well as surveying and geotechnical services. The typical historical amount of fees required for the design of projects of this size and complexity not including surveys and geotechnical services has been approximately 6%. The fee, as proposed by CDM, is 5.35% of estimated construction costs and services and appears to be adequate for performance of the required work. Leon Weeks recommended that Council accept the proposal and authorize the City Manager to sign the contract extension in the amount of \$276,818. Councilman Yost inquired as to the timeframe for this project. Leon Weeks stated that the surveying and design work will take approximately four to six months and the actual work will also take several months.

A MOTION by Councilman Head, seconded by Councilman Payton, was unanimously adopted (7-0) to follow the recommendation of the Utilities Director and approve the contract with CDM in the amount of \$276,818 for Phase 1A-Water Transmission Main Design.

LOCAL FUNDING AND REQUESTS

RESOLUTION NO. 2007-5, A RESOLUTION AUTHORIZING FILING AND ADMINISTRATION OF THE 2007 COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) REQUEST

Consideration of a request to approve the projected use of funds and the resolution authorizing filing and administration of the 2007 Community Development Block Grant (CDBG) Grant request.

Mara Register, Community Development Director, stated that the City is required by the U. S. Department of Housing and Urban Development (HUD) to file an Annual Action Plan outlining the proposed use of CDBG funds. A Strategic Planning Meeting was held on October 4, 2006 with Community Development Staff, Mayor Fretti, and City Council members. The Community Development Staff was directed to allocate CDBG funds in a manner that would best benefit the community. The total funds available for FY'07 are \$608,794. The Annual Action Plan proposes to use the bulk of the funds in the housing category for down payment assistance for first time homebuyers, homebuyer education, and also homeowner rehabilitation. The total of those funds is \$487,036 with the remainder being in planning and administration. It was also noted from the Strategic Planning Meeting that there was a need to bring in house the facilitation and coordination of the construction aspect of these housing rehabilitation projects, and Richard Joyner has already been working the list of approximately 75 people to determine which ones are rehabilitation, emergency repairs, and reconstruction. Mara Register asked that Council approve the recommendation of Staff and the CDBG Advisory Committee for the Annual Action Plan as presented.

A **MOTION** by Councilman Head, seconded by Councilman Payton, was unanimously adopted (7-0) to approve the recommendation of the Community Development Director and approve the projected use of funds and to enact Resolution No. 2007-5, a resolution authorizing filing and administration of the 2007 Community Development Block Grant (CDBG) Grant request, the complete text of which will be found in Resolution Book IV.

RESOLUTION NO. 2007-6, A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS TO APPLY FOR A 2007 COMMUNITY HOME INVESTMENT PROGRAM (CHIP) GRANT

Consideration of a request to apply for grant funds from the Georgia Department of Community Affairs for a 2007 Community Home Investment Program (CHIP) Grant to provide rehabilitation, reconstruction, and down payment assistance to eligible homeowners.

Mara Register, Community Development Director, stated that the City of Valdosta was awarded a \$300,000 CHIP grant last year and because of our record with the Georgia Department of Community Affairs (DCA) in administering these programs, DCA asked us to consider applying again this year for another \$300,000. A public hearing has been held for the proposed application and there were no comments. The City is proposing the use of funds for a minimum of six homeowner rehabilitations, ten homeowner reconstructions, and ten down payments to assist first time homebuyers. Because the City of Valdosta has a designated revitalization area, DCA has also asked that the City of Valdosta work with the U. S. Department of Housing and Urban Development (HUD) to upgrade the designation in order to allow access to an additional \$200,000 in this application round. If the City is approved for these funds, there will be an additional six homeowner rehabilitations, four homeowner reconstructions, and six down payments to assist first time homebuyers. The City would be working with multiple non-profit and for profit developers in providing home ownership which is the key to the success of revitalizing our neighborhoods. Mara Register asked Council's consideration in approving the request to apply for grant funds from DCA for a 2007 Community Home Investment Program (CHIP) Grant to provide rehabilitation, reconstruction, and down payment assistance to eligible homeowners. Councilman Payton inquired as to whether the type of homes in the revitalized area would be specified. Mara Register stated that the type of home would be left up to the developer and the homebuyer as to what they could purchase. In the designated revitalization area, the \$200,000 funding would apply but the \$300,000 funding is community-wide.

A **MOTION** by Councilman Payton, seconded by Councilman Vickers, was unanimously adopted (7-0) to approve the recommendation of the Community Development Director to apply for grant funds from the Georgia Department of Community Affairs for a 2007 Community Home Investment Program (CHIP) Grant to provide rehabilitation, reconstruction, and down payment assistance to eligible homeowners and to enact Resolution No. 2007-6, a resolution authorizing filing and administration of the 2007 Community Development Block Grant (CDBG) Grant request, the complete text of which will be found in Resolution Book IV.

Consideration of a request to approve the Solid Waste Management Plan.

Anne-Marie Wolff, Planning and Zoning Administrator, stated that each community must adopt a Solid Waste Management Plan as required by the Georgia Department of Community Affairs (DCA). This typically occurs in conjunction with adoption of the Comprehensive Plan which was adopted in October, 2006. On behalf of the City of Valdosta, the South Georgia Regional Development Center prepared and updated the Greater Lowndes Solid Waste Management Plan (SWMP). At the September 7, 2006 Regular Council Meeting, Council passed a resolution transmitting the SWMP to DCA. DCA then requested some minor changes which have since been made. Anne-Marie Wolff recommended that Council approve the Solid Waste Management Plan.

A **MOTION** by Councilman Head, seconded by Councilman Payton, was unanimously adopted (7-0) to approve the Solid Waste Management Plan.

Consideration of a request for contingency funds in the amount of \$8,000 for the new Council office.

Larry Hanson, City Manager, stated that Council had instructed him at the Mayor/Council Retreat to proceed with obtaining the necessary equipment for a Council office and conference room at City Hall. Much of

the furniture was in need of replacing due to use by Municipal Court during the past four years. A docking station will also be installed so that Council members will be able to use their laptops in the office. The additional \$2,000 request for miscellaneous items was added due to the number of events held this year that have required the purchase of food and the amount should be sufficient to carry us through the remainder of the year. Larry Hanson stated that even though it is not related to the new Council office it was lumped together as one contingency request.

A **MOTION** was made by Councilman Vickers to approve the request for contingency funds in the amount of \$8,000 for the new Council office. Councilman Head seconded the request. Councilman Wright stated that one of the new filing cabinets in the office was damaged. The motion was adopted (5-2) with Councilman Sumner and Councilman Yost voting in opposition.

ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 2007-7, A RESOLUTION TO ASSESS AND COLLECT FOR APPROPRIATE YEARS TAXES SUFFICIENT TO RETIRE BONDS FOR THE VALDOSTA CITY SCHOOL SYSTEM

Consideration of a resolution to assess and collect for appropriate years taxes sufficient to retire bonds for the Valdosta City School System.

George Talley, City Attorney, stated that this is insurance that the Valdosta School System will levy tax in their annual appropriations and it will be paid for out of their SPLOST funds. Councilman Vickers inquired as to whether the School System would be using the tax base to guarantee retirement of the bonds because they are borrowing the money upfront to proceed with construction of the schools instead of waiting. George Talley stated that was correct.

A **MOTION** by Councilman Vickers, seconded by Councilman Payton, was unanimously adopted (7-0) to enact Resolution No. 2007-7, a resolution to assess and collect for appropriate years taxes sufficient to retire bonds for the Valdosta City School System, the complete text of which will be found in Resolution Book IV.

CITY MANAGER'S REPORT

Larry Hanson, City Manager, stated that the Great American Cleanup will be held on Saturday, April 21, 2007, and the Fourth Annual Martin Luther King, Jr. Candlelight Vigil in memory of the anniversary of the slaying of Dr. Martin Luther King, Jr. will be held on Thursday, April 5, 2007 at the Dr. King Memorial Site.

Larry Hanson, City Manager, stated that the Transportation Selection Committee, which included himself, Councilman Yost, Councilman Head, and Von Shipman, City Engineer, interviewed four Transportation firms on March 16, 2007 and arrived at a decision. Von Shipman is in the process of verifying references and negotiating with the firm and will bring before Council at the next meeting.

Larry Hanson, City Manager, asked Leon Weeks, Utilities Director, to introduce his new Assistant. Leon Weeks introduced Afsaneh Jabbar, Professional Engineer and former Utilities Director from Shawnee, Oklahoma, is the new Assistant Director of Utilities and stated that we are looking forward to working with her. Larry Hanson stated that he was pleased to have someone with Ms. Jabbar's skills and experience to assist Leon Weeks.

Larry Hanson, City Manager, thanked the Mayor and Council for their attendance at the Steeda announcement and ceremony. We also hope to have another big announcement in the near future.

COUNCIL COMMENTS

Mayor Fretti stated that he and Larry Hanson, City Manager, traveled to Atlanta last week to meet with ACCG to work out issues about annexation legislation. This week, Larry Hanson was called, along with Mayor Jay Powell of Camilla, to assist in rewriting the legislation for the sponsors. Mayor Fretti thanked Larry Hanson for all his work on the annexation issue.

Mayor Fretti stated that he has been asked to assist the Georgia Municipal Association next week with Senate Bill 110 on de-annexation at will.

Mayor Fretti stated that the Lee Street Culvert project has been completed and the street is now open for traffic.

Councilman Vickers stated that he was concerned about the crosswalk at Valdosta State University because someone is going to get killed crossing Patterson Street. He discussed the situation with Von Shipman, City Engineer, and was told that a request has been made to the Georgia Department of Transportation (DOT) for a traffic light. Councilman Vickers stated that we may also need to have Mayor Fretti and Larry Hanson, City Manager, contact Mr. Billy Langdale, our local representative on the Georgia Transportation Board, to see if he can assist with expediting this project. Councilman Yost inquired as to the hold up for the project. Larry Hanson stated that this is a State route and a signal permit must be approved by the DOT before the City is allowed to do anything. Mayor Fretti stated that we have also asked that this road and others be taken off of the State route system and that the City would be responsible for the maintenance of these roads. Larry Hanson stated that he would contact Mr. Langdale and the Mayor would contact Harold Linnenkohl, DOT Commissioner. Councilman Yost stated that he was in agreement with Councilman Vickers and this needs to be a priority. Even if the DOT does not want to give the City the roads we need to deal with that particular section of roadway immediately. The problem is only going to get worse and we do not need to continue to wait on the DOT to proceed with placement of a traffic light. Larry Hanson stated that he and Mayor Fretti met with the State Traffic Engineer several months and discussed the urgency of this project.

Councilman Wright stated that he was glad to hear that Lee Street has been reopened because it was causing a hardship on Mr. B's IGA grocery store. Councilman Wright also invited Mayor and Council to attend the Adopt-A-Spot project on Saturday, March 24, 2007 that is sponsored by Veolia Environmental. They will be educating the public on littering as well as providing hot dogs for lunch. Councilman Vickers commended Councilman Wright on his efforts to promote the Adopt-A-Spot program.

Councilman Payton stated that there will be a Homeowner Initiative Meeting at 12:00 p.m. tomorrow in the Annex Building Multi-Purpose Room and invited Council members to attend.

Councilman Yost stated that the Two Mile Branch Watershed Advisory Committee met last night and the Mill Pond project was discussed. There are a lot of misconceptions by the public and the City needs to send out information explaining the scope of the project and why it will not be a public fishing, boating, and swimming area.

Councilman Vickers stated that there was an article in the newspaper concerning the hospital having to have a Certificate of Need for providing indigent care. It is in the City's best interest to keep this a viable public hospital because many private health providers are providing services that were originally provided by hospitals. Larry Hanson, City Manager, stated that the House Local Government Committee will be hearing this issue under the Committee of Representative Austin Scott from Tifton/Ashburn. Larry Hanson discussed this issue at length with Mr. Scott and he is not trying to harm public hospitals. The changes that the Committee will hear will not go away with the Certificate of Need but will change some of the requirements. Some of the things that have harmed hospitals in other states will not be allowed in the Bill. For example, the Bill will require physicians to have the right to have the out-patient centers and take calls at the hospital. They will also have to accept Medicare patients and do a percentage of indigent care. Representative Scott assured him that things have been written in the Bill to prevent it from just pulling out the revenue-generating activities out of the hospital and leaving the hospital with the burden of paying those who cannot afford medical care. Councilman Vickers stated that he also spoke with one of the Hospital Authority Board members about some things that the hospital could do to educate the public.

Councilman Head stated that many citizens think the Mill Pond is private and not accessible and inquired as to whether the City has looked at providing a recreational area for citizens to use. Larry Hanson, City Manager, stated that the City may be able to accept a gift of property that contains a large pond area within the next few weeks.

Councilman Vickers inquired about the status of House Bill 489 negotiations. George Talley, City Attorney, stated that the City's position is being reviewed by the County Attorney, Walter Elliott, and anticipates that everything will be ready next week. Larry Hanson stated that they have been researching some legal opinions to determine the validity of arbitration and George Talley felt that it is a legal basis for resolving a dispute.

ADJOURNMENT

Mayor Fretti entertained a motion for adjournment.

A MOTION by Councilman Vickers, seconded by Councilman Head, was unanimously adopted (7-0) to adjourn the March 22, 2007 meeting of the Valdosta City Council at 6:23 p.m. to meet again in regular session on Thursday, April 5, 2007.

City Clerk, City of Valdosta

Mayor, City of Valdosta