

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, JUNE 10, 2010
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

Mayor John J. Fretti called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Sonny Vickers, Tim Carroll, Alvin Payton, Deidra White, and James Wright. Councilman John Eunice arrived at 5:45 p.m. and Councilman Robert Yost was absent. The invocation was given by Dr. James P. Miller, Beulah Temple Ministries, followed by the Pledge of Allegiance.

AWARDS AND PRESENTATIONS

Mayor Fretti entertained a motion for approval of the Awards and Presentations.

A **MOTION** by Councilman Carroll, seconded by Councilman Vickers, was unanimously adopted (5-0) to approve the Awards and Presentations.

SPECIAL PRESENTATION FROM MAYOR ANDREA ROSSI, MONTEPULCIANO, ITALY BY DR. DAVID L. JOHNSON

Special Presentation to Mayor John Fretti from Mayor Andrea Rossi, Montepulciano, Italy by Dr. David L. Johnson.

Dr. David L. Johnson presented Mayor John J. Fretti with a letter and two books from Mayor Andrea Rossi, Mayor of Montepulciano, Italy as a token of his appreciation for Mayor Fretti's letter and gifts that were presented to him during the Sine Nomine Group's concert tour to Italy on May 28, 2010 through June 4, 2010.

PRESENTATION OF THE AMERICAN CANCER SOCIETY RELAY FOR LIFE AWARDS

Presentation of the American Cancer Society Relay for Life Awards for the City of Valdosta.

Mayor Fretti stated that the American Cancer Society's Relay for Life event was held on Friday, April 30, 2010 at the Valdosta Middle School Track. The event was held in inclement weather (rained all night long) but that did not dampen the spirits of the City of Valdosta's Relay for Life Team. Their team spirit and camaraderie was unsurpassed and they were awarded the "Most Spirited Team" by the Relay for Life Event Committee. The primary goal for the City of Valdosta's Team this year was to raise \$3,000 for the event. They exceeded their goal by \$2,000 and raised a total of \$5,130.29. The Department raising the most money was the Utilities Department, and under the guidance of John Waite, Team Leader, they raised a total of \$1,611.00. Other Departments contributing to the goal were as follows: (1) Finance Department (Andrea Smirthwaite - Team Leader) - \$968.13; (2) Police Department (Elaine Plummer & Belinda Parker - Team Leaders) - \$1,230.00; (3) Community Development (Kim Shelton & Ted Bilak - Team Leaders) - \$465.00; (4) Human Resources & Public Involvement (Brenda Helms & Sementha Mathews - Team Leaders) - \$450.91; (5) Public Works (Stacey Griffin - Team Leader) - \$219.25; (6) Fire Department (J. D. Willis - Team Leader) - \$45.00. They also received two anonymous donations in the amount of \$150.00. Mayor Fretti thanked all who participated and contributed to the American Cancer Relay for Life event.

PRESENTATION OF THE JUNE, 2010 EMPLOYEE OF THE MONTH AWARD

Mayor Fretti presented the June, 2010 Employee of the Month Award to Nikki Forman, Public Involvement Department.

Nikki Forman began her employment with the City of Valdosta on July 13, 2009, as the Media Coordinator for Metro Valdosta Channel 17. As the "face of the City" Nikki is responsible for researching and gathering information about the City, then developing that information into stories to feature on Metro 17 for citizens in our

area. Since arriving at the City, Nikki has demonstrated an ability to present the City story in a positive manner and has set a higher standard for our government access channel. She has revitalized "City Focus" (the 30-minute City news program) and has executed a plan to produce and integrate more local programs into the Metro 17 programming schedule. As a member of the Valdosta Sesquicentennial Planning Committee, Nikki has helped plan activities for the City's 150th year. She was instrumental in the planning and execution of two February events that honored the City's heritage. Nikki coordinated the return of Valdosta author James Edward Alexander to speak at the well-attended VSU African American Lecture Series, on February 10, 2010, which featured Mr. Alexander's recollections of growing up as black American in Valdosta. She also organized the "Reflections on the Generations" event, a ladies' afternoon tea, on February 13, 2010 that drew in over 100 ladies to celebrate the contributions of women on Valdosta's heritage. Countless hours of planning, often after work and on weekends, validates her commitment to the City and to the citizens who enjoyed these events. Nikki is an exceptional communicator and is often asked to speak at events. Such was the case when she represented the City as the keynote speaker in the Martin Luther King, Jr. Youth Program on January 18, 2010. Nikki is energized, creative and determined to represent the City of Valdosta with style and grace. For these reasons and many others, the Employee Relations Committee nominates Diandria Nicole Forman as Employee of the Month.

APPROVAL OF MINUTES

The minutes of the May 20, 2010 Regular Meeting of the Valdosta City Council were approved by unanimous consent (6-0) of the Council.

CITIZENS TO BE HEARD

Susan Wheling, 2410 Georgia Avenue, thanked the Mayor and Council for all their efforts and for what they do for the City of Valdosta. Ms. Wheling thanked the Council for traveling to Washington, D. C. and fighting for the citizens, for working on the Mary Turner project, for supporting recycling in the schools, and for recycling electronics so that it does not go into the landfill. Ms. Wheling stated that she was concerned about the sewage system and one suggestion to help with the fats, oils, and grease going into the sewer system would be to implement a program similar to the one in Savannah which is called "Refuel Savannah" and is designed to take local restaurant grease and make it into biofuel which they use in City vehicles. This would help get the grease out of the sewer system as well as create jobs. The other concern Ms. Wheling had is the Biomass Plant. She is now being told it is a done deal even though she has seen 12 towns in north Florida get the Biomass Plant out because the data that is coming in from Britain is that it is really toxic air. Ms. Wheling stated that it was really frustrating for her to support Relay for Life to fight cancer and at the same time we are bringing in energy that is going to bring tons of particulate matter with lead and other chemicals into our air space. The U. S. Environmental Protection Agency (EPA) has guidelines but it does not seem like they really know what they are doing. After the BP oil spill we need to protect our resources because clean air and water are some of the things that Valdosta has that makes it special. Clyattville has the highest cancer rates in Georgia because they have the paper mill and we do not need to replicate that. The Biomass Project will provide 25 new jobs but it will not provide a great deal of energy. Ms. Wheling stated that she would like to help find solar solutions because it is not going to benefit Valdosta to have a Biomass Plant here. Ms. Wheling stated that she did not know if they were paying exorbitant taxes to the City, or if the revenue is important, or why they are coming here, especially when the Biomass Plant will be located near two lower income elementary schools. Ms. Wheling asked Council's help in asking the group to do solar energy because by the time we find out it is toxic it may be too late to take it back. Mayor Fretti stated that the only thing that has taken place is a two acre lease on the largest solar array in the State. Council has discussed a lease with the subsidiary of this same company and we are not getting anything from this. This is not in the City and the electricity goes straight to the grid so we do not get free electricity. They do not sell a lot of stuff so there will not be sales tax, and we are a consumption based economy so we do not get anything out of that. There are some property taxes but that would go to the County. The company is currently waiting for an air permit. Ms. Wheling stated that she was concerned because the State of Georgia does not even have an energy plan. The plan is from 2006 and it does not include anything that has come up in the last five years. This would be something good to put into place. Mr. Wheling stated that she lived in Virginia near a Nuclear Power Plant and even though there was no accident she did not trust nuclear energy. The water that they used to cool down the reactors ruined a lake and surrounding streams and ponds because it was so hot. The Biomass Plant is planning to use 750,000

gallons of water a day and though this is not potable if it is heated up and put back into the Withlacoochee River then it could affect places like Blue Springs and the Ichetucknee in Florida. There are a lot of concerns and questions that have not been properly answered yet.

PUBLIC HEARINGS

ORDINANCE NO. 2010-19, AN ORDINANCE ADOPTING THE FY 2011 BUDGET

Public Hearing for Adoption of the FY 2011 Budget. (Second Hearing)

Mark Barber, Deputy City Manager of Administration, stated that in accordance with Georgia Code 36-81-3 each local government shall adopt and operate under an annual balanced budget for the General Fund, each Special Revenue Fund, and each Debt Service Fund in use by the City of Valdosta. The annual balanced budget shall be adopted by ordinance or resolution. A budget ordinance is balanced when the sum of estimated revenues and appropriated fund balances is equal to appropriations. Nothing contained in the above mentioned Code precludes a local government from adopting a budget for any funds used by the local government other than those specified in paragraph one. These funds include Enterprise Funds, Internal Service Funds, and Fiduciary funds. The Fiscal Year 2011 Proposed City of Valdosta Budget has been reviewed and discussed at previous meetings, and two public hearings have been conducted to afford citizens the opportunity to make comments on funding levels. Mark Barber stated that there would be no decrease in the quantity or quality of services that the City is currently delivering to the citizens. There is no millage rate increase with this budget. There are no job losses or furloughs. There is no increase in employee benefits such as the health premium. Because of sound stewardship of our funds, this year they were able to transfer \$560,000 from the Fuel Stabilization Fund, which is housed in the Motor Pool Fund, to the General Fund in order to balance the budget. The Enterprise Operations Fund continues to be stable with the exception of the Inspections Fund. Last year there was a \$600,000 loss in the Inspections Fund and this year it is anticipated there will be a loss of \$150,000. The only changes in rates in the Enterprise Fund is the normal 5% increase in the water and sewer rates, which is the what they have done in the past few years to smooth the effects of the cost of capital in that Fund. The base rate was raised this year by \$.50 and the discount offered to bulk rate users will be decreased. All other user fees have remained the same. This year there will not be any employee pay increases in the form of a merit increase or in the form of a cost of living adjustment. There will be a \$300 net check for every career employee who was employed as of June 30, 2010. Longevity was left in this area because once you take it out you can never get it back since it is based on the employee's fifth year anniversary date. All of the vacant positions in the General Fund are frozen. In the Enterprise area there are some vacant positions that will be monitored as the need arises. In regards to the Financial Plan, last year the City was at \$75.2 million in expenditures and this year we are at \$85.2 million in expenditures. The proposed budget actually is a rollover budget from last year. Operationally, the proposed budget is approximately \$2.3 million less than last year. Operating expenditures are \$2.3 million and the biggest portion of that is the cost of living and merit increases. The capital side the budget is down approximately \$11.6 million due to some SPLOST V projects that they are finishing up and the collections are not where they need to be. Mark Barber recommended that Council approve an Ordinance to adopt the FY 2011 Budget. Councilman Payton inquired as to the current balance of the General Fund reserve. Mark Barber stated that it is approximately \$12.2 million.

A **MOTION** by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (6-0) to enact Ordinance No. 2010-19, an Ordinance to adopt the FY 2011 Budget, the complete text of which will be found in Ordinance Book XII.

REQUEST TO CLOSE A PORTION OF WILLIAMS STREET NORTH OF WOODROW WILSON DRIVE NEAR THE SOUTH GEORGIA REGIONAL LIBRARY

Consideration of a request to close a portion of Williams Street north of Woodrow Wilson Drive near the South Georgia Regional Library.

Von Shipman, City Engineer, stated that a portion of Williams Street and Cowart Street was closed approximately eight years ago to support a major parking lot improvement project at South Georgia Medical Center (SGMC). The

portion of Williams Street by the then City-owned Library property was not closed. The City has transferred the Library property to the Library Board. It is likely that SGMC will obtain this property after the library is relocated within the City Limits. Both property owners were contacted and are in favor of the closure. Should this section be closed, existing utilities will be retained on easements. The closure has been properly advertised for a public hearing on June 10, 2010. Von Shipman recommended that Council approve the request close a portion of Williams Street north of Woodrow Wilson Drive near the South Georgia Regional Library.

No one spoke in favor of the request.

No one spoke in opposition to the request.

A MOTION by Councilman Payton, seconded by Councilman Carroll, was unanimously adopted (6-0) to close a portion of Williams Street north of Woodrow Wilson Drive near the South Georgia Regional Library.

ORDINANCE NO. 2010-20, AN ORDINANCE FOR A CONDITIONAL USE PERMIT TO ESTABLISH A MINOR AUTOMOTIVE REPAIR/MAINTENANCE AND SALES BUSINESS IN A HIGHWAY-COMMERCIAL (C-H) ZONING DISTRICT IN THE URBAN COMMERCIAL CORRIDOR OVERLAY DISTRICT

Consideration of an Ordinance for a Conditional Use Permit to establish a minor automotive repair/maintenance and sales business in a Highway-Commercial (C-H) Zoning District in the Urban Commercial Corridor Overlay District as requested by Roger Budd, III (File No. CU-2010-05). The property is located at the northeast corner of North Ashley Street and East Adair Street. The Planning Commission reviewed this request at their May Regular Meeting and recommended approval with conditions (7-0 vote).

Matt Martin, Interim Planning and Zoning Administrator, stated that Roger Budd, III is requesting a Conditional Use Permit (CUP) to establish a minor automotive repair/maintenance and sales business in a Highway-Commercial (C-H) Zoning District in the Urban Commercial Corridor Overlay District. The property consists of 0.55 acres and is located at # 801 North Ashley Street. This is the former M&M Motors property located at the northeast corner of North Ashley Street and East Adair Street. The property currently contains an existing structure which has been vacant for several years. The applicant is proposing to lease the property to a prospective tenant for a minor automotive repair and sales facility. The property is located within a Community Activity Center Character Area on the Future Development Map of the Comprehensive Plan. The property is also located within both the Urban Commercial Corridor Overlay and the Valdosta Local Historic Districts. This is an old commercial property along the North Ashley Street corridor that was developed long before any City development regulations were in place. It currently has a very high percentage of impervious surfaces (concrete/asphalt paving, rooftop, etc.) and includes a “continuous curb cut” along Ashley and Adair Streets. The previous use was an automotive sales and repair business. While minor automotive repair shops are permitted by right in the C-H zoning, they are permitted only through the CUP process in the Urban Commercial Corridor Overlay District. Since the prior use was non-conforming and has now been discontinued on the property for more than six months, it has lost its grandfathering status and therefore the CUP must be approved before it can be re-established. The applicant is not proposing any expansions to the existing building, but is proposing to remove an old “building addition” along the north side to make room for new service bay doors along the north wall, and is also proposing extensive interior renovations. The Valdosta Historic Preservation Commission (HPC) has already approved the proposed changes to the building. Given the fact that the former use included minor automotive repair, and that the property is located in a fairly intensive commercial area surrounded by commercial uses, the proposed use is certainly acceptable. However, the main point of concern is that the existing site is very non-compliant with existing development regulations in terms of landscaping, parking, and open space. Since this is an existing developed site with very limited ability to come into full compliance with the LDR, and since the applicant is not proposing any building expansions, it is Staff’s opinion that certain aspects of the site remain non-conforming pending any future changes to the Urban Commercial Corridor Overlay District; however, other aspects of the site are fully able to come into compliance and these should be required as part of this Conditional Use approval. 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 an automotive minor repair/service business, with accessory sales display area for vehicles only along the Ashley Street frontage. Approval shall expire after two years if not activated by a request for business license or building permit for an eligible use. (2) Eliminate the continuous curb cut along Ashley and Adair Streets, and limit site access to the single separate driveways from Ashley and Adair Streets as shown on the proposed site plan. Restore the street curb and sidewalks along these street frontages to meet current City standards as required by the City Engineer. (3) Plant a landscaped street yard along the street frontages as required by the LDR. (4) All signage on the property shall comply with current sign regulations of the LDR. (5) Any future building expansions or major alterations/renovations exceeding 50% of the ad valorem building value shall trigger full compliance with the LDR or approved variances thereof. The Planning Commission reviewed this request at their May 24, 2010 meeting and recommended approval of the request (7-0 vote), including the five conditions in Staff's recommendation. Rationale for the recommendation included consistency with the Comprehensive Plan and satisfactory findings regarding the City's review criteria for Conditional Use Permits.

Roger Budd, III, 5 Cherokee Circle, spoke in favor of the request. Mr. Budd stated that he represented the owner of the property, Roger Budd Company, and it seemed totally unnecessary that a citizen and a tax payer would have to get a conditional Use for something that is legal to do in the City of Valdosta. The previous use of this property was automotive sales and repair. It is currently laid out in that fashion and this building has been tied up for over three years with no tenant and the inability of the Budd Company to rent it was due to impart governmental red tape and regulation. Mr. Budd stated that he considered the Conditional Use Permits to be unnecessary, burdensome, and expensive. An application for a Conditional Use Permit is \$450 and you have to go before the Planning Commission and the City Council only to restore what rights it previously had prior to the establishment of a Conditional Use Permit. Mr. Budd stated that for those reasons he was requesting that the Conditional Use Permit, if approved for this automotive use, stay with the property forever so this application will not have to be paid for again or requested again in the event he loses his tenant in the future. Mr. Budd stated that he was not interested in doing away with the continuous curb cut because it is there now and is good for parking cars. They paid for the asphalt when they bought the property and there is no reason to dig up perfectly good asphalt only to pay to plant more grass and trees. Also, there are currently at least 37 vacant buildings on Ashley Street between the Courthouse and the Five Points intersection which is a lot. Mr. Budd stated that increasing the difficulty for a business owner to get a business license to conduct business on Ashley Street is not going to do anything to help the current downturn in the Ashley Street real estate economy. Mayor Fretti stated that this Council has collectively said that the Overlay District is a good idea but not at this time because of the economy but they want to keep it there and perhaps allow some Conditional Uses for now; however, eventually they would like to clean up Ashley Street because it is an old thoroughfare through the City. There are too many hotels and signs and there are parking lots and buildings right to the street. There are buildings that are 40, 50, or 60 years old that need to be cleaned up and Ashley Street is not aesthetically appealing. There are some current owners who want to form an association and clean it up and we want to help them do that. Unfortunately, government has to be the one to put some controls in place to make it more appealing so people are not just driving through but they are enjoying the drive within. Mayor Fretti stated that they were trying to do a good thing with the Overlay District and they are suspending that for a period because now is not the time to come down hard. When the economy turns around we will need the help of Mr. Budd and others to clean Ashley Street. Mayor Fretti stated that he would appreciate Mr. Budd working with the owners to clean it up and make Ashley Street beautiful again.

No one spoke in opposition to the request.

Councilman Carroll stated that one of the goals of the Overlay District was to improve the visual aesthetics of the Ashley Street commercial corridor and while Mr. Budd has asked to forego forever the Conditional Use Permit process this is not an option for them tonight because that is not what is before Council.

A MOTION was made by Councilman Carroll to follow the recommendation of Staff and the Planning Commission and approve an Ordinance for a Conditional Use Permit to establish a minor automotive repair/maintenance and sales business in a Highway-Commercial (C-H) Zoning District in the Urban Commercial Corridor Overlay District as requested by Roger Budd, III, along with the following five conditions: (1) Approval shall be for an automotive minor repair/service business, with accessory sales display area for vehicles only along

the Ashley Street frontage. Approval shall expire after two years if not activated by a request for business license or building permit for an eligible use. (2) Eliminate the continuous curb cut along Ashley and Adair Streets, and limit site access to the single separate driveways from Ashley and Adair Streets as shown on the proposed site plan. Restore the street curb and sidewalks along these street frontages to meet current City standards as required by the City Engineer. (3) Plant a landscaped street yard along the street frontages as required by the LDR. (4) All signage on the property shall comply with current sign regulations of the LDR. (5) Any future building expansions or major alterations/renovations exceeding 50% of the ad valorem building value shall trigger full compliance with the LDR or approved variances thereof. Councilwoman White seconded the motion. Councilman Eunice inquired as to whether they needed to include the two-year option on the property if they were going to suspend the Overlay District. Mayor Fretti stated that he may not have stated that correctly by using the word "suspending" the Overlay District but rather they are relaxing some of the regulations. Matt Martin stated that "relaxing" is the correct terminology to use. The Planning Commission is currently looking at all of the Overlay Districts and will be meeting again in a few weeks to review some other things that might possibly need re-addressing. Any Amendments that come out of that will be brought before Council. Councilman Carroll stated that if a final determination is made at the end of that process that would address specifically the first condition then this condition would be mute. Matt Martin stated that the way the first condition was intended and should be interpreted is if they get a tenant in the property within these first two years then the Conditional Use is validated and it will run with the property from there on. If they do not get it in place within the first two years then the approval goes away. If the tenant gets in within two years then the approval is there as long as the use does not lapse within six months. All of this is pending any regulatory changes. If for some reason this type of use no longer needs a Conditional Use approval then it is no longer bound and becomes mute. The motion was adopted (5-1) with Councilman Eunice voting in opposition to enact Ordinance No. 2010-20, the complete text of which will be found in Ordinance Book XII.

ORDINANCE NO. 2010-21, AN ORDINANCE FOR A CONDITIONAL USE PERMIT TO ESTABLISH A MINOR AUTOMOTIVE REPAIR/MAINTENANCE AND SALES BUSINESS IN A HIGHWAY-COMMERCIAL (C-H) ZONING DISTRICT IN THE URBAN COMMERCIAL CORRIDOR OVERLAY DISTRICT

Consideration of an Ordinance for a Conditional Use Permit to allow expansion of a Church and its accessory uses in a Single-Family Residential (R-15) Zoning District as requested by Crossroads Baptist Church (File No. CU-2010-07). The subject property is located at the northeast corner of Country Club Drive and Eager Road. The Planning Commission reviewed this request at their May Regular Meeting and recommended approval with conditions (7-0 vote).

Matt Martin, Interim Planning and Zoning Administrator, stated that Crossroads Baptist Church is requesting a Conditional Use Permit to allow expansion of a church and its accessory uses in a Single-Family Residential (R-15) Zoning District. The property consists of two parcels comprising 12.33 acres and is located at the northeast corner of Country Club Drive and Eager Road with Green Meadow Drive bordering the property along the north. The property currently contains an existing church which also includes a church accessory school (grades K3-5). The applicant is proposing to bring the existing church and accessory uses out of their non-conforming status and have the potential to expand their facilities. The site currently has 154 paved parking spaces and this is proposed to increase to 348 after completion of the three phases. Under the former Valdosta Zoning Ordinance, the church and its existing accessory uses were "Permitted Uses" in the R-15 Zoning District; however, with the adoption of the LDR, the church and its accessory uses became non-conforming. The church does intend to add more buildings and parking, which requires a Conditional Use Permit (CUP) to bring a non-conforming use into conformity and, therefore, allow for expansion. The existing church and its accessory uses are situated in a residential area on a significant amount of acreage with room to grow; however, at some point, their expansions will have potential impacts on traffic movements, drainage, and surrounding properties that need to be weighed and will trigger full compliance with the LDR. At such time, their expansion and redevelopment plans should be reviewed again by the City for full compliance with all aspects of the LDR. There are also some drainage issues with this property that the City Engineer is aware of and there was an inquiry from a nearby resident about those issues. As part of the permitting process, the church will have to re-engineer the site and they have retained an Engineer to start working on that. The church has developed their own master plan for long-term growth and

expansion and in the long-term plans they have divided the work into the following three phases: (1) an approximate 4,500 square foot expansion of one of the interior buildings to allow more space for their school, (2) construct a 2-story new 27,000 square foot school facility building and the existing school building would then potentially become youth/college space for the church, and (3) construct a new gym-like Activity Center building at the north end of the property. Phases 1 and 2 are contemplated within the next couple of years and Phase 3 would be within the next 10-15 years; however, they do not know specifically what that Phase would involve. Matt Martin stated that it is difficult to analyze the impact of this expansion on the surrounding area and although they have lots of room and street improvements nearby, Staff was hesitant to approve all three phases. Staff and the Planning Commission both recommended approval of Phases 1 and 2 with the following conditions: (1) Approval shall be for a church, with an accessory church school grades K3-12 with no more than 250 students in accordance with the general layout of the submitted site plan. Total additional building square footage on the site shall not exceed 32,000 square feet, and expansions beyond this point shall require re-approval by the City. (2) Upon construction of a new building or expansion to an existing building beyond 5,000 square feet (beyond Phase 1) all existing parking lots and street yards shall be brought into full compliance with the LDR. All new development on the site shall comply with the provisions of the LDR at the time of permitting. The Planning Commission reviewed this request at their May 24, 2010 meeting and recommended approval of the request (7-0 vote), including the two conditions in Staff's recommendation. Rationale for the recommendation included consistency with the Comprehensive Plan and satisfactory findings regarding the City's review criteria for Conditional Use Permits.

Rick Parker, 4100 Quail Hollow Circle, spoke in favor of the request. Mr. Parker stated that he is the Education and Administration Pastor at Crossroads Baptist Church and they are designing these buildings with a long range plan to impact the lives of children. The school currently runs grades K3-5 and they hope to expand that through the middle school with the addition of the Phase 2 building. The Phase 1 project will impact the high school and college age and it will be built adjacent to and connected to the current existing school building. They are aware of the drainage challenges and have enlisted the assistant of an architect and civil engineer. The property has a drop of 40 feet from the northeast corner to the southwest corner and because of that with the water running downhill they want to be good stewards of the community. The current plan includes drainage issue correction that has little to nothing to do with the plan for the building addition. The building addition is close to 5,000 square feet but the impervious area they are adding is only 2,500 square feet because of existing portable buildings that will be relocated when the building is constructed. They are managing the water that comes off of these buildings through additional underground concrete reinforced pipe and at such time that Phase 2 begins the intent will be to go underground with retention areas that will hold the water under the parking lot and released only in the amount approved by the City Engineer. Mr. Parker stated that they are excited about the project and asked Council's consideration in approving the request.

No one spoke in opposition to the request.

A MOTION by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (6-0) to enact Ordinance No. 2010-21, an Ordinance for a Conditional Use Permit to allow expansion of a Church and its accessory uses in a Single-Family Residential (R-15) Zoning District as requested by Crossroads Baptist Church with the two conditions noted by Staff, the complete text of which will be found in Ordinance Book XII.

LOCAL FUNDING AND REQUESTS

Consideration of the acceptance of a letter of resignation from John A. Eunice, City Councilman At Large.

Mayor Fretti stated that John A. Eunice, Mayor Pro Tem and Councilman At-Large for the City of Valdosta, will be resigning from the Council effective August 10, 2010 at midnight. Councilman Eunice will be moving out of the city limits in August to attend law school, which will make him ineligible to serve on Council for the remainder of his term that ends December 31, 2011. It is the desire of the City to include this election of a new Councilman At Large in the November general election in order to improve voter turnout and save the City the costs of a standalone election. Mayor and Council will need to vote to accept the resignation in order to allow the process to proceed.

A **MOTION** by Councilman Payton, seconded by Councilwoman White, was unanimously adopted (6-0) to accept the letter of resignation from John A. Eunice, City Councilman At Large.

Consideration of a request to transfer vehicles to South Georgia Medical Center Emergency Medical Services (EMS).

Larry Hanson, City Manager, stated that on April 12, 2010, Tim Brogdon, Administrative Chief of South Georgia Medical Center's Mobile Healthcare Services, sent a letter to Larry H. Hanson, City Manager, stating that the Emergency Medical Services (EMS) are in desperate need to update their administrative and command vehicles. Mr. Brogdon has requested consideration to receive some of the better vehicles being retired by the City for EMS. Their current command vehicle fleet is a 1999 Ford Taurus, 2000 Crown Victoria, and a 1999 Chevrolet Suburban. They would like to receive a couple of cars, an SUV, or possibly a crew cab pickup truck. Larry Hanson recommended that Council approve the request to declare up to two cars and one SUV as surplus for the purpose of contributing the vehicles to South Georgia Medical Center Emergency Medical Services (EMS) upon receipt of the City's new vehicles and placed into service.

A **MOTION** by Councilman Carroll, seconded by Councilman Vickers, was unanimously adopted (6-0) to follow the recommendation of the City Manager and declare up to two cars and one SUV as surplus for the purpose of contributing the vehicles to South Georgia Medical Center Emergency Medical Services (EMS) upon receipt of the City's new vehicles and placed into service.

Consideration of a request to approve a Change Order for the Water/Sewer Extension Project on Madison Highway.

Von Shipman stated that he met yesterday with Dr. Patti Clark, Executive Director of the Airport Authority, Board Members Steve Everette and Rob Evans, the Engineering Staff, and the Utilities Staff to discuss the Change Order in the amount of \$165,000 for the Utility Extension Project on Madison Highway that extends sewer to Mud Creek all the way to the southern City limit line. Von Shipman recommended that Council reduce the Change Order amount to \$140,000 due to the fact that the Airport and the City agree that the building tie ins and the septic tank abandonment costs, which are approximately \$24,000, will be handled by the Airport itself at whatever time line they so choose. The City will then come back to Council as soon as possible with a Cost Recovery Fee Ordinance that has been used in the past at numerous locations throughout the City. This will allow property owners to be identified in the area where the water and sewer will be extended to and a prorated share of the cost of that utility extension will be assigned based on the size of property and use of the property. This amount that will be assigned to the properties because of their potential connection to our utilities in the future will accrue interest according to the Ordinance so that the City will be made whole in the future. The potential property size in the immediate area will be approximately 750-1,000 acres of property other than the Airport property along the Madison Highway which will have the potential of obtaining City water sewer. One of the goals of Council is to look where it is advantageous to the City to extend water and sewer where we can afford to do so and in cooperation with parties needing the water and sewer to encourage development and for the well being of our community.

Larry Hanson, City Manager, stated that the Cost Recovery Fee Ordinance is an appropriate concept for this project and has been used in many places such as Perimeter Road, Bemiss Road, Norman Drive, and Hyde Park. It allows everyone to pay a prorata share based on their consumption of that infrastructure. This will benefit a number of different parties and is the fairest way. It will help the Airport by keeping their contribution within what they had planned to spend. In adopting a Cost Recovery Fee Ordinance, it will include interest so that the City will ultimately be made whole because we will be collecting interest on the amount that is reserved for those future property owners who will tie on. This has worked very well in other cases and is very economical. It has to be done this way because according to Georgia law you must first award a bid for the project and then take an absolute dollar amount and divide it into either the developable acres or consumption. This will establish what the cost recovery is for all the users. Councilman Vickers inquired as to when the property owners would pay. Larry Hanson stated that they would pay their share as they tap on to project. Councilwoman White inquired as to the amount that the Airport Authority would be paying. Von Shipman stated that with the Cost Recovery Fee

Ordinance they can determine the exact area and then assign the cost. This will be a fair cost in line with what the Airport expected to pay. Larry Hanson stated that they just came up with this concept this afternoon and they will have to go back and charge it to developable acres so the City Engineer will have to look at all the land that will be served by this and then remove any wetlands or anything that cannot be developed. Councilwoman White inquired as to whether there was a time requirement on the payback. Larry Hanson stated that there was no time requirement. There are still some areas on Perimeter Road that are paying now and that was done in 1995 but they are paying the amount plus interest. The Airport Authority will pay now because they will be using the infrastructure but they will be paying a prorata share which should be about the original amount of the \$377,000. Councilman Payton inquired as to whether the Airport would pay themselves for the tie in to the buildings and the septic tank abandonment and do at a later date. Von Shipman stated that was correct. Councilman Payton inquired as to whether that was why the City Engineer suggested a reduction in the amount from \$165,000 to \$140,000. In the paperwork it states that the Airport had already paid approximately \$20,000 on the first amendment. Von Shipman stated that the first Change Order in November, 2009 was to extend the water main from the Airport Project to the City limit line and they thought a portion of that line should be paid for by the Airport. It was a one third share of the cost to get it down to the developable property that the Airport had identified where the True Flight Aviation plant was going. This was the original distance that the water was going to be extended for the Airport. The City never requested the payment of \$20,000 and is not going to request it. Councilman Payton stated that what they were given was that it was requested and inquired as to whether that was an error. Von Shipman stated that it was identified and it was an error on his part to notify the Airport so that they could take action on that participation amount. This new action is going to rectify that and the Airport will be assigned a charge as to what their expected limitation was. Councilman Payton inquired as to whether the amount of \$50,000 would be paid by the developer. Larry Hanson stated that the developer would be paying more. Von Shipman stated that the developer will be paying \$62,000 and that is just to get the water to the City limit line which has been installed. The developer will pay over \$100,000 more in the future for the extension of the water to the property south of the Airport. Larry Hanson stated that Von Shipman has met with the developer and he agreed to do that. Councilman Payton asked that they be presented some accurate information on how this will be developed. Larry Hanson stated that they must first award the contract under Georgia law and then come back and adopt a Cost Recovery Fee Ordinance which will specifically have the contribution of all property either on a per acre basis or some quantifiable basis. Councilman Payton stated that he was making his decision based on the Airport being aware of the \$20,000. Von Shipman stated that if there was ever any overture that the Airport Director or any Board members were adversarial they were not. They have been nothing but cooperative and professional and if there was any miscommunication it was on the City's part. There have been great discussions and they are working through this. Councilman Payton stated that he needed some clarification because the initial amount was \$377,000, then there was a Change Order of \$254,000, and now there is a Change Order for \$165,000. Larry Hanson stated that the Change Order was not on the original project but was expanding the project and only a piece of it was on the same project. Mayor Fretti stated that the City Engineer was recommending a Change Order for \$140,000 with a request that Council return to with a Cost Recovery Fee Ordinance on this specific expansion. Von Shipman stated that was correct.

A **MOTION** was made by Councilman Payton to follow the recommendation of the City Engineer and reduce the second Change Order to \$140,000 for the Water/Sewer Extension Project on Madison Highway with the understanding that a Cost Recovery Fee Ordinance will be adopted at a future date. Councilman Vickers seconded the motion. Councilman Vickers stated that the Airport belongs to the community and we have an Authority that runs it so whatever we do to assist them we are assisting ourselves. The motion was unanimously adopted (6-0).

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 2010-22, AN ORDINANCE FOR A SPECIAL ELECTION TO FILL THE UNEXPIRED TERM OF COUNCILMAN JOHN A. EUNICE, AT LARGE

Consideration of an Ordinance for a Special Election to fill the unexpired term of Councilman John A. Eunice, At Large.

George Talley, City Attorney, stated that John A. Eunice, Mayor Pro Tem and Councilman At Large, submitted his resignation to the Mayor and Council for consideration on June 4, 2010, to be effective August 10, 2010 at midnight. Due his resignation, a special election must be conducted to fill this vacancy. The current term of this office expires December 31, 2011 creating the need for the special election. The City will contract with the Lowndes County Board of Elections to qualify candidates, train poll workers, place required ads, and other duties that may be required to conduct the November 2, 2010 Special Election. The Ordinance provides that qualifying will be begin at the end of the month beginning on Monday, June 28, 2010 and ending at noon on Friday, July 2, 2010. A Special non-partisan election will be held along with the general election on the same date and time which is scheduled for the first Monday in November which is November 2, 2010. George Talley recommended that Council approve the Ordinance for a Special Election to fill the unexpired term of Councilman John A. Eunice, At Large.

A MOTION was made by Councilman Vickers to follow the recommendation of the City Attorney and approve an Ordinance for a Special Election to fill the unexpired term of Councilman John A. Eunice, At Large. Councilman Wright seconded the motion. Councilman Wright inquired as to whether the City Attorney had any information on how the process will be conducted. George Talley, City Attorney, stated that he did not have the information at this time but felt that they would distinguish between the two elections. The motion was unanimously adopted (6-0) to enact Ordinance No. 2010-22, the complete text of which will be found in Ordinance Book XII.

ORDINANCE NO. 2010-23, AN ORDINANCE TO ESTABLISH A COMBINED PUBLIC UTILITIES SYSTEM FOR THE CITY OF VALDOSTA

Consideration of an Ordinance to establish a Combined Public Utilities System for the City of Valdosta.
(Second Reading)

Henry Hicks, Utilities Director, stated that the City of Valdosta uses a single utility bill that outlines the cost for services received and cost amount, which includes water, sewer, stormwater, and/or sanitation services. This is used to streamline the billing process and simplify the payment process. As most municipalities, the utility services provided were not all established at the same time and each have their own separate ordinances. As a result, this has caused confusion as to whether or not a customer had to pay the bill in full or could chose to pay only certain amounts (e.g. pay for water/sewer, but not stormwater or sanitation), if they disagreed with the charge. An example of this occurred in July, 2009 when the City of Valdosta, along with the Clayton County Water Authority and the City of Garden City, each received letters from the Department of Agriculture (DOA) stating that the DOA is not liable for local stormwater runoff fees and therefore will discontinue payments effective immediately. As you are aware, stormwater utilities are not a tax and therefore all developed properties are responsible for payment. Most municipal utility providers have a utility collection ordinance that bundles the charges into a single monthly statement and requires the entire bill to be paid in full, or risk termination of all services until payment and late fees are received. The City of Valdosta currently does not have such an ordinance. Henry Hicks recommended that Council approve the Ordinance to establish a Combined Public Utilities System for the City of Valdosta.

A MOTION by Councilman Eunice, seconded by Councilman Carroll, was unanimously adopted (6-0) to enact Ordinance No. 2010-23, an Ordinance to establish a Combined Public Utilities System for the City of Valdosta, the complete text of which will be found in Ordinance Book XII.

RESOLUTION NO. 2010-7, A RESOLUTION AUTHORIZING THE FILING OF AN APPLCIATION WITH THE BUREAU OF JUSTICE ASSISTANCE TO FUND IMPROVEMENTS TO THE LAW ENFORCEMENT CAPABILITIES OF THE VALDOSTA POLICE DEPARTMENT AND THE LOWNDES COUNTY SHERIFF'S OFFICE

Consideration of a Resolution authorizing the filing of an application with the Bureau of Justice Assistance to fund improvements to the Law Enforcement capabilities of the Valdosta Police Department and the Lowndes County Sheriff's Office.

Mayor Fretti stated that the City has received funding under the Edward Byrne Justice Assistance Grant (JAG) Program in 2005, 2006, 2007, 2008 and 2009. Since a disparate situation exists between the City of Valdosta and Lowndes County, the grants were joint projects where both law enforcement agencies teamed together to request Federal grant funds to improve law enforcement services in the City of Valdosta/Lowndes County Area. In 2005 and 2006, the funding was awarded as a lump sum amount which the City and County agreed to split to help fund each entities' grant program purposes that fell into one of six areas: (1) law enforcement programs; (2) prosecution and court programs; (3) prevention and education programs; (4) corrections and community corrections programs; (5) drug treatment programs; and (6) planning, evaluation, and technology improvement programs. In 2007 and 2009, the City and the County were each awarded allocations for use in one of the seven program purpose areas. The funding in 2008 was so low that the County did not request any of the funding allocation. The 2005, 2006, 2007, and 2008 grants are complete and have been programmatically and fiscally closed out. The County has completed their portion of the 2009 award and the City is in the process of acquiring their grant items. For the 2010 grant program, the JAG Allocation determined for the City is \$36,081 and the funding allocation for the County is \$12,168. Since a disparate situation exists with Lowndes County, an agreement must be reached on the allocation of funding between the entities. Both the City and County will use their funding for one of the seven program purpose areas. An MOU will be executed with the County stating that they agree to the division of the allocations this year. The City would file the application for the entire award amount of \$48,249 and act as the fiscal agent for the funding. No match is required for the grant. Chief Simons recommended that Council approve the Resolution authorizing the filing of an application with the Bureau of Justice Assistance to fund improvements to the Law Enforcement capabilities of the Valdosta Police Department and the Lowndes County Sheriff's Office. Larry Hanson, City Manager, stated that the motion should include acceptance of the request to apply for funds and to authorize the Mayor to sign the grant documents.

A MOTION by Councilman Carroll, seconded by Councilman Vickers, was unanimously adopted (6-0) to approve the request enact Resolution No. 2010-7, a Resolution authorizing the filing of an application with the Bureau of Justice Assistance to fund improvements to the Law Enforcement capabilities of the Valdosta Police Department and the Lowndes County Sheriff's Office and authorize the Mayor to sign the documents, the complete text of which will be found in Resolution Book V.

RESOLUTION NO. 2010-8, A RESOLUTION APPROVING SECTION 3 POLICIES, PROCEDURES, AND UTILIZATION PLAN AS REQUIRED BY THE U. S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Consideration of a request to approve the Section 3 Policies, Procedures, and Utilization Plan and Resolution as required by the U. S. Department of Housing and Urban Development.

Mara Register, Assistant to the City Manager, stated that Section 3 of the Housing and Urban Development Act of 1968, and additional regulations found at 24 C.F.R. 135 states the purpose of Section 3 of the Housing and Urban Development Act of 1968 is to ensure that employment and economic opportunities generated by certain HUD financial assistance shall, to the greatest extent feasible, and consistent with Federal, State, and local laws and regulations be directed to low and very low income persons, particularly those who are recipients of government assistance for housing, and to business concerns which provide economic opportunities to low and very low income persons. The City, as a grantee for Federal Community Development Block Grant (CDBG) funds, is required by HUD to develop and implement a Section 3 program which provides hiring and economic opportunities for low and very low income persons, particularly those who are recipients of government assistance for housing and business concerns which provide economic opportunities to low and very low income persons to achieve these objectives. Staff has been working with HUD to develop the policies and application documents to assist the City in meeting the Section 3 requirements. The policies, per Federal regulations, are applicable to developers, contractors, subcontractors and others engaged in projects funded through the City with funds (meeting the respective established thresholds of \$200,000 cumulatively and \$100,000 for individual contracts) sourced from the U.S. Department of Housing and Urban Development. The Neighborhood Development Coordinator will coordinate and manage the application process for individual certification. The Economic Development Coordinator will coordinate and manage the business certification process in conjunction with Valdosta Small Emerging Business (VSEB) outreach efforts. Mara Register recommended that Council approve the Section 3 Policies, Procedures,

and Utilization Plan and Resolution as required by the U. S. Department of Housing and Urban Development. Mara Register stated that Councilman Wright had requested additional information about the different career training that would be provided based on how the applicant scored on the Work Keys test which includes work habits, business etiquette, work place effectiveness, communication skills, and job search. Councilman Wright inquired as to whether this could work against someone with a communication barrier and not allow them to be qualified. Mara Register stated that they would like to have further discussions with Valdosta Technical College about the GED opportunities which will help in those areas as well.

A MOTION by was made by Councilman Payton to approve Section 3 Policies, Procedures, and Utilization Plan and the Resolution as required by the U. S. Department of Housing and Urban Development. Councilman Wright seconded the motion. Councilman Wright stated that he would like to receive information on this program as well as the VSEB program in the monthly Departmental Reports. The motion was unanimously adopted (6-0) adopted to enact Resolution No. 2010-8, the complete text of which will be found in Resolution Book V.

RESOLUTION NO. 2010-9, A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS' GEORGIA HOUSING AND FINANCE AUTHORITY (GHFA) FOR HOMEOWNER RECONSTRUCTION ACTIVITIES WITHIN THE DESIGNATED REVITALIZATION AREA (DRA)

Consideration of a Resolution authorizing the filing of an application with the Georgia Department of Community Affairs' Georgia Housing and Finance Authority (GHFA) for homeowner reconstruction activities within the Designated Revitalization Area (DRA).

Mara Register, Assistant to the City Manager, stated that the City of Valdosta has a long history with Community Home Improvement Program (CHIP) funding having received grants in the following years: 1998, 2001, 2002, 2004, 2006, and two in 2007. The grants focused on the activities of down-payment assistance, rehabilitation, and reconstruction. Through these grant projects, the City has assisted 145 families. The City is seeking funding in the amount of \$306,000 to assist 24 income eligible families of owner-occupied homes requiring reconstruction assistance. The activity will assist these families with new homes. Funding in the amount of \$300,000 will be used to support reconstruction activities and GHFA will allow up to 2% or \$6,000 for administration activities. Mara Register recommended that Council approve the Resolution authorizing the filing of an application with the Georgia Department of Community Affairs' Georgia Housing and Finance Authority (GHFA) for homeowner reconstruction activities within the Designated Revitalization Area (DRA).

A MOTION was made by Councilman Wright to approve the request to apply for grant funds. Councilman Eunice seconded the motion. Councilman Carroll inquired as to whether the motion should include authorizing the Mayor to sign the Resolution and application. Councilman Wright and Councilman Eunice were in agreement. The motion was unanimously adopted (6-0) to enact Resolution No. 2010-9, a Resolution authorizing the filing of an application with the Georgia Department of Community Affairs' Georgia Housing and Finance Authority (GHFA) for homeowner reconstruction activities within the Designated Revitalization Area (DRA), the complete text of which will be found in Resolution Book V.

POSTPONEMENT OF A RESOLUTION FOR THE CITY OF VALDOSTA TO PARTICIPATE IN THE SCRIPT SAVE PROGRAM

Consideration of a Resolution for the City of Valdosta to participate in the Script Save Program.

Charlie Felts, Human Resources Director, stated that since 1994, the Script Save Program has been providing discounts on prescription drugs to card holders through sponsoring agencies. The Program could be used by part-time employees of the City of Valdosta who have no benefits and could also be used by citizens who have no insurance for prescription drugs. This Program was presented at the Work Session by Brian Barker with Argus and the City of Valdosta would sponsor the program with on-line enrollment. There is no cost to the City for sponsoring the program. Larry Hanson, City Manager, recommended that the request be postponed for 60 days in order to allow an opportunity to conduct additional research.

A **MOTION** by Councilman Eunice, seconded by Councilman Carroll, was unanimously adopted (6-0) to postpone the request for a Resolution for the City of Valdosta's participation in the Script Save Program for 60 days in order to allow for discovery.

**ORDINANCE NO. 2010-24, AN ORDINANCE AMENDING THE CITY OF VALDOSTA'S
RETIREMENT PLAN AND RESOLUTION NO. 2010-10 AUTHORIZING THE TRANSFER OF ASSETS**

Consideration of amendments to the City of Valdosta's Retirement Plan and approval of a Resolution for transfer of assets.

Charlie Felts, Human Resources Director, stated that there are three amendments to the City of Valdosta's Retirement Plan which include the following: (1) Authorize a transfer of assets from the City's Plan to the Parks & Recreation Authority's Retirement Plan for 31 former employees of the City now employed with the Authority, (2) Establishment of an Excess Benefit Plan and Trust for the City's retirement plan to address the existing cap on benefits, and (3) A proposal to increase the contribution for City employees hired after July 1, 2010 from 2% to 3%. Charlie Felts recommended that Council approve the Ordinance amending City of Valdosta's Retirement Plan and the Resolution for transfer of assets to the Parks and Recreation Authority.

A **MOTION** was made by Councilman Eunice to approve an Ordinance to amend the City of Valdosta's Retirement Plan in order to transfer assets from the City of Valdosta's Retirement Plan to the Parks and Recreation Authority's Retirement Plan and increase the contribution rate for new hires and rehires from 2% to 3% beginning July 1, 2010, and to approve a Resolution to establish an Excess Benefit Plan and Trust for the City's Retirement Plan. Councilman Carroll seconded the motion. The motion was unanimously adopted (6-0) to enact Ordinance No. 2010-24, an Ordinance amending the City of Valdosta's Retirement Plan, and Resolution No. 2010-10, a Resolution to transfer assets to the Parks and Recreation Authority, the complete text of which will be found in Ordinance Book XII and Resolution Book V.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Mayor Fretti asked Council to consider Agenda Items 8(a) through 8(k) under a Consent Agenda. Greg Brown, Purchasing Agent, informed Council that all of the items up for bid were approved by Council in the current year budget and asked Council's consideration in following the recommendation of the Purchasing Agent if all of the following bids were accepted at one time: (1) Item 8(a) - Consideration of bids for office supplies for the City of Valdosta (Bid No. 22-09-10) - the low bid was submitted by Lee Office Equipment in the amount of \$35,089.12, (2) Item 8(b) - Consideration of bids for oils and lubes for the City of Valdosta (Bid No. 23-09-10) - the only bid received was submitted by Akins LLC and they have offered a cost plus 20% mark-up on package goods and a 15% mark-up on bulk items, (3) Item 8(c) Consideration of bids for the annual filter contract services for the City of Valdosta (Bid No. 24-09-10) - the low bid was submitted by NAPA Auto Parts at 60.01 % off the jobber price, (4) Item 8(d) - Consideration of bids for plumbing services for the City of Valdosta (Bid No. 25-09-10) - the low bid was submitted by Roto Rooter in the amount of \$65.00 per hour, \$97.50 per hour over time, and 15% mark up, (5) Item 8(e) - Consideration of bids for gas and diesel fuel for the City of Valdosta (Bid No. 26-09-10) - the low bid was submitted by Mansfield Oil in the amount of \$0.0822, (6) Item 8(f) - Consideration of bids for the hand tools contract for the City of Valdosta (Bid No. 27-09-10) - the low bid was submitted by Whitehead Hardware in the amount of \$11,137.25, (8) Item 8(g) - Consideration of bids for janitorial services for the City of Valdosta ((Bid No. 28-09-10) - the low bid was submitted by Quality Paper in the amount of \$29,053.55, (8) Item 8(h) - Consideration of bids for pest control services for the City of Valdosta (Bid No. 31-09-10) - the low bid was submitted by Baird's Pest Control in the amount of \$4,824.00, (9) Item 8(i) - Consideration of bids for retread tire services for the City of Valdosta (Bid No. 32-09-10) - the only bid received was submitted by Hill Tire in the amount of \$2,857.50, (10) Item 8(j) - Consideration of bids for a valve exerciser machine for the Utilities Department (Bid No.34-09-10) - the low bid was submitted by E.H. Wachs in the amount of \$46,885.00, and (11) Item 8(k) - Consideration of bids for forensic firearms comparison microscopes for the Crime Lab - a bid was received from Leeds, Incorporated in the amount of \$139,973 for both microscopes.

A **MOTION** by Councilman Eunice, seconded by Councilwoman White, was unanimously adopted (6-0) to follow the recommendation of the Purchasing Agent and approve the bids under a Consent Agenda for Agenda Items 8(a) through 8(k).

Consideration of bids for the Country Club Sewer Extension Project.

Von Shipman, City Engineer, stated that bids were received on May 21, 2010 at 10:00 and the low bid was submitted by Southern Allied in the amount of \$62,079.00. The Engineering Department estimate was \$70,477.00. The contractor is prepared to start work in mid-June with completion scheduled for mid-July. Von Shipman recommended that Council approve the low submitted by Southern Allied in the amount of \$62,079.00 plus a 10% contingency.

A **MOTION** by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (6-0) to approve the low submitted by Southern Allied in the amount of \$62,079.00 plus a 10% contingency for the Country Club Sewer Extension Project.

Consideration of an Agreement between the City of Valdosta and the First United Methodist Church for construction of a bridge over a City alley.

Von Shipman, City Engineer, stated that the First United Methodist Church is expanding its Solomon's Porch ministry by remodeling an adjoining building to their downtown facilities. In order to create connectivity, the Church is requesting permission to construct a bridge over a City alley. An agreement has been prepared by the City Attorney for Council's consideration. Von Shipman recommended that Council approve an Agreement between the City of Valdosta and the First United Methodist Church for construction of a bridge over a City alley.

A **MOTION** by Councilman Eunice, seconded by Councilman Wright, was unanimously adopted (6-0) to approve an Agreement between the City of Valdosta and the First United Methodist Church for construction of a bridge over a City alley.

CITY MANAGER'S REPORT

Larry Hanson, City Manager, stated that there will be 125 campers coming from all over the country as far away as Alaska to participate in the Group Work Camp this year. It is scheduled for June 13-19, 2010 and there are 18 primary sites. Lowe's Distribution Center is the primary sponsor for the project.

The Electronic Recycling Event was held several weeks ago and they collected 71,000 tons of material which keeps it out of our landfill. There were 614 personal computers, 753 monitors, and 41 televisions. In 2006 they collected 35,000 tons, in 2007 they collected 36,128 tons, in 2008 they collected 34,000 tons, and in 2009 they kept 62,000 tons.

The Utilities Department has now moved into their new building and a ribbon cutting ceremony will be scheduled in the very near future. The Crime Lab Staff has now moved into the new Crime Lab and they are waiting to hear back from some important officials on dates for the ribbon cutting.

The Georgia Department of Transportation will be resurfacing Patterson Street in either August or September. The cost of this project will be \$1.8 million and will start at Magnolia Street and run to Five Points.

There will be some upcoming appointments for Boards and Commissions in August. There is one position on the Public Art Advisory Committee, two positions on the Tree Commission, and one position on the Zoning Board of Appeals.

Mayor Fretti inquired as to whether Council had any objection to Councilman Tim Carroll serving on a Consultant Selection Committee for the Withlacoochee Wastewater Treatment Plant and related work. There was no objection from Council.

Councilman Payton thanked Teresa Bolden, City Clerk, for adding photographs and information to the Agenda Items on the Conditional Use Permit requests.

Councilman Carroll congratulated Rebecca Shirley, Main Street Director, and Alexandra Arzayus, Planning and Zoning Technician, and Alan Ricketts, Valdosta-Lowndes County Industrial Authority, on their recent graduation from the Georgia Economic Development Academy.

Councilman Vickers stated that he had not heard anything about the issues raised by the citizen about the Biomass Plant and inquired as to how much we know about the health issues. Mayor Fretti stated that as a City we leave the permitting opportunities up to the air quality agencies such as the U. S. Environmental Protection Agency (EPA) and the U. S. Environmental Protection Division (EPD). Larry Hanson stated that the permit has not been issued by the EPA and the project has been approved by the County. The State of Georgia is participating in a grant for the project and the Federal government is offering tax incentives for the project. A delegation from Valdosta went to Michigan to view an identical plant that has been operating there for some time. Councilman Vickers stated that he would like to see what other communities have to report on some of the issues that Ms. Wheling brought up. Larry Hanson stated that according to Brad Lofton, Executive Director of the Valdosta-Lowndes County Industrial Authority, the project is carbon neutral and the thresholds are far below the minimum acceptable standards by EPA and EPD. Councilman Wright stated that Brad Lofton had mentioned to him that there will be a minimum amount of discharge which has been addressed by the EPA and also the wastewater will be used to run the Plant and not regular water. Larry Hanson stated that Ms. Wheling thought the Plant would discharge processed water from the cooling towers directly into Mud Creek but it will be returned to our Plant and go through our process. Larry Hanson stated that he would forward information on the Biomass Plant to Council members.

ADJOURNMENT

Mayor Fretti entertained a motion for adjournment.

A MOTION by Councilman Carroll, seconded by Councilman Payton was unanimously adopted (6-0) to adjourn the June 10, 2010 meeting of the Valdosta City Council at 7:13 p.m. to meet again in regular session on Thursday, June 24, 2010.

City Clerk, City of Valdosta

Mayor, City of Valdosta