

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, JUNE 11, 2009
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

Mayor John J. Fretti called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Sonny Vickers, Tim Carroll, Alvin Payton, Jr., Willie Head, Jr., Robert Yost, and James Wright. Councilman John Eunice arrived at 5:40 p.m. The invocation was given by Pastor Vincent Brown, Outlet Christian Life Worship Center, followed by the Pledge of Allegiance.

AWARDS AND PRESENTATIONS

PRESENTATION OF THE JUNE, 2009 EMPLOYEE OF THE MONTH AWARD POSTPONED

Consideration of the June Employee of the Month Award (John Dereck Willis, Fire Department).

Mayor Fretti stated that Dereck Willis (Fire Department) was selected as the June Employee of the Month but was unable to attend the meeting because he was out of town. Mayor Fretti asked that the presentation be postponed until the June 25, 2009 Council Meeting. There was no objection from Council to postpone the presentation.

APPROVAL OF MINUTES

The minutes of the May 21, 2009 Regular Meeting of the Valdosta City Council were approved by unanimous consent (7-0) of the Council.

CITIZENS TO BE HEARD

Floyd Rose, 4001 Foxborough Boulevard, stated that he had a question for Councilman Yost. Mayor Fretti stated that Councilman Yost would not answer the question because Council should be addressed as a whole. Mr. Rose stated that he would like for Councilman Yost to answer the question because it had to do with a statement that he made at the last meeting and was quoted in the Valdosta Daily Times. Mayor Fretti inquired as to whether Mr. Rose had asked Councilman Yost about the statement prior to this Council meeting. Mr. Rose stated that he had not. Mayor Fretti asked Mr. Rose if he would consider asking Councilman Yost after the Council meeting. Mr. Rose stated that he would not consider that because the statement was made in a public forum and he felt that some explanation was deserved by the community. Councilman Yost was quoted in last Thursday's edition of the Valdosta Daily Times as saying something in response to the \$19,000 request for reimbursement to South Georgia Medical Center that involved a shooting where someone shot at an Officer and accidentally shot himself. It then became the responsibility of the City to pay his bill as indicated by Chief Frank Simons. According to the Valdosta Daily Times, Councilman Yost stated that a funeral would have been cheaper. Mr. Rose inquired as to know what Councilman Yost meant by that statement. Mayor Fretti stated that he thought someone might ask that question at the Council meeting and he discussed this with Councilman Yost earlier. It was Councilman Yost's desire to handle this by the policy which is not to answer directly under single individual engaging of members of Council; however, Councilman Yost may deliver a statement after Citizens to be Heard is closed out. Mr. Rose asked if this was a commitment. Councilman Yost stated that he would speak at that time.

Roy Taylor, 2209 Bridlewood Drive, stated that Larry Hanson, City Manager, has done a great job on the City's budget. There is no city in America that is in as good of shape as Valdosta and that can afford to give their employees a small raise of 2.5%. The City Manager has kept in line with the dollars the City has received and the citizens of Valdosta appreciate this. Approximately six or seven years ago, Shirley Franklin, Mayor of Atlanta, thought the City Manager was more valuable up there than in Valdosta; however, fortunately the City Manager has two children that he wanted to raise in our community. Mr. Taylor stated that he and the City Manager have not always agreed on things but he was thankful that Mr. Hanson was here to look out after his tax dollars. Also, Mr.

Taylor stated that he disagreed with his distinguished colleague and felt that it was time we reached a point of keeping people in jail. Mr. Taylor stated that he had a newspaper with eight people in it who had recently been arrested and one of them had been arrested three times in 90 days for drug offenses. The others had also been arrested many times before. There are not enough jails to put these people in and keep them there. Mr. Taylor stated that he now carries a gun because who would have ever dreamed that a 76 year-old man would go to the vegetable market and get robbed by a young man approximately 17-21 years of age. That happened to him four months ago and fortunately he did not have a gun because the young man would have been going to heaven. Mr. Taylor stated that the young man would not have hit him first. He would never want to take the life of anyone but they are not going to take his life either. It is time that Americans got concerned about the 17-21 year-olds being arrested and letting people hurt others. The City of Valdosta has good Police Officers that get hurt, but when someone shoots himself after being arrested and then has to go to the hospital and the tax payers have to pay the bill, he should have shot himself in the other leg. Mr. Taylor stated that Councilman Yost has his financial support even though he could not vote for him.

George Boston Rhynes, 5004 Oak Drive, stated that he wanted to thank the Mayor and Council for answering questions that he had during a recent meeting; however, there was one question that did not get answered and that was about having television cameras to report what goes on in this public meeting. There are many towns that now broadcast their monthly meetings to inform the citizens. Mr. Rhynes stated that he would like to see the Council meetings televised. Mayor Fretti asked that Mr. Rhynes to send him an E-mail and he would work on this request. Mr. Rhynes stated that he believed in open government but in Hahira on May 16, 2009 there was a commemorative service sponsored by the Mary Turner Committee and over 300 people were in attendance from around the nation. There was a motorcade of 105 vehicles which was escorted by the Hahira Police Department to the site where Mary Turner was lynched and burned in May, 1918. All religions and races came together to resurrect that memory of Valdosta and Lowndes County. Mr. Rhynes stated that he was disappointed because there was nothing in the local newspaper or on the local television stations in the community. It seems that there is an ascertained effort in Valdosta and Lowndes County to keep the citizens deaf, dumb, and blind to the times and unable to make intelligent decisions based on facts.

Councilman Yost stated that Mr. Rhynes has come before Council many times and commented about the Valdosta Daily Times and what they do and do not print. There is a rest of the story to his comments about "it would have been cheaper to have a funeral." We are paying \$20,000 for that individual who shot a Police Officer three times and meant to kill him. He then shot himself by accident and the tax payers are the ones having to foot the bill. Could he have been buried for \$5,000 and it would have been cheaper for us? Absolutely. This is not a hard thing to figure out because common sense tells you that. Councilman Yost stated that he has had several calls from different individuals about his quote in the newspaper. One gentleman tried to tell him what he meant and there is no one in the Council Chambers who can tell him what he meant except for himself. That person then demanded that Councilman Yost apologize for being a racist. Councilman Yost told the caller that he did not know anything about him except that what he read in the Valdosta Daily Times. Councilman Yost stated that he did say it and he would not take it back because he meant it. He did not bring race into the conversation the night it was discussed because it does not matter to whether a person is black, white, yellow, green, or whatever. Councilman Yost stated that he was tired of individuals taking things into their hands. When you go into a bank, rob it, and shoot the Bank Manager or shoot one of our Officers three times, that is enough. There is a problem with the system if an individual gets out of jail because he shot himself. The District Attorney and some of the Judges have discussed this with Councilman Yost and there is a problem throughout Georgia and the United States with individual committing crimes and being released again and again. Something needs to be done and Councilman Yost has talked to some of the elected delegates on the State level to see how we can work the funding because the District Attorney's office has had to lay off Staff so they are unable to prosecute people properly or in a timely manner or not at all. Councilman Yost stated that he felt confident that with that help and with the Council working and supporting our Police Department they can keep down crime and keep the citizens safe no matter what color they are or where they live. Hopefully the newspaper will quote Councilman Yost correctly and the person sitting in the audience who asked him the question will understand that race came into this issue because someone put it in there and it was not him. Councilman Yost stated that he would not back off from his statement and it is time more people spoke out and showed some civic responsibility to take care of this problem.

ORDINANCE NO. 2009-21, AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS ORDINANCE

Consideration of an Ordinance to rezone 2.0 acres from Medium Density Residential (R-21) County to Single-Family Residential (R-15) City as requested by George Eager (File No. VA-2009-08). The property is located south of Rolling Road's intersection with Ravenwood Circle. Mayor/Council postponed the request at the April 9, 2009 and May 7, 2009 regular meetings until the June 11, 2009 regular meeting. The Planning Commission reviewed this request at their May regular meeting and recommended denial (5-4 vote).

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant has altered his previous request to rezone 3.94 acres and create 9 lots within the Eager Subdivision. The new request is to rezone approximately 2.0 acres (Lots 1 through 5 on the subdivision plat) from Medium Density Residential (R-21) County to Single-Family Residential (R-15) City. The property is currently part of a 209-acre tract. The adjacent neighborhood is in an Established Residential Character Area on the Future Development Map. The rezoning would permit an extension of the existing Single-Family neighborhood and Ravenwood Circle would be extended to end in a cul-de-sac. The five lots or the proposed road, while affected by the recent flooding, do not appear to be within the wetlands or the 100-year floodplain and may be developed as any other lot outside of floodplain/wetlands; however, the applicant has stated his intent to build the new structures at a finished floor level of 137 feet and to also provide on-site detention. The request is consistent with the Comprehensive Plan and the currently R-21 (County) zoning is the closest zoning district to the City's R-15. The property was previously zoned R-15 (County) but that was changed when the County adopted their new Land Development Code. The property could be developed residentially in the County without annexation; however, the applicant is requesting annexation to receive water and sewer services from the City. Those services are available with adequate capacity to serve the five lots. The sewer is located within 200 feet and the State requires that if the sewer is within 200 feet they must connect to that sewer. If the property is annexed or not, they will have to connect to the sewer and having sewer and the water available does give the applicant an opportunity to have the lots closer to 15,000 square feet which is would be consistent with what is already in Eager Subdivision. Because of the variety of concerns that have been expressed with this request, conditional zoning is often used to address some of the unique concerns on specific cases. Staff has recommended the following are eight conditions for this request: (1) No more than five homes will be constructed on the property being rezoned, (2) On-site detention will be provided, (3) No wetlands will be disturbed, (4) All homes will be compatible to those in the adjoining sections of Eager Subdivision, (5) Restrictive covenants will be compatible to the adjoining sections of Eager Subdivision, (6) Appropriate compaction tests will be performed on the property before construction, (7) The 100-year FEMA floodplain elevation will be established before construction, and (8) The finished floor elevation of the homes will be set at 137 feet which is 2 feet above the 500-year floodplain and 4 feet above the 100-year floodplain. Based on the adjacent neighborhood being zoned R-15 and located in an Established Residential Character Area, Staff found the new request consistent with the goals and policies of the Comprehensive Plan and recommended approval with the eight conditions. The Planning Commission reviewed this request at their May 18, 2009, regularly scheduled meeting and recommended denial of the request (5-4 vote) based on concerns regarding the recent flooding and the quality of the previously placed fill material. Councilman Eunice inquired as to whether the applicant had agreed to the eight conditions. Anne-Marie Wolff stated that the applicant had agreed to the conditions.

Pope Langdale, Attorney with Langdale-Vallotton, spoke in favor of the request. Mr. Langdale stated that he represented the applicant and he has never seen a rezoning case as straight-forward from a practical and legal aspect as this one. This rezoning and annexation is the practically correct thing to do and the legally mandated thing to do. George Eager is 88 years old and he has been developing the property surrounding the two acres for the last 40 years. Eager Subdivision is one of the most desirable subdivisions that people want to live in. The property that the applicant is asking to develop into five residential lots is the same thing that he has done on every other tract of land in Eager Subdivision where he has added on to the Subdivision. In every instance, people have felt that they did not want to disturb the lots and add more residences; however, each time it has been developed, the lots have been nicer than the existing ones and it has increased the property values of those that do exist. The property has been zoned Residential for over 40 years and the applicant has paid taxes on this property for over 40 years. He has the legal right to use this property as Residential property to develop in conformity with the residences that adjoin it. In fact, every single residence that adjoins this particular tract of land is zoned exactly the

way that Mr. Eager is asking Council to rezone this particular land. The neighbors are only getting more neighbors. In fact, Ravenwood Road has existed since 1980 and it was clear that the intent of Mr. Eager was to develop this particular tract of land just like he had done for those who currently adjoin the property. Mr. Eager has the right to use the property for its highest and best use. Mr. Langdale stated that those in opposed stems from the unfortunate flooding event that occurred 90 days ago. It has never flooded in like that before in Valdosta but this brings up issues with the wetlands and the floodplain. Mr. Robin Harris, Surveyor and Engineer, was hired to look at the land to determine whether any of the proposed two acres is either in the 100-year floodplain or in a wetlands area. Mr. Harris has confirmed that neither one exists. Mr. Langdale stated that there was also an issue brought up at the Planning Commission Meeting about whether there was any improper fill material on this site that could perhaps impact the development or building of a Residential home. They have determined in talking with the Army Corps of Engineers that this is not the case. There is no improper fill material that would affect the Residential development of the five lots; however, the applicant has agreed as a condition that compaction tests be performed on a lot to ensure that it is suitable for a residential foundation. This is not typically required for residential construction in the City of Valdosta but the applicant is agreeable to making that a condition of the rezoning. Mr. Langdale stated that there is no practical reason to deny the rezoning request. The opposition is that the residents do not want any more neighbors which is not a legal or practical reason to deny a man the right to use the property that he has owned for over 60 years especially when he is suggesting a use that is consistent with every neighbor around him. Mr. Eager is only seeking to develop five lots in consistency with the County zoning that he already has and that is consistent with the zoning that already exists around the property.

Councilman Carroll inquired as to whether the Surveyor/Engineer, Robin Harris, looked at the property during the flood and if not whether he could determine where the high water mark was when he surveyed the property. Robin Harris, 2202 Northwood Circle, stated that he did not look at the property during the recent flood and he did not see any evidence where the high water mark was when the property was recently surveyed. Councilman Carroll stated that what is being proposed as a condition is that the finished floor elevation be a minimum of two feet about the 500-year floodplain which would put it at 137 feet. Mr. Harris stated that is two feet above the 500-year and the 500-year is three feet higher than the 100-year floodplain. The recent flood that occurred in Valdosta was a 700-year flood. Councilman Carroll inquired as to whether two feet above the 500-year floodplain would have kept the finished floors of any new construction on this property from having water damage during the most recent flood. Mr. Harris stated that it would. The elevation of 137 feet would have never been reached even by the recent flood which got to 135 feet plus or minus. Councilman Carroll inquired as to whether the proposed road extension of Ravenwood would have been above the current flooded area or above the current 100-year floodplain. Mr. Harris stated that the road has not been designed yet and the only requirement is that it is above the 100-year floodplain which is at the 132 foot elevation. The existing location of the road is in a position higher than the 100-year floodplain and that is what is used for design. If the road was built at 132 feet, the houses would be 5 feet higher than that and the water would not get into the houses.

John Mark Eager, 1219 Lake Drive, spoke in favor of the request. Mr. Eager stated that he was George Eager's youngest son and his father has owned the property since 1950 and developed a wonderful neighborhood. His father is not rich materially and depends on this as his primary source of income to take care of his wife. The issues that have been raised such as the 100-year floodplain, wetlands, and fill materials will be addressed with the City Engineer in the permitting phase. Councilman Eunice inquired about the on-site detention area. Mr. Eager stated that they have discussed putting detention into swells or in underground storm drain pipes or physically hold it on site. There is not one phase that has detention in this subdivision. Mayor Fretti inquired about the fill material used in this area. Mr. Eager stated that there was a news article in the 1980's about the fill material which was very embarrassing to his father and he has no knowledge of any citations issued. Don Reames built the road and did most of the fill work but his construction company had no records. They also contacted the Army Corps of Engineers and even if concrete or urinals were placed in the area none of that is considered hazardous waste. This will also be addressed during the permitting phase.

Greg Justice, General Manager of Regal Marine, 2903 Pebblewood, spoke in favor of the request. Mr. Justice stated that he moved to the area four years ago and purchased a lot on Pebblewood from George Eager. Mr. Eager wanted to see the house plans and make sure that the house was at least 2,500 square feet. Mr. Eager wanted

to build a nice community and when there was a problem with the property line he worked very hard to resolve the issue. Mr. Eager is a man on integrity and he would not be asking to do this if it was going to hurt someone.

Jim Elliott, 1112 Clover Hill Road, spoke in opposition to the request. Mr. Elliott stated that he lives across the street from the backup of Lots 1-4. Mr. Elliott stated that he agreed with Mr. Langdale in that the rezoning and annexation is a non-issue; however, the issue he was concerned about is where the line drawing takes places. Mr. Elliott inquired as to where the current and existing line was between the existing zoning of Residential and Conservation under the County's ULDC Zoning Ordinance. There is nothing that indicates the 100-year floodplain is equivalent to the County's Conservation zoning line. It would be inappropriate for the County to annex property that is currently zoned Conservation and then rezone it Residential without some heightened due diligence in protecting that property and the integrity of the Conservation zoning that is currently in place. Mr. Elliott asked Council's consideration in requiring some due diligence in determining where the current Residential zoning stops and where the current Conservation zoning begins and to not permit encroachment of annexation into currently zoned Conservation land. Also, during the recent flooding, the water was up into the field which is where the road will go and into the front yards of these lots. The raised elevation will protect the housing but the water can and will go there from recent experience. Mr. Elliott asked Council to be certain that they do not annex anything that is currently zoned Conservation within the County. George Talley, City Attorney, inquired as to whether the Corps of Engineers would make that determination. Mr. Elliott stated that would be his best guess. Larry Hanson, City Manager, stated that the City also has Conservation zoning and it could be rezoned Conservation within the City. Councilman Carroll stated that there is a slim portion of the property before Council that is currently zoned Conservation. Anne-Marie Wolff stated that the portion where the road would go is zoned Conservation. The 100-year floodplain received the Flood Zoning so it can be assumed that the County originally used it to depict the areas of the 100-year Flood Zone and that was it. Mayor Fretti stated that under the County's ULDC it was designated a Flood Zone and then relabeled as Conservation but that did not automatically make it protected or endangered. Anne-Marie Wolff stated that there is not a proven resource that demonstrates why it needs to be Conservation.

Pat Bezona, 2603 Winding Way, spoke in opposition to the request. Ms. Bezona stated that her property does not back up to these lots but she was concerned about the people who will be coming into the neighborhood. If this is a Conservation area they need to determine where it is because it is important for the land resources. That is why they are having flooding problems now. There is so much civilization moving into areas that they do not need to be in and that is why there was a problem 90 days ago. Ms. Bezona stated that she does not want to have to pay for all the repairs that would have to be made to the roads, sewers, and water after a flood and she did not want the new neighbors to have to go through the sand bagging and the flooding that they experienced. There are other lots in our community that could be used for houses. Mr. Eager has the right to ask for the rezoning but they are fighting it for the conservation and for the money that the tax payers would have to pay for repairs due to flooding.

David Washnock, 765 Lake Laurie Drive, spoke in opposition to the request. Mr. Washnock stated that he has lived adjacent to Lot 1 for approximately 16 years. This area used to be a pond and it was filled in. When the Park Avenue Theater was torn down there was truck after truck full of asbestos covered pipe, tile, urinals, and glass that was dumped in this area. The Corps of Engineers came from Atlanta and asked Mr. Eager about it and they removed as much of it as they could. Mr. Washnock stated that they were originally told that this would be a park area for the people of Eager Subdivision and now he is being told that it is being rezoned to build houses on it.

Sue Dennard, 1111 Clover Hill Road, spoke in opposition to the request. Ms. Dennard stated that she has lived there since 1974 and when she moved there this was a lake bed. When she purchased the house from Jimmy Eager she was told that nothing would be built behind her because it was wetlands and you could not build on them. When Ms. Dennard's children were small, Mr. Eager told them he was going to build a park back there for them. Ms. Dennard reminded Council that this request was turned down by the Planning Commission and several of the members told her that they could not vote in favor of this with a clear conscious after having seen the people evacuated from these properties during the recent flood. The people who live next to these lots are still evacuated due to the recent flooding. Lots 4 and 5 also had water on them and approximately one-third of this property was under water during the flooding. Ms. Dennard stated that the new properties would have drainage retention if they were flooded and inquired as to where it was going to be placed because there is no place for a retention pond. Also, there is a sewer line on the property which is where the road would go and if you take the road to the right

you will be in the wetlands and if you go to the left the lots will be too small. This proposal is not based on anyone's age or reputation but is about an issue affecting our community. Ms. Dennard stated that she worries about the people who are evacuated and about the people who are going to be put in this hole. This is not a lot but a lake basin that was built up. She has seen debris brought in and also witnessed last fall during the drought when they tried to burn the lot and the Fire Department had to be called because the flames were coming across the area. Ms. Dennard checked and no permits have been pulled in the last 20 years for these lots and there have been no fines. Ms. Dennard stated that she did not have any great security that the system was going to work. Also, flood lines do not matter when you are out of your home and a lot of those people did not have flood insurance. Ms. Dennard spoke with FEMA and as soon as they have money they are going to redraw the flood lines. A lot of people in her neighborhood felt that there was no reason for them to go to the Council meeting because no one could pass this request after the recent flood. Ms. Dennard asked Council's consideration in thinking about what is best for the community and for those poor people who might be put on those five lots.

Councilman Yost stated that he had received a copy of a letter from Langdale and Vallotton, LLP and inquired as to whether Council would be violating the applicant's Constitutional Rights if this request was denied. George Talley, City Attorney, stated that if this was denied then the applicant would most likely file a lawsuit and he had to submit this letter on Constitutional Rights in order to have that right. The property can currently be developed with homes on these lots in the County and the applicant would not have to wait until the property comes into the City. Under Court decree, they could also use the City's water and sewer and that is basically what Mr. Langdale's letter is stating. Mayor Fretti inquired as to how a pond could be filled in without permits. George Talley stated that they really did not have to have a permit to do all that 30 years ago. Mayor Fretti stated that it is unfortunate that promises were made to certain people who moved in the neighborhood and there were things done without permits; however, the City of Valdosta now has some tight permitting regulations. George Talley stated that the property could have been developed now under the current County zoning and the designation for flooding will be made by the Corps of Engineers. Councilman Eunice inquired as to whether the City's development standards were more stringent than development standards in the County. George Talley stated the standards were more stringent due to the concentration that we have. Councilman Eunice stated that there would be more guidelines that the applicant would have to meet if the property was annexed and rezoned into the City. Councilman Vickers stated that the City has excellent Staff and procedures in place and Council should look at the zoning and let all of the other issues be addressed by Staff.

Councilman Carroll stated that he has taken a great interest in this case and has attended all of the Planning Commission meetings and was available to hear all of the issues, concerns, and comments. Early on he did some research to come up with reasons to deny the request; however, as he has gone to the basic tools that are available he could not come up with any good reasons to deny it. It did flood in this area but flooding is not a reason to deny the annexation of a piece of property. Any future property owners would need to be protected but there are permitting and land development ordinances that address that component of the issue. There is also a lot of property in the City and County that is zoned and developed that is located in a flood prone area. There has also been discussion about the water and sewer and the line that runs through the property and whether the road would be built over it and the impact; however, all of this will be addressed during the permitting and land development process. In regards to the fill material, there is some questionable material that is out there and while that has nothing to do with the annexation and rezoning, once again this is covered under the permitting and land development process. There is a high probability, assuming that all this is true, the City could annex and rezone the property but because of the cost to remediate the improper fill material it may make this land too costly to ever sell and be built upon. Government has to be careful when they go about the process of denying a property owner's request for annexation, City services, and zoning. This property was zoned R-15 in the early 1980's and has been eligible for development since then. The applicant's request to bring it into the City under R-15 zoning next to all of the existing R-15 zoning would make it difficult not to approve the request. Some of the conditions that have been presented are not really necessary because they are addressed under the permitting and land development phase. Councilman Carroll stated that it is important to provide some conditions to ensure that a possible owner in the future will have a home that is built well above the floodplain and he wanted to add another condition. Councilman Carroll asked that an additional condition be added to have the Corps of Engineers delineate the Conservation line and also reflect any new 100-year floodplain line.

A **MOTION** was made by Councilman Carroll to approve the request to rezone 2.0 acres (Lots 1-5) from Medium Density Residential (R-21) County to Single-Family Residential (R-15) City as requested by George Eager along with his dialog as justification and rationale and the nine conditions. Councilman Vickers seconded the motion. Councilman Eunice inquired as to how the redrawing of the lines with the Army Corps of Engineers would be handled. Larry Hanson, City Manager, states that the 100-year floodplain line would be a reasonable standard for the Conservation line. Anne-Marie Wolff, Planning and Zoning Administrator, that the Army Corps of Engineers would not be able to delineate a line for a conservation area and the only thing they would be able to delineate would be the 100-year floodplain line. Councilman Carroll stated that there is an agreement and condition that the finished floor elevation of the homes would be set at two feet above the 500-year floodplain which is five feet above the 100-year floodplain and if that floodplain gets moved then this would be moved. Mayor Fretti stated that the Corps of Engineers does not have a Conservation delineation. Councilman Carroll asked for a moment of personal privilege and asked Jim Elliott how Council would condition any action they take to reflect his comments regarding the area currently zoned Conservation and the 100-year floodplain. Jim Elliott stated that he did not know because he understood Anne-Marie Wolff to say that the Conservation zoning was driven by the 100-year floodplain line and the road as proposed on the plat was currently in the Conservation zoning. Anne-Marie Wolff stated that the Conservation zoning is replacing the Flood Zoning that used to exist and she was not sure whether the County used that to depict the current Conservation zoning. The best recommendation is for the final delineation of the area to be rezoned and annexed where the 100-year floodplain is delineated so the road, although it is zoned Conservation, is not within the floodplain and or within the delineated area. Mayor Fretti asked Councilman Carroll if he wanted to remove the first part of the ninth condition because it is a County zoning line and not a Corps of Engineers zoning and the County had no objection to the annexation or rezoning. Councilman Carroll and Councilman Vickers were both in agreement with the change to the condition. The motion was unanimously adopted (7-0) to enact Ordinance No. 2009-21, the complete text of which will be found in Ordinance Book XI.

ORDINANCE NO. 2009-22, AN ORDINANCE TO EXTEND THE CITY LIMITS

Consideration of an Ordinance to annex 2.0 acres (Lots 1-5) as requested by George Eager (File No. VA-2009-08). The property is located south of Rolling Road's intersection with Ravenwood Circle. Mayor/Council postponed the request at the April 9, 2009 and May 7, 2009 regular meetings until the June 11, 2009 regular meeting. The Planning Commission reviewed this request at their May regular meeting and recommended denial (5-4 vote).

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant has requested annexation of approximately 2.0 acres (Lots 1 through 5 on the subdivision plat). The property is contiguous to the City limits and it would be annexed into the City under the R-15 zoning which Council just approved.

Pope Langdale, Attorney with Langdale-Vallotton, spoke in favor of the request.

No one spoke in opposition to the request.

A **MOTION** by Councilman Eunice, seconded by Councilman Head, was unanimously adopted (7-0) to enact Ordinance No. 2009-22, an Ordinance to annex 2.0 acres (Lots 1-5) as requested by George Eager with the eight conditions listed in the previous rezoning request, the complete text of which will be found in Ordinance Book XI.

ORDINANCE NO. 2009-23, AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS ORDINANCE AND A CONDITIONAL USE PERMIT TO ACCOMMODATE AN EXPANSION OF GEORGIA MILITARY COLLEGE

Consideration of an Ordinance to rezone 3.82 acres from Residential-Agricultural (R-A) County to Community-Commercial (C-C) City and approve a request for a Conditional Use Permit to accommodate an expansion of Georgia Military College as requested by Friends of GMC (File No. VA-2009-12). The parcel is located west of the existing GMC structure at 4201 Forrest Street Extension and in the northwest corner of the intersection of Mt.

Zion Church Road and Forrest Street Extension. The Planning Commission reviewed this request at their May regular meeting and recommended approval (8-0 vote).

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant is requesting to rezone 3.82 acres from Residential-Agricultural (R-A) County to Community-Commercial (C-C) City as well as requesting a Conditional Use Permit in order to accommodate an expansion for Georgia Military College (GMC). Recent growth necessitates additional parking in the near future and GMC is planning for future growth by preparing for an additional building. The site plan shows one existing 25,590 square foot building, one proposed 11,382 square foot building, and associated parking. There are currently 270 paved spaces and approximately 40 grass parking spaces. The total number of proposed paved parking spaces is 626 which include 14 handicapped spaces. The property is currently undeveloped and is located adjacent to Georgia Military College. The actual size of the building would be 21,935 square feet and would be a mirror image of the existing GMC. Additional traffic may be mitigated by improvements to Forrest Street Extension; however, these will be reviewed during the permitting process. Given the existing area of Community-Commercial zoning and the parcel's location within a Community Activity Center Character Area, Staff found the request consistent with the goals and policies of the Comprehensive Plan and recommended approval. The Planning Commission reviewed this request at their May 18, 2009 regularly scheduled meeting and recommended approval (8-0 vote). Mayor Fretti inquired about the movement of traffic from Forrest Street Extension. Von Shipman, City Engineer, stated that he was concerned about the traffic coming in and out of Forrest Street. There is sporadic traffic coming and going; however, a traffic study may need to be conducted to show if there is a need for a left turn lane for northbound traffic to be able to get out of the way and continue to flow. Councilman Payton stated that a correction should be made to reflect the accurate square footage of the building which should be 21,935 as opposed to 11,382. Also, this is in District 4 instead of District 3.

Walter Carroll, 803 Pine Point Circle, spoke in favor of the request. Mr. Carroll stated that he was the managing partner for the Friends of GMC and the turn lane was an issue that was discussed when the school was first constructed in that area. At that time, the City was considering a turn like the one on Jerry Jones. Von Shipman, City Engineer, stated that before that decision can be made he would need to determine the speed of the traffic, the number of cars turning left, and the frequency of stopping.

No one spoke in opposition to the request.

A MOTION by Councilman Payton, seconded by Councilman Vickers, was unanimously adopted (7-0) to enact Ordinance No. 2009-23, an Ordinance to rezone 3.82 acres from Residential-Agricultural (R-A) County to Community-Commercial (C-C) City and approve a request for a Conditional Use Permit to accommodate an expansion of Georgia Military College as requested by Friends of GMC, the complete text of which will be found in Ordinance Book XI.

ORDINANCE NO. 2009-24, AN ORDINANCE TO EXTEND THE CITY LIMITS

Consideration of an Ordinance to annex 3.82 acres as requested by Friends of GMC (File No. VA-2009-12). The parcel is located west of the existing GMC structure at 4201 Forrest Street Extension and in the northwest corner of the intersection of Mt. Zion Church Road and Forrest Street Extension. The Planning Commission reviewed this request at their May regular meeting and recommended approval (8-0 vote).

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant is requesting to annex 3.82 acres in order to receive City water and sewer services. The property is contiguous to the City limits. Staff found the request consistent with the goals and policies of the Comprehensive Plan and recommended approval. The Planning Commission reviewed this request at their May 18, 2009 regularly scheduled meeting and recommended approval (8-0 vote).

No one spoke in favor of the request.

No one spoke in opposition to the request.

A **MOTION** by Councilman Eunice, seconded by Councilman Payton, was unanimously adopted (7-0) to enact Ordinance No. 2009-24, an Ordinance to annex 3.82 acres as requested by Friends of GMC, the complete text of which will be found in Ordinance Book XI.

ORDINANCE NO. 2009-25, AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS ORDINANCE

Consideration of an Ordinance to rezone .34 acres from Residential-Professional (R-P) to Highway-commercial (C-H) as requested by Melanie Crowder (File No. VA-2009-14). The property is located at 1107 East Park Avenue. The Planning Commission reviewed this request at their May regular meeting and recommended approval of Community-Commercial (C-C) zoning (8-0 vote).

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant is requesting to rezone .34 acres from Residential-Professional (R-P) to Highway-Commercial (C-H) to accommodate a multi-faceted commercial venture which includes catering, open air art shows, parties, antiques, furniture and gift basket sales, weekend flea markets, and the rental of parking spaces to sell antique cars. The parcel is located just southwest of East Park's intersection with Melrose Drive. The site plan depicts one existing building and eight parking spaces which is sufficient to accommodate a retail use. The property is located in a Neighborhood Activity Center Character Area on the Future Development Map. Staff felt that Highway-Commercial zoning was not appropriate for a Neighborhood Activity Center Character Area which is a neighborhood focal point with a concentration of activities such as general retail, service commercial, professional office, higher-density housing, and appropriate public and open spaces uses easily accessible by pedestrians and bicycles. There is a significant amount of Community-Commercial (C-C) zoning to the northeast and there are three parcels to the northwest that are zoned C-C, with the most recent rezoning occurring in 2007. While some of the proposed activities may blend in with the adjacent uses, the Highway-Commercial (C-H) zoning would allow more intense uses than are consistent with the adjacent properties. Additionally, several of the proposed uses are not permitted, would require Special Event permits, or are not appropriate for this location due to the limited size of the building and parking availability. Highway-Commercial zoning is intended for regional commercial uses. The businesses along Park Avenue are primarily intended to serve the surrounding local neighborhoods rather than attracting a regional population. Given the existing Office-Professional, Community-Commercial, and Single Family Residential zoning of the immediate area and the parcel's location within a Neighborhood Activity Center Character Area, Staff found the request inconsistent with the goals and policies of the Comprehensive Plan and recommended denial of Highway-Commercial zoning. Staff would recommend approval of Community-Commercial zoning, which is more consistent with the surrounding land uses and would permit some of the applicant's proposed uses. The Planning Commission reviewed this request at their May 18, 2009 regularly scheduled meeting and recommended approval for Community-Commercial (C-C) zoning (8-0 vote). The applicant's representative who was in attendance at the Planning Commission meeting was in agreement with the Community-Commercial zoning.

Melanie Crowder, 4405 Willow Wood Gate, spoke in favor of the request. Ms. Crowder stated that this area does have a four lane road with a turn lane and it is developing into a more business zoned area as older citizens retire and move out. In the future, Ms. Crowder would like to purchase the building located next door so it would be one big entity. She would like to have some of the older homes become shops and to represent artisans and craftsmen in the area. Ms. Crowder stated that she would also like to have art, antiques, consignments for new and used clothing and apparel, and rental clothing racks. Ms. Crowder was in agreement with Community-Commercial zoning.

No one spoke in opposition to the request.

A **MOTION** by Councilman Head, seconded by Councilman Carroll, was unanimously adopted (7-0) to enact Ordinance No. 2009-25, an Ordinance to rezone .34 acres from Residential-Professional (R-P) to Community-Commercial (C-C), the complete text of which will be found in Ordinance Book XI.

**ORDINANCE NO. 2009-26, AN ORDINANCE FOR
A CONDITIONAL USE PERMIT FOR A DUPLEX**

06/11/09 CONTINUED

Consideration of an Ordinance for a Conditional Use Permit for a duplex as requested by Jonathan Irvin (File No. CU-2009-04). The parcel is located at 743 East Jane Street and 750 East Ann Street. The Planning Commission reviewed this request at their May regular meeting and recommended approval (8-0 vote).

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant is requesting a Conditional Use Permit to allow a duplex. The parcel consists of 0.39 acres and currently contains site built house that was previously expanded for a day care. The site plan depicts the existing structure, which was originally a Single-Family residence, a circular driveway that lends ingress/egress on both Jane Street and Ann Street, and four parking spaces. The parcel is within an Established Residential Character Area on the Future Development map. An Established Residential Character Area is described as typically an older neighborhood having relatively well-maintained housing, possessing a distinct identity through architectural styles, lot and street design, and having higher rates of home-ownership. These areas are typically located closer to the core of the community and may be located next to areas facing intense development pressures. A Special Exception was granted in 2002 to expand an existing Family Day Care into a Group Day Care home for up to 17 children. The approval was granted in the applicant's name only. Since that time, the day care has relocated. Based on the fact that the proposed use meets most of the Conditional Use Permit criteria, is more consistent with the Comprehensive Plan than the existing day care, and is a more compatible use, Staff recommended approval of a Conditional Use Permit for a duplex. The Planning Commission reviewed this request at their May 18, 2009 regularly scheduled meeting and recommended approval of the request with an 8-0 vote.

Jonathan Irving, 4832 McCogle Road, spoke in favor of the request. Mr. Irving stated that there is currently a multi-unit duplex on the street and several apartments and duplexes located on Ann Street so this request would not be out of character for the neighborhood.

No one spoke in opposition to the request.

A MOTION by Councilman Wright, seconded by Councilman Eunice, was unanimously adopted (7-0) to enact Ordinance No. 2009-26, an Ordinance for a Conditional Use Permit for a duplex as requested by Jonathan Irvin, the complete text of which will be found in Ordinance Book XI.

ORDINANCE NO. 2009-27, AN ORDINANCE FOR A CONDITIONAL USE PERMIT FOR A DAY CARE CENTER

Consideration of an Ordinance to approve a Conditional Use Permit for a Day Care Center as requested by Ebony Thompkins (File No. CU-2009-05). The property is located at 908 East Park Avenue. The Planning Commission reviewed this request at their May regular meeting and recommended approval with the one condition being a limit of 18 children (8-0 vote).

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant is requesting a Conditional Use Permit to allow a Day Care Center for up to 50 Children. The parcel is zoned Residential-Professional (R-P) and consists of 0.403 acres and a site built house, which was formerly used as a beauty salon. The site plan depicts the existing structure, driveway, and five proposed parking spaces. While the State of Georgia establishes a maximum number of children based on the useable building space, Staff supports a limit of 18 children due to poor ingress/egress. East Park Avenue is a heavily traveled road and the City Engineer may require a circular driveway to ease drop-off and pick-up. Limiting the number of children and the number of cars utilizing the property will aid in this issue. The applicant is agreeable to 18 children but this is contingent upon approval by the State. Staff recommended approval of a Conditional Use Permit for a day care center with no more than 18 children. The Planning Commission reviewed this request at their May 18, 2009 regularly scheduled meeting and recommended approval of the request with the condition that it is limited to 18 children (8-0 vote).

Ebony Thompkins, 406 SW Jeannette Circle, Madison, Florida, spoke in favor of the request. Ms. Thompkins stated that she was in agreement with limiting the number of children to 18. She has been in child care

since 2002 and is a current owner of a day care. The operation hours would be Monday through Friday from 6:00 a.m. to 5:00 p.m. Ms. Thompkins asked Council's consideration in approving the request. Councilman Carroll noted that the State will determine the total number of children allowed for the day care.

No one spoke in opposition to the request.

A MOTION by Councilman Head, seconded by Councilman Carroll, was unanimously adopted (7-0) to enact Ordinance No. 2009-27, an Ordinance for a Conditional Use Permit for a Day Care Center for up to no more than 18 children as requested by Ebony Thompkins, the complete text of which will be found in Ordinance Book XI.

ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 2009-16, A RESOLUTION FOR THE ENVIRONMENTAL PROTECTION AGENCY BROWNSFIELD ASSESSMENT GRANT

Consideration of a request to adopt and approve a resolution designating Mayor John Fretti as the City's authorized agent for the EPA Brownfields Assessment Grant.

Anne-Marie Wolff, Planning and Zoning Administrator, stated that in October, 2008 the City Council approved Staff's request to apply for a grant from the Environmental Protection Agency (EPA) in the amount of \$400,000. The purpose of the grant was to inventory and assess Brownfields throughout our community. In May, 2009, the City was selected for the grant and the required grant award documents must be submitted to the EPA prior to the release of funds. All documents must be signed by the City's Authorized Agent. The purpose of the Resolution is to authorize the Mayor to serve as that Agent. The EPA requires a work plan and several pre-award documents to be submitted prior to the release of grant funds. Following EPA's approval of the work plan, the City will select a qualified consultant to assist with the project and complete the Phase I and Phase II assessments. Anne-Marie Wolff recommended that Council approve the resolution and designate the Mayor as the City's authorized agent.

A MOTION by Councilman Head, seconded by Councilman Wright, was unanimously adopted (7-0) to enact Resolution No. 2009-16, a Resolution designating the Mayor as the City's authorized agent for the EPA Brownfields Assessment Grant., the complete text of which will be found in Resolution Book IV.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of a bid to extend City water and sewer services along Madison Highway for the Airport Utility Extension Project.

Von Shipman, City Engineer, stated that the Airport Authority has funding to extend City water and sewer along the Madison Highway to serve their existing and planned facilities. SPLOST V funds have been allocated for this project. Lovell Engineering & Associates prepared the plans for the Airport Authority. The low bid was submitted by Southern Allied in the amount of \$399,975.30. The Airport Authority originally planned to extend the existing 15-inch water main 2,483 feet to serve a proposed development; however, that distance has changed to 680 feet to meet their immediate needs. In addition, the project included 2,640 feet of 2-inch force main and that portion of the project is no longer needed. Items 2 and 3 listed in the alternate bid are to be accepted in the amount of \$4,158. This amount relates to the installation of a service to the General Aviation facility. The adjusted bid price is \$343,004.30. Von Shipman recommended that Council approve the low bid submitted by Southern Allied in the amount of \$343,004.30 plus a 10% contingency to handle unforeseen issues during construction.

A MOTION by Councilman Payton, seconded by Councilman Head, was unanimously adopted (7-0) to approve the low bid submitted by Southern Allied in the amount of \$343,004.30 plus a 10% contingency to handle unforeseen issues during construction to extend City water and sewer services along Madison Highway for the Airport Utility Extension Project.

Consideration of a bid to extend water and sewer services (Utility Extension Phase II - Cherry Creek) per the 2006 Island Annexation Agreement with a 10% contingency.

Von Shipman, City Engineer, stated that as part of the Island Annexation agreement in 2006, the City is required to extend water and sewer into all the former islands by December 31, 2013. A stipulation was included that provided an opportunity for property owners to be served by 2009 if the majority of larger islands were in support. The Cherry Creek area (South Lakeshore, North Lakeshore, Cherry Creek Drive and Ridge Road) was one of the early islands to be served. Plans were prepared by Lovell Engineering and Associates. Bids were received on June 4, 2009 with the low base bid submitted by Woodward Construction in the amount of \$2,298,436.25. Von Shipman recommended that Council approve the low base bid submitted by Woodward Construction in the amount of \$2,298,436.25 plus a 10% contingency to handle any unforeseen circumstance during construction of extending water and sewer for South Lakeshore, North Lakeshore, Cherry Creek Drive and Ridge Road. Von Shipman stated that a second bid was submitted to extend water only into the Cherry Creek North Subdivision. The low bid was submitted by Woodward Construction in the amount of \$391,838.50. Von Shipman recommended that Council approve the low bid for submitted by Woodward Construction in the amount of \$391,838.50 plus a 10% contingency to handle any unforeseen circumstances. Councilman Head inquired as to whether the project for the second bid would have been awarded to another contractor if they had submitted the low bid. Von Shipman stated that it would not because this is a package deal. Larry Hanson, City Manager, stated that in the past they have looked at adding the two together if one was lower than the other but this is something that should be specified in future bids. Councilman Head asked that information be retained on the contractors and the projects they are awarded for future use.

A MOTION by Councilman Carroll, seconded by Councilman Head, was unanimously adopted (7-0) to approve the low bids submitted by Woodward Construction in the amount of \$2,298,436.25 to extend water and sewer services for the Cherry Creek Utility Extension Phase II Project and Bid #2 in the amount of \$391,838.50 to extend water only into the Cherry Creek North Subdivision plus a 10% contingency on both projects to handle any unforeseen circumstances.

Consideration of an Intergovernmental Agreement for Implementation of the Georgia Department of Community Affairs (DCA) Single Stream Regional Recycling Hub Grant.

Larry Hanson stated that on August 16, 2007, the City of Valdosta applied for a Regional Recycling Transfer/Processing Hub Grant with the Georgia Department of Community Affairs (DCA). The grant required that the City provide matching resources to implement the project (either cash or in-kind). The City was notified of the award on October 25, 2007 and the grant period will be from that date until the reporting requirements have been met. The City will use grant and matching funds to expand the City's existing recycling processing center infrastructure and convert the facility from a co-mingled processing operation to accept single-stream recyclables to serve as a regional recycling hub, promote regional recycling activities, and accept recyclable material within a minimum of a 75 mile radius of the hub. The City of Valdosta will also enter recycling data and quarterly grant reporting information for a five-year period after the Hub is completed and begins to accept materials as proposed in the grant application. On April 6, 2009, the City of Valdosta entered into an agreement with DCA to establish a Regional Recycling Transfer/Processing Hub; however, DCA has asked for an Intergovernmental Agreement between the City of Valdosta and Lowndes County which identifies the nature of the partnership, the specific services provided by each entity, and the funding. The County will purchase one front end loader to service their collection centers and containers. Larry Hanson recommended that Council approve the Intergovernmental Agreement for Implementation of the Georgia Department of Community Affairs (DCA) Single Stream Regional Recycling Hub Grant.

A MOTION by Councilman Eunice, seconded by Councilman Yost, was unanimously adopted (7-0) to approve the Intergovernmental Agreement for Implementation of the Georgia Department of Community Affairs (DCA) Single Stream Regional Recycling Hub Grant.

RESOLUTION NO. 2009-17, A RESOLUTION TO APPLY FOR GRANT FUNDS FROM THE U. S. DEPARTMENT OF JUSTICE BULLETPROOF VEST PARTNERSHIP PROGRAM

06/11/09 CONTINUED

Consideration of a request to apply for grant funds from the U. S. Department of Justice Bulletproof Vest Partnership Program.

Commander Brian Childress stated that the Bulletproof Vest Partnership (BVP) was created by the Bulletproof Vest Partnership Grant Act of 1998 and is a unique U. S. Department of Justice initiative designed to provide a critical resources to state and local law enforcement. The City has received funding from this program over the past eight years to help purchase vests for the Police Department. This program has allowed the City to receive partial reimbursements for eligible vest purchases. Funding that the City has received over the past several years has allowed for the purchase of vests that fill different needs within the Police Department across different divisions. Funding amounts are determined by the Department of Justice in order to meet increasing demands and to allow as many jurisdictions the opportunity to participate in the program. The Department of Justice has determined that the City's regular fund application maximum is \$9,800 for 2009. This is a reimbursement grant and the City will be eligible for a maximum reimbursement of \$4,900. Funds can be used only for vests purchased on or after April 1, 2009. The application must be submitted online by June 24, 2009. Commander Childress recommended that Council approve the request to apply for grant funds from the U. S. Department of Justice Bulletproof Vest Partnership Program.

A MOTION by Councilman Payton, seconded by Councilman Carroll, was unanimously adopted (7-0) to enact Resolution No. 2009-17, a Resolution to apply for grant funds from the U. S. Department of Justice Bulletproof Vest Partnership Program, the complete text of which will be found in Resolution Book IV.

RESOLUTION NO. 2009-18, A RESOLUTION TO APPLY FOR GRANT FUNDS FOR THE 2009 EDWARD BYRNE JUSTICE ASSISTANCE GRANT (JAG) PROGRAM

Consideration of a request to apply for grant funds for the 2009 Edward Byrne Justice Assistance Grant (JAG) Program.

Commander Brian Childress stated that the City received funding under the Edward Byrne Justice Assistance Grant (JAG) Program in 2005, 2006, 2007, and 2008. 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, the City and County were each awarded allocations for use in one of the seven program purpose areas. The 2005 and the 2006 grants are complete and the 2007 and 2008 grants are almost complete. The County elected not to ask for any of the City's 2008 funding allocation. For the 2009 grant program, the JAG Allocation determined for the City is \$41,216 and the funding allocation for the County is \$12,700. 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. A Memorandum of Understanding (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 \$53,916 and act as the fiscal agent for the funding. No match is required for the grant. The Lowndes County Sheriff's Office has requested to use their portion of the funds and both the City and the County have agreed to spend the funds on technology improvements. Commander Childress recommended that Council approve the request to apply for grant funds for the 2009 Edward Byrne Justice Assistance Grant (JAG) Program.

A MOTION by Councilman Head, seconded by Councilman Wright, was unanimously adopted (7-0) to enact Resolution No. 2009-18, a Resolution to apply for grant funds for the 2009 Edward Byrne Justice Assistance Grant (JAG) Program, the complete text of which will be found in Resolution Book IV.

Larry Hanson, City Manager, stated that the Electronic Recycling Program hosted by the Public Works Department several weeks ago was very successful and they collected over 33,000 pounds of recyclable material including 269 computers, 298 monitors, and 19 televisions.

As of today, the City has spent under the emergency provisions authorized by Council a total of \$664,875.90. Council had granted up to \$250,000 for individual purchases and up to \$2 million cumulative. Most of the emergency expenses are being wrapped up and the City is working with FEMA on the larger items.

The Council tour is being scheduled for Friday, July 17, 2009 at 8:30 a.m. and tour areas will include those of Mayor Fretti, Councilman Head, Councilman Eunice, and Councilman Wright.

COUNCIL COMMENTS

Councilman Carroll stated that he wanted to ensure that nothing slips through the cracks on the Eager annexation and rezoning case voted upon earlier and that they comply with all of the development codes for the City of Valdosta.

Councilman Payton stated that the Parks and Recreation Authority will be meeting on Wednesday, June 17, 2009 to review the final drawings of the proposed McKey Tennis Center.

Mayor Fretti stated that there were several committees that needed a Council member to serve. The committees are as follows: (1) Transportation Project Manager Committee (select a Transportation Project Manager through an RFQ), (2) Mud Creek Construction Management Firm Committee (select a Construction Management Firm through an RFQ), (3) Brownsfield Consultant Selection Committee (select a Brownsfield Consultant through an RFQ), (4) FEMA Project Management Committee (select a Project Management Service to utilize FEMA funds to replace and/or repair the Withlacoochee Wastewater Treatment Plant). The following Councilmen volunteered for the committees: (1) Councilman Vickers - FEMA Project Management Committee, (2) Councilman Head - Brownsfield Consultant Selection Committee, (3) Councilman Payton - Transportation Project Manager Committee, and (4) Councilman Eunice - Mud Creek Construction Management Firm Committee.

ADJOURNMENT

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

A MOTION by Councilman Carroll, seconded by Councilman Vickers, was unanimously adopted (7-0) to adjourn the June 11, 2009 meeting of the Valdosta City Council at 8:06 p.m. and enter into Executive Session.

Mayor Fretti reconvened the regular City Council meeting at 8:40 p.m. and stated that there was discussion of real estate only in the Executive Session and no action was taken.

Mayor Fretti entertained a motion for adjournment.

A MOTION by Councilman Eunice, seconded by Councilman Yost, was unanimously adopted (7-0) to adjourn the June 11, 2009 meeting of the Valdosta City Council at 8:41 p.m. to meet again in regular session on Thursday, June 25, 2009.

City Clerk, City of Valdosta

Mayor, City of Valdosta