

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, JUNE 19, 2008
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

Mayor John Fretti called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Sonny Vickers, Tim Carroll, Alvin Payton, Jr., Willie Head, Jr., John Eunice, and Robert Yost. Councilman James Wright arrived at 5:34 p.m. The invocation was given by Councilman Robert Yost, followed by the Pledge of Allegiance to the American Flag.

APPROVAL OF MINUTES

The minutes of the June 5, 2008 Regular Meeting were approved by unanimous consent (6-0) of the Council.

CITIZENS TO BE HEARD

There were no citizens to be heard.

PUBLIC HEARINGS

ORDINANCE NO. 2008-26, AN ORDINANCE FOR THE FISCAL YEAR 2009 BUDGET

Public Hearing for the adoption of the Fiscal Year 2009 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 budget is balanced when the sum of estimated revenues and appropriated fund balances are equal to appropriations and shall be adopted by ordinance or resolution. The FY 2009 budget presented some challenges this year; however, the employee compensations remain the same as they have for the past few years which includes merit and cost of living increases. The budget will not require a tax millage increase this year. The budget has been reviewed and discussed at previous meetings, and public hearings have been conducted to afford citizens the opportunity to make comments on funding levels. Mark Barber recommended that Council adopt the FY 2009 budget.

No one spoke in favor of the request.

No one spoke in opposition to the request.

Mayor Fretti stated that this was the second public hearing for adoption of the budget.

A MOTION was made by Councilman Vickers to follow the recommendation of the Deputy City Manager of Administration and the City Manager and approve the Fiscal Year 2009 Budget. Councilman Head seconded the motion. Councilman Vickers stated that he was concerned about the stormwater drainage and runoff. The City needs to do a better job and maintenance of right-of-ways and islands needs to be addressed. With the addition of the islands that were annexed into the City and the \$150,000 to be used for contractors, the City needs to add some maintenance workers as soon as possible. Mayor Fretti stated that he would like to have a six-month budget update from the City Manager. Councilman Head stated that as City of Valdosta workers are on their routes they need to report areas that need attention even if it does not fall under their responsibility. Mayor Fretti stated that there was some cross training approximately two years ago and forms were distributed to each Department so that employees could report incidences. Councilman Wright inquired as to whether those employees who collect yard trash have the ability to radio in the problem. Larry Hanson, City Manager, stated that the workers do have radios. The motion was unanimously adopted (7-0) to enact Ordinance No. 2008-26, the complete text of which will be found in Ordinance Book XI.

Consideration of bids to construct a right in/right out driveway on Perimeter Road to improve safety and reduce congestion around Valdosta High School. The Joint Capital Projects Coordinating Committee has recommended a cost sharing arrangement.

Von Shipman, City Engineer, stated that when the Valdosta City School System constructed the new Valdosta High School on Forrest Street in 1973, Perimeter Road was not yet conceived. When Perimeter Road was completed in the 1980's, the amount of congestion at the intersection of Perimeter Road and Forrest Street started to increase. By the late 1990's, congestion increased to a point that required Valdosta Police Officers to help direct traffic in and out of the northern most school driveway on Forrest Street. The Engineering Department suggested the creation of a right in/right out driveway on Perimeter Road to improve safety and reduce congestion for those entering and exiting the school. To further help traffic, southbound motorists on Forrest Street will not be able to turn left into the first school driveway after the new driveway is constructed. Because a median is not proposed on Perimeter Road at this time, Police Officers will still need to provide some assistance for motorists who want to leave campus and travel south on Forrest Street. Perimeter Road is a State route and the Georgia Department of Transportation (DOT) has approved the plans and issued a special encroachment for the driveway. Bids were received on March 25, 2008 with the low bid was submitted by The Scruggs Company in the amount of \$137,065.03. The contractor has since submitted an adjusted bid of \$147,233.13 which accounts for changes in construction costs over the last three months. The new Joint Capital Projects Coordinating Committee met on June 6, 2008 and discussed this project along with the revised improvements on Lakeland Avenue. After some deliberation, the Committee suggested that both governments approve the concept of equally dividing the cost of both projects. Von Shipman recommended that Council approve the concept to equally share the cost of both projects and accept the low bid by The Scruggs Company in the amount of \$147,233.13 plus a 10% contingency to cover unforeseen issues during construction for construction of the proposed driveway on Perimeter Road to Valdosta High School. Councilman Yost stated that this is a much needed project and will alleviate traffic problems on Perimeter Road and Forrest Street. Von Shipman stated that the speed limit on Perimeter Road has been changed from 55 miles per hour to 45 miles per hour by the Georgia Department of Transportation and this driveway could also have a median installed in the future to allow motorists to exit and go back toward the west. The property across the street will most likely develop and the median would be beneficial for those who live on Tyndall Drive. Councilman Payton inquired about the increase in traffic control and clearing and grubbing on this project. Von Shipman stated that the contractor had previously submitted the increase as a lump sum of \$10,168 and he asked that they break this out and indicate where the additional costs were incurred. He has not had an opportunity to discuss the increase in detail with the contractor. Mayor Fretti inquired as to whether there would be any guardrails due to a concern about students hopping the curb and ending up in the ditch. Von Shipman stated that he had discussed this with the DOT and they indicated that it was not needed; however, at the time of construction, he will have the DOT come back out and re-evaluate the area. There will also be some additional floodlights in this area. Councilman Head inquired as to whether the City Engineer felt guardrails were necessary. Von Shipman stated that he thought they did need guardrails. Mayor Fretti inquired as to whether the DOT would prohibit the City from placing guardrails. Von Shipman stated that they would prohibit the installation of guardrails and that is why they would have the DOT re-evaluate the project at the time of construction.

A MOTION by Councilman Payton, seconded by Councilman Eunice, was unanimously adopted (7-0) to follow the recommendation of the City Engineer and approve the bid submitted by The Scruggs Company in the amount of \$147,233.13 plus a 10% contingency for the right in/right out driveway on Perimeter Road and approve the concept of equally dividing the cost of both projects.

LOCAL FUNDING AND REQUESTS

Consideration of a request to revise the City of Valdosta's Personnel Policies & Procedures. (First Reading)

Charlie Felts, Director of Human Resources, stated that this was a goal that the Mayor and Council had established at the Retreat. He collected various handbooks from other communities and conducted research on best practices in the personnel area. An Employee Committee was also appointed to review existing personnel policies and procedures. The Committee made recommended changes to the Policy and sent to the Department Heads and the City Manager for review. The City Attorney will also review the revisions and bring this back to Council in the final ordinance form. Councilman Vickers inquired as to whether new handbooks would be issued to all employees

and the changes reviewed with them. Larry Hanson stated that the Department Heads would review the changes in their Staff meetings. Councilman Yost inquired as to whether the Parks and Recreation employees would follow the new Policy. Larry Hanson stated that depended on what is adopted. Mayor Fretti stated that this was the First Reading and no action was needed.

Consideration of a request to apply for grant funds for the 2008 Edward Byrne Justice Assistance Grant (JAG) Program for local jurisdictions.

Chief Frank Simons stated that the City received funding under the Edward Byrne Justice Assistance Grant (JAG) Program in 2005, 2006, and 2007. 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 entity's grant program purposes that fell into one of the following 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 the County were each awarded allocations for use in one of the six program purpose areas. The 2005 grant is now complete and the 2006 and 2007 grants are nearing completion. For the 2008 grant program, the JAG allocation determined for the City is \$12,932. An agreement must be reached with the County on the allocation of funding between the entities. The Lowndes County Sheriff's Office was approached about equally dividing the funds with the City; however, due to the low allocation this year, the County decided that they were not interested in any of the funding under this award allocation. An affidavit will be executed with the County stating that they decline asking for any of the proceeds from the City's allocation this year. The City would file the application for the entire award amount of \$12,932 to fulfill one of the six grant program purpose programs. The City has selected planning, evaluation and technology improvement as their purpose area for the grant. No match is required for the grant. Chief Simons recommended that Council approve the request to apply for grant funds for the 2008 Edward Byrne Justice Assistance Grant (JAG) Program for local jurisdictions. Councilman Head inquired as to whether Kathy Brunot, Grants Administrator, was responsible for finding these grants. Chief Simons stated that she does perform that task for the City but many of the grants they get are located by the Police Department and then they ask for her assistance. This particular grant is based on communities the size of Valdosta and other requirements for participation are determined by Department of Justice. Councilman Carroll inquired as to whether a Memorandum of Understanding (MOU) with the County would also need to be approved. Chief Simons stated that the MOU did not need to be approved as this was a form used by the Justice Department that the County would need to sign.

A MOTION by Councilman Eunice, seconded by Councilman Head, was unanimously adopted (7-0) to approve the request to apply for the 2008 Edward Byrne Justice Assistance Grant (JAG) Program for local jurisdictions.

Consideration of a request by Councilman James R. Wright to attend the National Black Caucus of Local Elected Officials 2008 Annual Summer Conference in Atlanta, GA.

Larry Hanson, City Manager, stated that since this is not a national meeting of this organization and was not approved under the Council policy, Councilman Wright had requested that this be placed on the agenda. Councilman Wright stated that due to the economic situation he would like to withdraw the request.

Consideration of a request by the Valdosta-Lowndes County Industrial Authority to close a cul-de-sac on Commerce Drive and quitclaim this parcel to the Industrial Authority in exchange for a relocated cul-de-sac, which the Industrial Authority has agreed to pay construction costs on.

Von Shipman, City Engineer, stated that there is an existing cul-de-sac that is no longer needed and the new cul-de-sac would be moved further to the south closer to the Lowe's Distribution Center. It would line up with a water drainage easement where the water could be more easily moved into a regional detention facility. Approximately 15 acres is needed for the new development and some additional right-of-way has been accepted. A quitclaim deed could be issued since the street is not being closed. Von Shipman recommended that Council

approve the request by the Valdosta-Lowndes County Industrial Authority to close a cul-de-sac on Commerce Drive and quitclaim this parcel to the Industrial Authority in exchange for a relocated cul-de-sac.

A **MOTION** by Councilman Head, seconded by Councilman Carroll, was unanimously adopted (7-0) to follow the recommendation of the City Engineer and approve the request by the Valdosta-Lowndes County Industrial Authority to close a cul-de-sac on Commerce Drive and quitclaim this parcel to the Industrial Authority in exchange for a relocated cul-de-sac, which the Industrial Authority has agreed to pay construction costs on.

BOARDS, COMMISSIONS, AND AUTHORITIES

Consideration of an appointment to the Valdosta-Lowndes County Zoning Board of Appeals.

Larry Hanson, City Manager, stated that the Valdosta-Lowndes County Zoning Board of Appeals has a slot currently held by Allan Strickland whose term expired on May 7, 2008. The Valdosta-Lowndes County Zoning Board of Appeals has recommended that Mr. Strickland be re-appointed and he has expressed interest in serving again. The following names have been submitted for consideration: (1) Allan Strickland – Owner of General Rental Center, (2) Danny Sermons – Executive Chef and Department Head Manager for the Valdosta Country Club, (3) Melissa Boatenreiter – Marketing Officer for Farmers and Merchants Bank, and (4) David Blevins – Owner of Greenhouse Properties, LLC.

Mayor Fretti inquired as to whether Council had heard from the four candidates and noted that he had heard from two who were willing to serve. Larry Hanson stated that the names were submitted from members of the Zoning Board of Appeals to Anne-Marie Wolff, Planning and Zoning Administrator. Councilman Carroll stated that he would like for Council to consider revising the Board Applications to include a question as to whether the applicant has full understanding of the requirements of the position for which they are applying. Larry Hanson stated that within the next 30 days a new appointment policy and process would be brought before Council for consideration. Comments were received from all the Boards, Authorities, and Commissions and changes were incorporated. Councilman Vickers stated that he did not disagree with what Councilman Carroll was saying but he did not believe that any Council member fully understood what they were getting into or they may not have run for office. There have been very few times that a mistake has been made on appointments. Councilman Carroll stated that he would strike the word “fully” from the suggestion on revising the Board Application.

Mayor Fretti asked for nominations. Councilman Eunice placed in consideration the name of Allan Strickland. There being no other nominations, Mayor Fretti closed nominations. Allan Strickland was appointed by acclamation to serve a term of three years on the Valdosta-Lowndes County Zoning Board of Appeals.

CITY MANAGER’S REPORT

Larry Hanson, City Manager, stated that the Georgia Municipal Convention will be held in Savannah on June 20-25, 2008 and most of the Council members will be in attendance. Georgia Power will be hosting a dinner on Saturday, June 21, 2008 and Council has been invited to attend.

Larry Hanson, City Manager, and Joe Pritchard, County Manager, met and agreed to have the Parks and Recreation Authority orientation on Friday, June 27, 2008 at 8:00 a.m. to 11:00 a.m. at the James H. Rainwater Conference Center. All of the appointees have been contacted and the agenda is currently being finalized.

Larry Hanson, City Manager, stated that he had been asked to attend the Remerton City Council meeting to hear discussion on the Remerton water situation. Remerton had hired Camp, Dresser and McKee, Inc. to review their water system and they provided them with four alternatives. The most economical and logical solution would be for Remerton to tie onto the City of Valdosta’s water. The cost would be approximately \$180,000 versus the next lowest option which was \$750,000. The City of Valdosta will be working on an agreement and the Remerton City Council may formally request Valdosta to serve them at their first meeting in July. It will take approximately four to six months for the improvements and connections to be made and the City of Valdosta will sell to them at a bulk rate. Remerton has a regulatory problem and they have no other viable option. They are under a Consent Order from the Environmental Protection Division and this will help relieve that situation and provide them with a

better quality of water. Councilman Vickers inquired as to Remerton's current volume. Larry Hanson stated that it was approximately 130,000 gallons per day and they have 640 customers which are primarily residential. Mayor Fretti stated that Remerton will need to make some repairs prior to the City of Valdosta providing water to them.

George Talley, City Attorney, and Tim Tanner, Solicitor, have been working on a Panhandling/Solicitation Ordinance which will be presented at the next Council meeting for a first reading.

The City of Valdosta has been working with the Department Heads and employees to find fuel savings and changes during the first month of implementation saved 1,339 gallons of fuel. The City has been proactive in making changes to conserve fuel instead of reacting and thinking about things to do.

Larry Hanson stated that Chief Frank Simons has been notified that the Police Department will be re-accredited by CALEA at the upcoming national meeting. Chief Simons stated that he was contacted by the CALEA Project Manager and notified that the Valdosta Police Department had been selected for a second time as a flagship agency by CALEA. This is very impressive because we are the only agency to have ever been selected back-to-back. When the final report analysis was completed, there were five Proof of Compliance files that were considered in need of file maintenance. That is the lowest type of contact that you can have on your accreditation process which means that out of 458 standards there were only five files that they wanted another piece of paper placed in it. The Police Department already had the paper and did not think it was necessary to have it in the file. Larry Hanson stated that this is very prestigious because the Valdosta Police Department is now held up nationally and our policies and procedures are made available to agencies all over the country to use as best management practices. Chief Simons stated that one of the things they have been asked to do is to have a booth at the national meeting and have the policies available. Last year when they were named as a flagship agency, they took over 50 CDs with them to the meeting and those were handed out the first day. Mayor Fretti inquired as to how many agencies were selected as a flagship agency in the country. Chief Simons stated that last year there were approximately five to seven nationwide and only two in Georgia. Councilman Payton inquired as to the secret of their success. Chief Simons stated that they have integrated the CALEA process throughout the entire Police Department and they have already started constructing the files for the next on-site visit which is three years from now. This is also a permanent item on their Staff meeting agendas so it is kept in the forefront. Chief Simons and Commander Brian Childress are team leader assessors and they go out and audit other departments and manage the team of assessors. Larry Hanson stated that the program would not be successful without the buy-in of all the employees of the Police Department. Council has supported this by allowing the City to have incentive pay for national accreditation and when the employees are committed then you will have a successful outcome. Mayor Fretti congratulated Chief Simons and his staff on this prestigious honor.

COUNCIL COMMENTS

Councilman Vickers asked the City Manager to brief Council on a situation that has occurred with Valdosta State University (VSU) and what was being done to correct it. Larry Hanson, City Manager, stated that the City was very disappointed with Valdosta State University after several recent rain events because the practice field on Sustella Avenue contributed to some flooding that occurred. The plans that had been presented and approved by the City was for a practice complex but VSU made a decision to temporarily use it for storage of heavy beams and equipment associated with the building of the parking decks. There were a number of factors that contributed to the flooding that occurred last week. The project is incomplete and VSU was not using it in the way that they had previously stated because now they have a hard surface as opposed to grass which ultimately led to a significant amount of runoff. They had also stored some rock piles that restricted the water from entering the retention pond. The flooding damaged an air conditioning unit and was underneath several homes. There have been several meetings with Valdosta State University and they are now redesigning the area. They immediately cut a berm the next day to prevent water from flooding those yards again and they are going to enlarge the retention pond. They are also going to insure the problems incurred by the property owners will be resolved. Von Shipman stated that the VSU design professional has resubmitted the calculation to the VSU architect that shows an enlarged detention facility as a temporary measure; however, he has not received a copy of the document to date. They have also agreed to evaluate the entire downstream drainage network to see what opportunities might exist not just to pass the flow downstream but also to upgrade the drainage system in this area. They committed to cleaning out the sedimentation facility which will be a future detention facility and they understand that it will need to be sloped and

well maintained. Von Shipman stated that he has also communicated with Valdosta State University on other projects as well. Larry Hanson stated that sometimes State agencies feel that they do not have to answer to local codes and ordinances and VSU is now aware of the consequences of their actions in this case and will be committed to working with the City. They will also be more sensitive to their surroundings and to innocent people who could be harmed by their actions or the lack thereof. Von Shipman stated that he spoke with the property owners again and informed them of what was going on with VSU. Councilman Head stated that he was in the community meetings with VSU and the residents in that area and he was disappointed to hear about this because in those meetings VSU was doing some things in that area that were not desirable even before the City agreed to close off the street. That area looks completely different from what VSU officials told the residents what it would look like and when the City works with VSU and is a good steward then they need to work with the City. Mayor Fretti stated that there were also some late deliveries by tractor trailers in that area which were disruptive to the residents as well as some trees that were cut down which VSU felt were in the way but should have been considered for preservation. Larry Hanson stated that the City responded promptly and the residents know that the City is doing everything within our power to help them and that we will stay behind it to insure that it is resolved. Councilman Vickers stated that his biggest disappointment is where VSU placed the holding pond. It was very insensitive to the community to place it between two houses and VSU had told us they would be good neighbors. Councilman Vickers trusted what they said and he encouraged the neighborhood to support VSU because they need to grow and they would do the right thing; however, they have now done everything except what they said they would do. Councilman Head inquired as to whether the City approved the plans on the holding pond. Von Shipman stated that the City did approve the plans. The first plan submitted showed a nice picture and when they are presented for construction it shows all the details. There is no prohibition in the current ordinance for someone to not use a piece of property for a detention facility. Councilman Head inquired as to whether the plans showed the placement of the detention pond between two houses when it first came in for review. Von Shipman stated that it was a conceptual drawing and they had not gotten to the engineering details and he thought that because of the interactive committee with the Council and the neighbors that VSU was passing the plans through the appropriate channels. Larry Hanson stated that the City was told that they were building a practice complex with athletic fields which were to be grassed and with a sophisticated drainage system so that they could practice even if the area was wet. This is different now because it is a hard surface with water running across it and turning into a pond which is a problem. Mayor Fretti stated that the City cannot prohibit the placement of the detention pond. Councilman Vickers stated that the City Engineer has the authority to approve a site plan as presented and the City may have dropped the ball on this also. Councilman Head stated that he was troubled by the fact that VSU is a State institution and the City does not have jurisdiction. If they come to the City and talk to us in good faith about doing something and then they do the opposite then their intentions will be questioned when or if they come to the City again about doing something. Larry Hanson stated that VSU has now realized that the City will perform its duties particularly as it relates to the effect on adjacent property owners. Councilman Vickers stated that the holding pond needs to be moved because it is in the wrong place. Councilman Wright stated that he grew up in that neighborhood and he had some grave concerns about the area. He received a telephone call from a concerned resident who told him that VSU was building a stadium there and he told them that they were building practice fields. Councilman Wright stated that if he had known that VSU was going to do this before Council approved the request then he would not have would not have approved it. Larry Hanson stated that this particular piece of property belongs to the VSU Foundation and they are not a State agency. Since the City has met with VSU, they have been doing everything that the City Engineer has asked them to do to rectify the situation. Councilman Head stated that he felt VSU deliberately misled the Council because he attended several of the meetings between VSU and the community and they were going to do things right. Councilman Vickers stated that once VSU received approval, those residents who were on the committee have not heard from them since. Larry Hanson stated that they have a new VSU Foundation Director and Von Shipman has met with him and they want to work with the City.

Councilman Payton inquired about the status of the left turn lane at The Links. Von Shipman stated that they have submitted a temporary plan to cut off the inbound traffic on North Valdosta Road at Country Club. The Georgia Department of Transportation (DOT) is currently reviewing the plans and with a few modifications they should approve the temporary plan and implement it in July. The permanent plan is 50% and will be submitted to the DOT for review and then it will be finalized and constructed in September or October.

Councilman Payton stated that Joe Sheffield, Georgia Department of Transportation, was to reassign some districts on the Martin Luther King, Jr. Corridor Project. Larry Hanson stated that he spoke with Mr. Sheffield

today and his office received and reviewed the files and he rode the route last week. Mr. Sheffield has recommended approval and sent the plans to the State Traffic Engineer in Atlanta for final approval.

ADJOURNMENT

Mayor Fretti entertained a motion for adjournment.

A **MOTION** by Councilman Payton, seconded by Councilman Head, was unanimously adopted (7-0) to adjourn the June 19, 2008 meeting of the Valdosta City Council at 6:44 p.m. to meet again in regular session on Thursday, July 10, 2008.

City Clerk, City of Valdosta

Mayor, City of Valdosta