

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, JUNE 21, 2007
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

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

APPROVAL OF MINUTES

The minutes of the June 7, 2007 Regular Meeting of the Valdosta City Council were approved by unanimous consent (5-0) of the Council.

CITIZENS TO BE HEARD

There were no citizens to be heard.

PUBLIC HEARINGS

ORDINANCE NO. 2007-23, AN ORDINANCE TO ADOPT THE FISCAL YEAR 2008 MUNICIPAL BUDGET

Public Hearing for the adoption of the Fiscal Year 2008 Budget (Second Hearing).

Mark Barber, Finance Director, stated that in accordance with Georgia Code §36-81-3, each local government shall adopt and operate under an annual balanced budget for the General Fund, each Special Revenue Fund, and each Debt Service Fund in use by the City of Valdosta. The annual balanced budget will be adopted by ordinance or resolution. The Fiscal Year 2008 Proposed City of Valdosta Budget has been reviewed and discussed at previous meetings and is balanced while at the same time maintaining the quality of services that the City has provided in the past. Some of the budget highlights for Fiscal Year 2008 will be employee pay increases, improved benefits, health care, and retirement, a 4% pay increase for employees which includes a 1.5% cost of living increase and 2.5% merit increase effective July 1, 2007, and no millage rate increase to balance the budget. Mark Barber stated that the Department of Revenue is making it hard to trend Local Option Sales Tax collections, and the arbitration of House Bill 489 items has made it difficult to budget for those items. The City's Fiscal Year 2008 budget does include a status quo agreement with an understanding with the County Manager that each entity will budget according to what has been done in the past through June, 2008. Mark Barber recommended that Council approve the Ordinance for adoption of the Fiscal Year 2008 Budget.

Larry Hanson, City Manager, asked Mark Barber to provide Council with information on General Fund Balance and the three components that make up that fund. Mark Barber stated that the General Fund balance is divided into the following three areas: (1) Designated portion of the Fund Balance - the largest part of the Fund Balance and is where the City rolls back the property taxes based upon sales tax collection (\$8-9 million in this Fund), (2) Unreserved and undesignated portion of the Fund Balance - the working day capital or surplus, and (3) Reserve for encumbrances - represents unexpended amounts that are available from a prior year budget that becomes available for subsequent year transactions. An example of this would be Authority funding. Mayor Fretti inquired as to where the money comes from for Authority funding. Mark Barber stated that in the past the agreement with the County stated that each entity would fund the budget shortfall of the Accommodations Tax. For example, if \$100,000 was budgeted for a particular Authority and the Accommodation Funding was good then the City only had to come up with half of that amount. This reserve allows the City to encumber the \$50,000 and set it aside for next year and a down turn in the economy. The City is then able to use the \$50,000 that was not used in

the prior year budget and pay for that in the subsequent year budget. Mayor Fretti stated that the money comes directly the taxpayer and property tax. Councilman Yost inquired as to whether the 1 mill that the County is proposing in their budget to be set aside for funding the Industrial Authority will fund the Authority completely and what that would do to the City's budget in that the City funds the Industrial Authority over any amount that they do not already receive from the Hotel/Motel Tax. Larry Hanson, City Manager, stated that it was difficult to answer because the County's proposal would radically change the way that the Industrial Authority is now funded. The City now funds the Maintenance and Operation for the Conference Center and Tourism Authority, Industrial Authority, and the Airport Authority out of the Hotel/Motel Tax. The County is proposing to fund everything which includes future land acquisition and debt retirement that the County has and the Maintenance and Operation which would be approximately \$800,000 and over \$1 million would be for future land acquisition. Authority funding is one of the issues that will be included in arbitration and the City is hopeful that it will be resolved as part of the Court-ordered arbitration process. Larry Hanson stated that Councilman Yost was correct about the shortfall. If you take all of the requests or what was agreed to fund the Authorities and it was approximately \$1.5 million and the Accommodation Tax was expected to generate \$1.2 million, then there would be a \$300,000 shortfall. Under the agreement, the City and County would make up that shortfall equally and that is what the City budgets for each year. Each month the City would cut a check for the Authorities for the City's portion of the subsidy. The money is reserved in the Fund Balance designated for that purpose but it is a not a line item in the City's budget. Councilman Yost inquired as to whether the Hotel/Motel tax would continue exactly as it is until June, 2008. Larry Hanson stated that it would continue just as the City would be agreeing that the County would fund Parks and Recreation as it is until 2008. Both the City and County decided that it would be difficult for either entity to adopt a budget now and have those large expenditures change during the budget year. The City and County agreed that it would make sense, regardless of the outcome of arbitration, that once both adopt a budget then it is honored until June 30, 2008 and the changes as a result of arbitration would take effect July 1, 2008. If not, then both the City and County would have to do major mid-year budget adjustments and may not have been able to fund some of the things because of the unknowns of arbitration. Councilman Yost stated that because of arbitration the Council's hands are tied as to finalizing a budget as normally has been done in the past. It has caused the City not to be able to move forward with the issues that are tied up in arbitration and those members of Council who may or may not be re-elected have no decision as to what will happen after June, 2008. Larry Hanson stated that the arbitration process has tied Council's hands but to do anything inconsistent or in conflict that would bypass the Court system is something that Council would not want to do. Larry Hanson stated that he was comfortable with asking Council to adopt the budget because the City can fulfill its obligations with no major changes and no mid-year budget adjustment. Mayor Fretti stated that the City has a "business as usual" budget which includes money for funding the Industrial Authority as has been done in the past and it is not outside of any Court-ordered arbitration. The City has enough to fund exactly half of what the Industrial Authority's request was this year which was \$824,000. There were also some capital investments that were listed in their budget request which they wanted to take care of through a dedicated millage and Council has expressed a SPLOST allocation for that in the past. Mayor Fretti stated that the money dedicated to the Industrial Authority comes from the taxpayers and is already a tax on the City's residents. If there is an additional tax Countywide then it would be against the 1999 double taxation statute passed by the State of Georgia. The City is continuing to do business as usual in hopes that we can continue until next budget year and make some adjustments. The City did not decrease road maintenance because we thought it would be shared and the City would be given an allocation from Countywide road maintenance and the County did not decrease their Parks and Recreation budget because it is business as usual. However, the County is proposing to go outside of "business as usual" with Authority funding. Mayor Fretti thanked Mark Barber, Mark Kirkland, and Carolyn-Sampson Burgess and the entire Finance Department for their dedication and efforts in preparing the budget.

No one spoke in favor of the request.

No one spoke in opposition to the request.

A MOTION by Councilman Sumner, seconded by Councilman Vickers, was unanimously adopted (5-0) to enact Ordinance 2007-23, to approve the Fiscal Year 2008 Municipal Budget, the complete text of which will be found in Ordinance Book XI.

ORDINANCE NO. 2007-24, AN ORDINANCE FOR A SPECIAL EXCEPTION TO PLACE A MANUFACTURED HOME IN A MULTI-FAMILY RESIDENTIAL (R-6) ZONING DISTRICT

06/21/07 CONTINUED

Consideration of an ordinance for a Special Exception to place a manufactured home in a Multi-Family Residential (R-6) zoning district as requested by Anthony Battles (P. C. File No. VA-2007-26). The subject property is located at 406 River Street Lane. The Planning Commission reviewed this request at their May 21, 2007 regular meeting and recommended denial (8-0 vote). Mayor/Council postponed the request at the June 7, 2007 regular City Council meeting until the June 21, 2007 regular City Council meeting.

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant is requesting a Special Exception to place a manufactured home in a Multi-Family Residential (R-6) zoning district. The property currently contains an existing 1969 mobile home and the applicant intends to replace it with a newer doublewide manufactured home. The surrounding properties are all site built homes and the property is located within the Historic District. The Historic Preservation Commission denied the request because the plans submitted did not meet the Historic District Guidelines. Mr. Battles had an opportunity to appeal the request but has not done so. With the exception of the applicant's existing singlewide mobile home, there are no other manufactured homes in the area. The removal of the existing mobile home is an opportunity to construct a site built home, which is more compatible with the neighborhood. Staff found the applicant's request inconsistent with the surrounding development and the Comprehensive Plan and recommended denial. Anne-Marie Wolff provided Mayor and Council with some information about Katrina homes which might be a viable alternative for affordable housing versus manufactured homes. The Planning Commission reviewed this request at their May 21, 2007 regular meeting and recommended denial of a Special Exception to place a manufactured home in an R-6 zoning district (8-0 vote). Councilman Vickers stated that he spoke with Mr. Battles' father who lives next door and he stated that his son wanted to replace the old trailer with a new trailer. This request is not to add a new trailer in that area and the trailer that is currently there will not go anywhere if Council does not approve the request.

No one spoke in favor of the request.

No one spoke in opposition to the request.

A MOTION was made by Councilman Vickers to approve a Special Exception to place a manufactured home in a Multi-Family Residential (R-6) zoning district as requested by Anthony Battles. Councilman Wright seconded the motion. The motion was adopted (4-1) with Councilman Yost voting in opposition to enact Ordinance 2007-24, the complete text of which will be found in Ordinance Book XI.

Mayor Fretti inquired as to whether the trailer would be prohibited until it is approved by the Historic Preservation Commission. Anne-Marie Wolff stated that was correct and that Mr. Battles would have to go back before the Historic Preservation Commission for approval and could make some alterations to the trailer. Councilman Sumner inquired as to what type of alterations would need to be made to the trailer. Anne-Marie Wolff stated that the Historic Preservation Design Guidelines have certain requirements for the type of material used and Mr. Battles would be able to have a manufactured home specially made or insure that the manufactured home that he purchased met those Design Guidelines. The main issue was that when Mr. Battles submitted his application to the Historic Preservation Commission, he did not submit sufficient materials to show that the manufactured home would meet the Design Guidelines. Unfortunately, the Historic Preservation Commission can only review what is submitted in the application. Councilman Yost inquired as to whether this came before Council only because it is in the Historic District. Anne-Marie Wolff stated that it came before Council because any manufactured home needs to be approved through the Special Exception process. Councilman Yost inquired as to whether he would have to get permission from the Historic Preservation Commission if he lived in the Historic District and wanted to tear his house down and build a new one. Anne-Marie Wolff stated that he would have to get permission from the Historic Preservation Commission. Mayor Fretti stated that in the past mobile homes were grandfathered in and any new or replacement mobile homes would have to be approved through a Special Exception. Anne-Marie Wolff stated that was correct and verified in the policy that the replacement of a manufactured home did have to come before Council. There are requirements that the home face the street, there be skirting, and a 3 x 3 landing at each door. The Design Guidelines require roof pitch and that the materials used on the exterior of the home be some type of concrete or wood siding and no vinyl siding.

ORDINANCE NO. 2007-25, AN ORDINANCE FOR A SPECIAL EXCEPTION TO PLACE A MANUFACTURED HOME IN A MULTI-FAMILY RESIDENTIAL (R-6) ZONING DISTRICT

06/21/07 CONTINUED

Consideration of an ordinance for a Special Exception to place a manufactured home in a Multi-Family Residential (R-6) zoning district as requested by Carrie Bell Jones (P. C. File No. VA-2007-28). The subject property is located at 410 ½ East Cummings Street. Mayor/Council postponed the request at the June 7, 2007 regular City Council meeting until the June 21, 2007 regular City Council meeting.

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant is requesting a Special Exception to place a manufactured home in a Multi-Family Residential (R-6) zoning district. The property currently contains an existing singlewide mobile home with some additions. The applicant would like to replace the existing mobile home with a new doublewide manufactured home. The surrounding properties are all site built homes. Staff found the applicant's request inconsistent with the surrounding development and the Comprehensive Plan and recommended denial. The Planning Commission reviewed this request at their May 21, 2007 regular meeting and recommended approval of a Special Exception to place a manufactured home in an R-6 zoning district (8-0 vote). Anne-Marie Wolff met with Councilman Head at Ms. Jones' property and noted that Ms. Jones is requesting the complete removal of the structures on the property in order to bring in a doublewide manufactured home. Councilman Sumner inquired as to whether the Planning Commission denied the first request because it did not meet the Historic Guidelines. Anne-Marie Wolff stated that was correct.

No one spoke in favor of the request.

No one spoke in opposition to the request.

Councilman Vickers stated that he spoke with Councilman Head about the visit and he was in support of the request.

A MOTION was made by Councilman Vickers to approve a Special Exception to place a manufactured home in a Multi-Family Residential (R-6) zoning district as requested by Carrie Bell Jones. Councilman Payton seconded the motion. The motion was adopted (4-1) with Councilman Yost voting in opposition to enact Ordinance 2007-25, the complete text of which will be found in Ordinance Book XI.

AN ORDINANCE FOR A SPECIAL EXCEPTION TO PLACE A MANUFACTURED HOME IN A MULTI-FAMILY RESIDENTIAL (R-6) ZONING DISTRICT DENIED

Consideration of an ordinance for a Special Exception to place a manufactured home in a Multi-Family Residential (R-6) zoning district as requested by Carrie Bell Jones (P. C. File No. VA-2007-29). The subject property is located at 812 East Jane Street. The Planning Commission reviewed this request at their May 21, 2007 regular meeting and recommended approval (8-0 vote). Mayor/Council postponed the request at the June 7, 2007 regular City Council meeting until the June 21, 2007 regular City Council meeting.

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant is requesting a Special Exception to place a manufactured home in a Multi-Family Residential (R-6) zoning district. The property is currently vacant and contained a site built home at one time because the foundation still exists on the property. The applicant would like to place a doublewide manufactured home on the lot for one of her sons to live in. There are no manufactured homes located within the area surrounding the property. Placement of a manufactured home would be out of character with the neighborhood. Staff found the request inconsistent with the surrounding development and the Comprehensive Plan and recommended denial. The Planning Commission reviewed this request at their May 21, 2007 regular meeting and recommended approval of a Special Exception to place a manufactured home in an R-6 zoning district (8-0 vote).

No one spoke in favor of the request.

No one spoke in opposition to the request.

**AN ORDINANCE FOR A SPECIAL EXCEPTION TO
PLACE A MANUFACTURED HOME IN A MULTI-FAMILY
RESIDENTIAL (R-6) ZONING DISTRICT DENIED**

06/21/07 CONTINUED

Councilman Wright stated that this property is located in his district and is totally out of character with the existing homes in the area. There are no mobile homes in the area and this would be setting a precedence if this is approved.

A MOTION by Councilman Wright, seconded by Councilman Vickers, was unanimously adopted (5-0) to follow the recommendation of the Planning Staff and deny the request for a Special Exception to place a manufactured home in a Multi-Family Residential (R-6) zoning district as requested by Carrie Bell Jones.

ORDINANCES AND RESOLUTIONS

AN ORDINANCE FOR REIMBURSEMENT OF ACTUAL AND NECESSARY EXPENSES INCURRED BY MEMBERS OF MAYOR AND COUNCIL (FIRST READING)

Consideration of an ordinance for reimbursement of actual and necessary expenses incurred by members of Mayor and Council (First Reading).

George Talley, City Attorney, stated that Council incurs expenses that are necessary and incidental and should be reimbursed. The same language that is used in the State law authorizing such an ordinance has been used for this Ordinance. Mayor Fretti stated that the reimbursement of expenses was in accordance with O.C.G.A §36-35-4 and states that the elected members of Mayor and Council shall be reimbursed on a monthly basis for expenses for meals, travel, and telephone actually and necessarily incurred in carrying out their official duties not to exceed \$50. Reimbursements will be done by submission of the form provided by the City Manager's office with copies of any receipt or records of payments attached thereto to the office of the City Manager. Said expenses shall be approved by the City Manager and authorized for payment by the Department of Finance. Mayor Fretti stated that this is the First Reading of the Ordinance.

BID, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of a request to extend the Service Delivery Agreement and for funding related to services under arbitration to remain as currently agreed to until June 30, 2008.

Larry Hanson, City Manager, stated that as part of the Comprehensive Plan Update, the City was required to review the Service Delivery Agreement and make any changes. There were four services that the City and County could not agree on so a new form was submitted to the Georgia Department of Community Affairs (DCA) in order to stay in compliance. The City and County agreed to leave those four services the same as they were until we went through the mediation and now the arbitration process. That agreement expired June 30, 2007 and we still have not arbitrated those services. This agreement will extend the previous agreement and it will be resubmitted to DCA to keep the City and all the other governments in compliance for an additional 90 days in order to complete the arbitration. For those services involving funding, it would be extended until June 30, 2008. The other Cities and the County would need to agree to this and then be resubmitted to DCA so that no local government is out of compliance. If we do become out of compliance, none of Cities or County would be eligible for grants, loans, or permits. Councilman Yost inquired as to why the arbitration would be extended for 90 days. Larry Hanson stated that it is in the best interest of all to establish a date and have the issue resolved. A date was established several months ago assuming that everything would be cleared up prior to the beginning of the budget process but it was not. Councilman Yost stated that he would like to extend the agreement for 30 days. Larry Hanson stated that he did not believe it could be completed in 30 days because the third arbitrator has to be selected and then the arbitrators will let the City and County know what information they need to submit. This will take at least a week to prepare and then another couple of weeks to review. After that, there will be an arbitration hearing, the arbitrators will make a ruling, and then submit it to a Judge for a ruling. Councilman Yost inquired as to how the arbitration process has moved along regarding the arbitrators. George Talley, City Attorney, stated that the City's arbitrator and the County's arbitrator are in the process of looking at names to select the third arbitrator. Larry Hanson stated that the City had submitted names several weeks ago but did not receive the list of names for the County's arbitrator until June 7, 2007. The City resubmitted names today in hopes that one of those will be

mutually accepted. Councilman Sumner inquired as to how many days the City and County were out of compliance when House Bill 489 was first negotiated. Larry Hanson stated that it was approximately 45 days. Councilman Sumner stated that they have not really made any more ground and now it is being backed up 90 days. Larry Hanson stated that we are well into the process and at some point the Judge is going to want to know the status of the arbitration and the outcome. George Talley, City Attorney, stated that within the next two weeks there should be a third arbitrator and at that point they will meet and determine the schedule for hearing the issues. Councilman Sumner inquired as to the original timeline to settle this. Larry Hanson stated that it was agreed in October, 2006 to have it all completed by July 1, 2007. Councilman Payton inquired as to who was initiating the agreement. Larry Hanson stated that the City was initiating the agreement because they wanted to make sure that none of the governments are out of compliance and can continue to do business as usual. The other Cities will need to adopt this agreement either by having regular scheduled meetings or special called meetings. Councilman Sumner inquired as to whether there had to be a majority. Larry Hanson stated that it would take the approval of Valdosta, Lowndes, and two of the four smaller Cities.

A MOTION by Councilman Payton, seconded by Councilman Vickers, was unanimously adopted (5-0) to extend the Service Delivery Agreement and for funding related to services under arbitration to remain as currently agreed to until June 30, 2008.

LOCAL FUNDING AND REQUESTS

Consideration of a request for contingency funds in the amount of \$65,640 for sponsorship of the Lowndes County Partnership for Health.

Larry Hanson, City Manager, stated that the Lowndes County Partnership for Health has requested funding for a new program to provide health care services needed for those without affordable access. The Partnership is requesting an equal contribution from the City and County for one-time start up funds primarily for establishing the clinic. They have worked very hard to secure many other commitments including free office space and a tremendous amount of volunteer support including medical professionals. Larry Hanson was directed at the Mayor and Council Retreat to find the money in this year's budget and it was his recommendation that Council wait until the final meeting of this budget year to insure that the funding was available. At present time, there is \$73,787 in the Mayor/Council Contingency Fund and the Partnership is requesting a one-time amount of \$65,640. This is a very worthwhile program and it is much needed in our community. Many residents of the City will benefit from it and the location of the office will be very convenient and accessible. Larry Hanson stated that the Partnership meets other City requirements for funding such as being a 501(c)(3), having a Board of Directors, and conducting an annual audit. Larry Hanson recommended that Council approve the request with the following conditions: (1) The City's contribution is a one-time funding and there are no commitments made as to any future funding. (2) An identical amount is funded by Lowndes County as the Partnership has indicated will be the case. (3) The Partnership for Health will provide all required information as requested by the City to document how the funds are used and will be used as outlined in the request for funding. Councilman Vickers inquired as to what services would be provided by the Partnership.

John Sparks, Lowndes Partnership for Health, stated that this is a free primary care clinic for the working uninsured who reside in Lowndes County. There has been substantial input from the Department of Community Health, two grants from the State of Georgia to fund all the supplies and equipment to start the clinic, and South Georgia Medical Center has provided a building at no cost and it should be available within the next two weeks. This funding will help to employ the personnel needed to run the administrative side of the clinic. The physicians and nurses who will practice in the clinic are all volunteers. Councilman Vickers inquired as to the location of the facility and the hours of operation. Mr. Sparks stated that the building is located at 205 Woodrow Wilson and the hours of operation will be several days a week which will increase as funding increases. Larry Hanson inquired as to whether the County has acted on the request. Mr. Sparks stated that he had not heard whether the County has voted on the request yet but he has received an indication from the County that they would provide funds in line with what their budget would allow. Councilman Payton inquired as to what the Partnership's plans will be to staff the facility next year. Mr. Sparks stated that they have fund raising mechanisms in place to raise money locally to staff positions once the facility is opened. There are also some other Department Community Health grants that they will apply for in the coming year.

A **MOTION** by Councilman Sumner, seconded by Councilman Payton, was unanimously adopted (5-0) to approve the request for contingency funds in the amount of \$65,640 for sponsorship of the Lowndes County Partnership for Health.

Consideration of a request to approve payment to Radney Plumbing, Inc. for construction of a 12-inch water main on Clay Road for Morning Star Baptist Church.

Von Shipman, City Engineer, stated that the City Municipal Utilities Ordinance provides that a customer needing service in a new area may pay the cost of an 8-inch water main on an existing street where the City has a plan to construct a future main of 12 inches or larger. The City may, if extension is feasible, provide service to the new area and pay the difference in cost on the 8-inch paid by the customer and the larger main proposed by the City's Master Plan. Morning Star Baptist Church has prepared plans for a new facility to be located at the northwest corner of Clay Road and Howell Road and has taken bids for continuation of the water main along Clay Road from its present end at Old Statenville Road. The City's water main on Clay Road presently runs from East Hill Avenue to Old Statenville Road and stops. The Master Plan recommends continuing the Main to Highway 94 and then running back to South Patterson Street in the future. Radney Plumbing, Inc. has submitted bids to the Church for a 12-inch main and also for an 8-inch main along Clay Road in order to obtain needed domestic water service and for fire protection for their new facilities. The bid for a 12-inch main is \$74,470 and an 8-inch is \$36,140. The difference in the two bids is \$38,330. Von Shipman recommended that Council approve payment to Radney Plumbing, Inc. in the amount of \$38,330 upon completion of construction of a 12-inch main along Clay Road.

A **MOTION** by Councilman Vickers, seconded by Councilman Sumner, was unanimously adopted (5-0) to approve payment to Radney Plumbing, Inc. in the amount of \$38,330 upon completion of construction of a 12-inch water main on Clay Road for Morning Star Baptist Church.

Consideration of a request to approve an amendment to the Urban Development Action Grant (UDAG) Miscellaneous Income Reinvestment Program.

Kelley Thomas, CDBG Coordinator, stated that the 2007 Hospitality Group Workcamp will begin soon and there will be approximately 360 young people coming to Valdosta to repair 47 homes in one week. The Workcamp homeowners are all over 62 years of age, are low-to-moderate income, and are not required to repay any costs associated with the work done on their homes due to their age and financial situation. In the past, Coastal Plains EOA performed the minor repair work that the campers were unable to do which included new roofs, structural work, reconstruction of porches and systems work such as plumbing, electrical, HVAC work, and weatherization as needed. Coastal Plains EOA has seen a decrease in the amount of funding for their program and totally lost all minor repair funds in late 2006. Staff is requesting an amendment to the UDAG policy to allow for \$60,000 to be utilized for these additional repairs without the repayment requirement by the homeowner. Councilman Vickers inquired about the \$90,000 that they had previously been given. Kelley Thomas stated that in 2005 Council approved an amendment to the program increasing the total amount of funds for Coastal Plain EOA to \$90,000 for the Minor Repair Program and Weatherization program and a per unit cap of \$7,500. Kelley Thomas recommended that Council approve the request to amend the Urban Development Action Grant (UDAG) Miscellaneous Income Reinvestment Program and provide \$60,000 to continue to do the repair work.

A **MOTION** by Councilman Vickers, seconded by Councilman Wright, was unanimously adopted (5-0) to approve an amendment to the Urban Development Action Grant (UDAG) Miscellaneous Income Reinvestment Program and provide \$60,000 to be used for repairing the 2007 Hospitality Group Workcamp homes.

Consideration of a request to apply for grant funds for the FY 2007 Edward Byrne Memorial Discretionary Grants Program.

Police Chief Frank Simons stated that the Edward Byrne Memorial Discretionary Grants Program helps local communities improve the capacity of local justice systems and provides for national support efforts including training and technical assistance programs strategically targeted to address local needs. Funds can be used for demonstration, replication, expansion, enhancement, training, and/or technical assistance programs. The 2007

Edward Byrne Memorial Discretionary Grants Program will focus on funding local, regional, and national efforts within six major categories: (1) Targeting violent crime, (2) Preventing crime and drug abuse, (3) Enhancing local law enforcement, (4) Enhancing local courts, (5) Enhancing local corrections and offender reentry, and (6) Facilitating justice information sharing. The length of program award is one year and although no program match is required, applicants are strongly encouraged to leverage grant funds with local funds. The Category 1 funding is capped at \$300,000 for communities with populations of up to 249,999 and must be directed towards a multi-jurisdictional response to violent crime and gangs. Other categories must have projects that are designed to reach the stated goals of the local program and demonstrate cost efficiency and the ability to sustain the program once the grant ends. Chief Simons stated that they would like to apply for this grant for equipment funding in the amount of \$287,134. The first piece of equipment they are asking for is a mobile crime lab vehicle to sort and test evidence to be used on scenes. The cost for this vehicle is \$166,931. The second piece of equipment they are interested in is a gas chromatograph spectrometer which would allow substances to be analyzed to determine the makeup of the substance. The cost for this piece of equipment is \$117,000 and would take a qualified trained chemist to operate. The third piece of equipment is a ballistic blanket and a stand which would be used by the Tactical Team when they are entering an area with active gunfire. There is no match requirement for this highly competitive grant, and there is no guarantee that they will be funded. Chief Simons recommended that Council approve the request to apply for grant funds and authorize the filing of the application.

A MOTION by Councilman Yost, seconded by Councilman Wright, was unanimously adopted (5-0) to approve the request to apply for grant funds for the FY 2007 Edward Byrne Memorial Discretionary Grants Program.

Consideration of a request to apply for grant funds for the FY 2007 Edward Byrne Memorial Justice Assistance Grant (JAG) Program for Local Jurisdictions.

Police Chief Frank Simons stated that the City has received funding under the Edward Byrne Justice Assistance Grant Program in both 2005 and 2006. The grants were joint projects with the City of Valdosta and Lowndes County where both law enforcement agencies teamed together to request Federal grant funds to improve law enforcement services. In the past, the Justice Department has required that the City and County negotiate the split of the available funds and if they could not reach an agreement then neither would be funded. This year, the grant is a little different in that the Justice Assistance Grant (JAG) Program made that determination for the City and County. There is currently \$53,335 available in this grant with the allocation for the City being \$39,747 and \$13,588 for the County. A Memorandum of Understanding has been executed and the County has agreed to these amounts and to designate the City as the fiscal agent. The City would file the application for the entire award amount of \$53,335 and then provide the County with \$13,588 to fulfill one of the six Grant Program purpose programs. Both the City and the County have selected planning, evaluation, and technology improvement as their purpose area for the grant. No match is required for the grant. The City has requested to upgrade the video and audio recording capabilities in the Detective Division interview rooms with approximately \$15,000 of those funds. The Police Department would also like to upgrade some of the equipment in the Surveillance vehicle in the amount of \$12,700 and use another \$12,000 for equipment in the Narcotics Division. The County is asking to spend their money on an international automated fingerprint identification software. This new system will work with the equipment that both agencies already have and will allow the fingerprints that are captured locally to be used internationally. Chief Simons recommended that Council approve the request to apply for grant funds for the FY 2007 Edward Byrne Memorial Justice Assistance Grant (JAG) Program for Local Jurisdictions and authorize the filing of the application.

A MOTION by Councilman Sumner, seconded by Councilman Vickers, was unanimously adopted (5-0) to approve the request to apply for grant funds for the FY 2007 Edward Byrne Memorial Justice Assistance Grant (JAG) Program for Local Jurisdictions.

BOARDS AND COMMISSIONS

Consideration of an appointment to the Valdosta Tree Commission.

Larry Hanson, City Manager, stated that John Daniels, Jr. resigned from the Valdosta Tree Commission and Council has been presented with the following three names for consideration: (1) Kevin Conrad, Vice

President of First State Bank and Trust, (2) James Cagley, Draftsman with Ellis, Ricket and Associates, and (3) Steven Terry, CAD Technician with Ganas Landscape and Design. The Tree Commission has recommended that Kevin Conrad be appointed.

Mayor Fretti asked for nominations. Councilman Vickers placed in consideration the name of Kevin Conrad. There being no other nominations, Kevin Conrad was appointed to serve the unexpired term of John Daniels, Jr. on the Valdosta Tree Commission.

CITY MANAGER'S REPORT

Larry Hanson, City Manager, stated that the Georgia Power will be hosting a dinner at the Georgia Municipal Association Convention in Savannah tomorrow night and encourage Council to attend.

Larry Hanson, City Manager, stated that the Washington, D.C. trip dates have been confirmed for July 9-12, 2007. The group will be meeting with General Moseley, Chief of Staff, to get an update on CBAT, dates when the A-10's and other personnel will be arriving at Moody Air Force Base, the construction schedule for many of the major projects that will be taking place in the next several years, an update on the housing, and what the City of Valdosta can do to help Moody Air Force Base. Councilman Vickers inquired as to whether there were any plans to meet with anyone other than the military. Larry Hanson stated that they would be visiting the Pentagon and having dinner with several Congressional Staff members. Meetings with other agencies have not yet been arranged but can be arranged once the Pentagon schedule has been determined. Also, Congressman Kingston's Office called today and the House Appropriations Sub-committee approved the City of Valdosta's request for \$500,000 for a water tank in Scott Park. They issued a Press Release today and it should come before the full House next week. Congressman Kingston is very optimistic that this will be approved. Two other requests for Federal funding are for the MLK Project and the railroad relocation project and those should be heard in the next several weeks.

Larry Hanson, City Manager, stated that signal installations around the Valdosta State University area are progressing. The work on the Mill Pond and Brown's Canal is also progressing. Also, there will be a dedication of the new Wing Headquarters at Moody Air Force Base tomorrow at 11:00 a.m. and it will be named in honor of Parker Greene.

Larry Hanson, City Manager, thanked the Mayor and Council for allowing him to spend two weeks in China at the expense of the University of Georgia Carl Vinson Institute of Government. It was an incredible experience and went extremely well. There will be a group of 25-30 Chinese local government officials from Beijing traveling to the United States this fall. The University of Georgia will be facilitating that trip and bringing them to Valdosta where they will spend several days. This will be a great opportunity for us to showcase our City and establish relationships.

Larry Hanson, City Manager, stated that Mark Barber, Finance Director, will make a brief presentation on SPLOST VI negotiations. Mark Barber stated that he met with the Mayor and Lowndes County last Monday and they presented their SPLOST proposal as well as the other smaller Cities. In the interim, the City of Valdosta met with the smaller Cities and again with Lowndes County to present a proposal. Lowndes County is estimating the total proceeds of SPLOST to be \$183,500,000 which is a six-year collection period because there are some Tier 1 projects they are requesting that will exceed 24 months. The County's Tier 1 projects are: (1) Jail expansion and renovation - \$40,000,000, and (2) Judicial administrative complex - \$20,500,000. The remainder, \$123,000,000, would be distributed to Lowndes County, Valdosta, and the four smaller Cities. With the current proposal by Lowndes County, the total distribution of proceeds is as follows: (1) Valdosta - 31.827% (\$58,384,107), (2) Hahira - 1.180% (\$2,171,177), (3) Remerton - 0.620% (\$1,130,988), (4) Dasher - 0.610% (\$1,113,630), (5) Lake Park - 0.400% (\$733,073), and (6) Lowndes County - 65.387% (\$119,467,025). Councilman Yost stated that he would like for Council to go into the next meeting with the County with a different frame of mind. With the County wanting \$40,000,000 for the jail and \$20,000,000 for the judicial administrative complex, the other Cities would receive nothing for the first two years. If the County would agree to \$20,000,000 for the jail project the first year, \$20,000,000 for the second year, and then move the \$20,000,000 for the judicial administrative complex to the sixth year, then the other Cities will not feel like they are getting squeezed. This is a County tax but if they want to represent every citizen in this County then they need to meet with an open mind and work together to make this profitable and beneficial to every citizen. Councilman Sumner inquired as to whether Councilman Yost agreed

with the County's proposal for dollar amounts. Councilman Yost stated that the only thing he was in agreement with is that SPLOST has changed the dynamics of this and he is willing to meet with the County to discuss this. Mayor Fretti stated that in the City's proposal, we have fixed or reduced jail fees for the entire period of the SPLOST because we are assisting with the construction costs of the jail and we are the largest customer of the jail. Mark Barber stated that the way the current County proposal is structured, anything the City of Valdosta would ask for off the top is detrimental to the smaller Cities. In the City's proposal and the off the top projects, all the Cities are included and not just the City of Valdosta. Mayor Fretti stated that it is the City's intent to negotiate this and have it solidified in an intergovernmental agreement rather than the Level 1 and Level 2 agreements so that even those first two years can be negotiated. Councilman Wright inquired as to whether there has been any discussion as to why the County wants the \$60,000,000 off the top. Mayor Fretti stated that the County indicated that the law allows that and these projects have been denied for many years.

Mark Barber stated that population is important because the City of Valdosta has gone through two special circumstances from the 2000 Census population count and then the redistricting which is a Federal requirement because more than 600 residents were annexed into the City of Valdosta. The population counts are as follows: (1) Valdosta - 46,425 (50.399%), (2) Hahira - 1,626 (1.7652%), (3) Remerton - 847 (.9195%), (4) Lake Park - 549 (.5960%), (5) Dasher - 834 (.9054%), (6) Unincorporated - 41,834 (45.415%). The total population is 92,115 and both the City and the County agreed on the population numbers. The City must legally serve these newly annexed residents and has budgeted \$8,000,000 in SPLOST VI to provide water/sewer services and paving of dirt roads. Larry Hanson stated that the residents of the Cities make up 55% of the population of this entire County and the residents of the unincorporated area make up 45% so it is imperative that there is a menu of projects and a fair distribution so that residents will support this tax. Mayor Fretti stated that over 80% of the sales that generate the sales tax occur primarily in the City of Valdosta. Mark Barber stated that revenue trends from SPLOST IV to SPLOST V grew approximately 67% and from SPLOST V to SPLOST VI, the estimated collection will be 67% as well. From SPLOST V to SPLOST VI, the City of Valdosta would receive only 14% more in additional distribution based on the County's proposal while the actual total distribution is growing 66.82%. Other Cities would gain 95% growth and Lowndes County would gain 138%. Under the City of Valdosta's proposal, growth and distribution for Valdosta would be 62.5%, the other Cities would be 254%, and Lowndes County would be 78.2%. Mark Barber stated that this is a proposal the smaller Cities could support as well as the citizens in this area. Larry Hanson stated that five of the six governments have indicated that they would support the second proposal and only one of the six has indicated that they would support the first proposal. Mayor Fretti stated that we have submitted this proposal to the County and will be meeting with them next week. Councilman Wright inquired as to the timeline for the SPLOST to be on the ballot. Larry Hanson stated that the referendum will be held in September, 2007. Councilman Sumner inquired as to whether they could move forward with an intergovernmental agreement if it is not worked out. Larry Hanson stated that there is a provision in the law that will allow the County to move forward under the Tier 1 proposal where they could determine what they want and then divide the rest and go alone. SPLOST has been passed in Cities every time it has been held since 1988 but it has only passed once in the unincorporated area so the support of the residents of Cities is critical.

COUNCIL COMMENTS

Councilman Vickers inquired as to when the City would finalize their SPLOST list. Larry Hanson stated that at the Mayor/Council Retreat, the initial SPLOST list was \$124 million and it was reduced to \$90 million. Until the City knows the number we will be working with, it is on hold; however, once that is identified it will come back before Council. Councilman Vickers stated that we need to put money into sidewalks in the next SPLOST.

Councilman Payton thanked Councilman Wright, Councilman Head, and Mayor Fretti for attending the Juneteenth Celebration. Councilman Payton was the guest speaker and it was a great event with a good turnout.

Councilman Yost thanked the Council and City Manager for their support of the property purchase on Gornto Road. There have been many positive comments from the residents of District 6 and once others have a chance to look at the property all the residents will be happy and satisfied.

Mayor Fretti asked that Council keep the nine Charleston, South Carolina, firefighters who perished in a warehouse fire in their hearts and prayers. The Valdosta Fire Stations have lowered their flags to half-staff until Friday.

Mayor Fretti stated that the Group Workcamp will begin next week and thanked the sponsors for their support of this great project.

ADJOURNMENT

Mayor Fretti entertained a motion for adjournment.

A MOTION by Councilman Vickers, seconded by Councilman Wright was unanimously adopted (5-0) to adjourn the June 21, 2007 meeting of the Valdosta City Council at 7:20 p.m. to meet again in regular session on Thursday, July 5, 2007.

City Clerk, City of Valdosta

Mayor, City of Valdosta