

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, AUGUST 22, 2013
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

Mayor John Gayle called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Joseph "Sonny" Vickers, Tim Carroll, Ben Norton, Alvin Payton, Jr., and James Wright. Councilwoman Deidra White arrived at 5:47 p.m. and Councilman Robert Yost was absent. The invocation was given by Jeff Williams, New Covenant Church, followed by the Pledge of Allegiance to the American Flag. Mayor Gayle recognized members of the Leadership Lowndes Class in attendance.

APPROVAL OF MINUTES

The minutes of the August 8, 2013 Regular Meeting were approved by unanimous consent (5-0) of the Council.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 2013-17, AN ORDINANCE TO AMEND THE CITY OF VALDOSTA GEORGIA MUNICIPAL EMPLOYEE BENEFITS SYSTEM (GMEBS) DEFINED BENEFIT RETIREMENT PLAN

Consideration of an Ordinance to amend the City of Valdosta Georgia Municipal Employee Benefits System (GMEBS) Defined Benefit Retirement Plan.

Larry Hanson, City Manager, stated that in the past the City has adopted the Georgia Municipal Employees Benefit System (GMEBS) Master Defined Benefit Retirement Plan and the appropriate Adoption Agreement. Valdosta is one of 285 cities in Georgia in the GMEBS retirement system which is administered through the Georgia Municipal Association. The City has been working for the last several years to make some modest changes to the Retirement Plan that are primarily for new employees and re-hires effective September 1, 2013. These changes were discussed at the Budget Hearing and that this was forthcoming but it was slowed down due to the retirement of the Human Resources Director. Several of the changes are needed to correct either a conflict or an ambiguity in the existing Plan. We have taken great care to minimize any effect on existing employees. Our Retirement Plan is very complicated and it is really four Plans in one. We hope that this fourth Plan to be adopted tonight will, over time, become the one and sole Retirement Plan for the City. Currently we have a Plan that has employees classified primarily by when they were hired and based on choices that they made. They are designated as either Class I, Class II, or Class III, and this will become Class IV tonight. Council will be considering an Ordinance for an Amendment and a Restatement of the Adoption Policy. The City basically has two separate Retirement Plans with one being Social Security that both the City and the employee contributes to and then the second one is the Defined Benefit Plan. It is a good Plan with good benefits and has a factor of two which means if an employee works 25 years and retires then they would get approximately 50% of their final five year earnings. Approximately 37% of the Plans in Georgia have less than two, 15% have a factor of two, and 26% have a split. We also have ten-year vesting while a lot of Plans have a five-year vesting. We want to encourage and reward career service so we have always had ten-year vesting to get a future Retirement Benefit so other Plans are better in that sense. Depending on which Class an employee is in, they either contribute 2%, 3%, or 0% to their retirement in the City. We also do not have an automatic cost of living which many Plans do. Approximately 70% of the Plans in Georgia are a 65 + 5 Plan meaning you have to reach the age of 65 and have 5 years of service in order to retire. Approximately 22% of the Plans are 55 + 25 meaning an employee has to have a minimum age of 55 and 25 years of service. Approximately 8%, like our Plan, falls into a different category which is actually multiple categories. We have approximately 190 employees who are Class I and they are mainly people who were hired prior to 2005. Most of them had a choice whether they wanted to become a Class I or Class II. Class I meant that they would contribute to their own retirement to have a better retirement and Class II meant they would not contribute and therefore their benefit would be a little less. In 2005, the Class I Plan was improved to a rule of 75 with no minimum age. It was initially a rule of 55 + 30 which meant you had to be 55 years old with 30 years of service to be able to retire with full benefits. That Plan was improved without any additional compensation from the employee. That means that a person can retire if they reach the Rule of 75 and it could be age 50 with 25 years

of services or it could be age 45 with 30 years of service. This will be an issue to address in the future Plan and it will not change for existing employees. The City of Valdosta has 100 Class II employees who do not contribute, 250 Class III employees which is the majority of our workforce and have been hired since 2010. We have approximately 300 retirees and beneficiaries, 244 employees that are active vested, 67 employees that are terminated vested so that is approximately 604 who are totally vested and 272 total non-vested. The City of Valdosta has 876 lives that are in our Plan in some shape or form. The majority of the changes being considered are aimed at the future. Larry Hanson suggested that the first change not be implemented due to the medical condition of the current Human Resources Director. Typically, the Human Resources Director is the Pension Committee Secretary and they have a lot of paperwork to prepare; however, we are actually not going to implement that and will leave the Deputy City Manager of Administration as the Pension Secretary. This is an easy change to make in the future at which time the Human Resources Director is back at work which will be next year. The second change is that prior governmental services are not creditable under the Plan with respect to people who are employed or re-employed after September 1, 2013. Our Plan had a provision in it that if you came to work from another government and you stayed here ten years then we would give you credit for that service with the other government up to ten years. Again, this does not affect any existing employee or any person who has been promised that benefit; however, going forward for people who are hired or re-hired after September 1, 2013 that will not be in the Plan. The third change is that the Rule of 75 Alternative Normal Retirement is not applicable to people hired after September 1, 2013. In other words, the City will be replacing the Rule of 75 in the new Plan with a Rule of 80. The Rule of 80 will have a minimum age of 55 so new employees or people who are rehired will have to work at least until they are 55 and meet a Rule of 80 in order to get full retirement. The fourth change involves conflict between some of the Plan language and the Plan Master Plan. It involved how disability eligibility is determined. We felt that the best thing to do is to go with what most Plans use which is the Social Security designation of that. In other words, for a person to get disability status under our Plan they would merely need to get designation from the Social Security Administration for disability and then our Plan would comply. The fifth change is that Class I participants who currently qualify for the Rule of 75 will not receive a refund of their contributions made after September 1, 2013. They will receive contributions they have made in the past and up to now; however, the contributions they make after September 1, 2013 will not be returned. That will make Class I employees consistent with Class III and Class IV employees. They are making less of a contribution of 2% and those other employees will not have their contributions returned either. Larry Hanson, City Manager, recommended that Council approve the Ordinance to amend the City of Valdosta Georgia Municipal Employee Benefits System (GMEBS) Defined Benefit Retirement Plan. Councilman Vickers inquired about the ten-year vesting requirement and whether that meant an employee has to have ten years for full retirement or if they had eight years it would go to a percentage. Larry Hanson stated that an employee has to work with the City for ten years to be vested in order to have any benefit. If an employee worked ten years and left then they will receive something at 55 or 62 but it will be approximately 20% of the employee's five highest years of earning. If they leave before ten years then they would receive their contributions returned. Councilman Payton inquired as to whether the contribution will automatically stop for the employee. Larry Hanson stated that they would still continue to contribute but their contribution will just be to fund their better retirement. You cannot have both the better retirement and get the contributions back. The Class III employees contribute 3%, and the Class IV employees will contribute 3% without a return of contribution. Class I employees only contribute 2% but they get their contributions returned. This change will not take that away but will stop the return of contributions going forward. They will be on a level playing field with participants in the other Classes.

A **MOTION** was made by Councilman Payton to approve an Ordinance to amend the City of Valdosta Georgia Municipal Employee Benefits System (GMEBS) Defined Benefit Retirement Plan. Councilman Wright seconded the motion. Councilman Carroll inquired as to whether they needed to specify that Item (1), changing the Pension Secretary, should be omitted. Councilman Payton and Councilman Wright approved the amendment to the motion. The motion was unanimously adopted (6-0) to enact Ordinance No. 2013-17, the complete text of which will be found in Ordinance Book XII.

RESOLUTION NO. 2013-9, A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE U. S. DEPARTMENT OF HOMELAND SECURITY (DHS) TO FUND THE HIRING OF 12 ENTRY-LEVEL FIREFIGHTERS FOR THE VALDOSTA FIRE DEPARTMENT

Consideration of a Resolution authorizing the filing of an Application with the U. S. Department of Homeland Security (DHS) to fund the hiring of 12 entry-level Firefighters for the Valdosta Fire Department.

Fire Chief J. D. Rice stated that the purpose of the SAFER Grant is to provide funding directly to Fire Departments and national, state, local, or tribal organizations representing the interests of volunteer Firefighters in order to assist them in increasing the number of Firefighters helping communities meet industry minimum standards and attain 24-hour staffing in order to provide adequate protection from fire and fire related hazards. The City of Valdosta is seeking to hire 12 new Firefighters under the SAFER Grant Application. These new Firefighters will allow the City to more effectively respond to emergency situations, provide a faster response time, and increase the number of trained personnel assembled at the incident scene. The Grant requires that National Standards be followed and the National Fire Protection Association Standard 17-10 requires four personnel per truck. The plan is to use nine of these personnel when an additional ladder truck is placed on the west side of Valdosta to protect that area due to the recent increase of high rise hotels. We are more than 2.5 miles from Downtown to the west side of Valdosta as required by ISO in order to maintain the Class 2 insurance rating. We will reach three people per day and we have three shifts so that is nine personnel. The other three personnel would be used at the Valdosta Regional Airport. The total amount of the grant is \$943,416 which is two years of salaries and benefits for 12 entry level Firefighters at \$39,309. In previous years, the Federal government required either a 10% or 20% match; however, there is no match required for this Grant. The guidelines have also changed in that there was a sliding scale on the previous Grant applications where the Federal government paid 100% of the salaries the first year, 75% the second year, 50% the third year, and 25% the fourth year. After the fourth year, the local jurisdiction either had to maintain the personnel or make some other arrangements. This Grant is different in that the Federal government pays 100% the first two years and after the second year the local jurisdiction would have to absorb the cost of those additional personnel. In speaking with the Finance Department, it costs the Fire Department approximately \$39,000 to hire a new Firefighter and this includes their salary, equipment, training, and medical benefits. Once the person is brought on, the second year that cost comes down to salary and benefits and no additional training or equipment costs are figured into maintaining them. The first year it would cost the Federal government over \$400,000 and by the time the City of Valdosta picks up the costs it will be slightly over \$300,000 to maintain those 12 personnel. Councilman Vickers inquired as to where the Fire Department would get the money for year three. Chief Rice stated that he anticipates growth in the tax digest in order to absorb those costs. There are two areas to look at in maintaining the Class 2 ISO rating and that is an increase in personnel and the standard of fire protection. When ISO came in the last time, they recommended that we start placing an aerial truck on the west side because of the high rises. If we do not increase personnel and the standard of coverage, we will be hard pressed to maintain that Class 2 ISO rating. Councilwoman White inquired as to whether the Fire Department was maxed out now. Chief Rice stated that there were some areas they could improve on with one of those being training. They also actually lost one-tenth of a point on the communication system and that is why the Fire Department and the Police Department are asking for an improved communication system in the next SPLOST. Larry Hanson, City Manager, stated that they have also done something similar at the Police Department with the hiring of seven Police Officers through Cops More and other programs. Knowing that we would need to be prepared by end of the third year to fund those costs is not as big a hit to the budget as it at one time. Chief Rice recommended that Council approve a Resolution authorizing the Mayor to apply for a SAFER Grant to fund the hiring of 12 entry-level Firefighters for the Valdosta Fire Department.

A MOTION by Councilwoman White, seconded by Councilman Norton, was unanimously adopted (6-0) to enact Resolution No. 2013-9, a Resolution authorizing the filing of an Application with the U. S. Department of Homeland Security (DHS) to fund the hiring of 12 entry-level Firefighters for the Valdosta Fire Department, the complete text of which will be found in Resolution Book V.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of bids for a Ford F-250 Pickup Truck for the Valdosta-Lowndes County Regional Crime Lab.

Greg Brown, Purchasing Agent, stated that the Valdosta Lowndes Regional Crime Lab needs to purchase a truck to pull a Crime Lab trailer which they already have. The trailer contains a crime scene processing area and the necessary equipment to be used on a crime scene site to analyze and collect evidence. The size of the truck is compatible for the size and weight of the trailer. The 2010 Federal Grant will fund \$26,000 of the purchase price with the balance coming from the locally funded Crime Lab budget. Sealed bids were received on August 13, 2013 with the low bid meeting specifications submitted by Langdale Ford in the amount of \$28,133. Greg Brown recommended that Council approve the low bid of Langdale Ford in the amount of \$28,133 and allow the Valdosta-

Lowndes County Regional Crime Lab to proceed with the purchase. Councilman Payton inquired as to why Cass Burch did not meet the specification. Greg Brown stated that their engine was too small and they could have gone up to a bigger engine but they chose something else that did not meet the specification.

A MOTION by Councilman Carroll, seconded by Councilman Vickers, was unanimously adopted (6-0) to approve the low bid of Langdale Ford in the amount of \$28,133 and allow the Valdosta-Lowndes County Regional Crime Lab to proceed with the purchase.

Consideration of a request to approve an Intergovernmental Agreement for SPLOST VII.

Larry Hanson, City Manager, stated that the City and the County has been working together preparing for a SPLOST VII Referendum which will be held on November 5, 2013. The Intergovernmental Agreement is something that all the Attorneys and Mayors have worked together to help draft and finalize. This Agreement spells out the terms of the Referendum such as the period of time, how the funds will be distributed, all of the project categories, and the percentage each one will receive. Without an Intergovernmental Agreement, the tax could not be for six years and would have to be for a lesser time so it is beneficial for governments to have this. All of the governments will be voting on adopting this identical Intergovernmental Agreement within the next several weeks. Councilman Vickers inquired as to how we would share in the cost of paying for the election. Larry Hanson stated that typically, under State law, the County would pay for the cost of this election because it is a Special Referendum; however, this is being held on the General Election Day. It is a little complicated because this is the only issue on the ballot in the unincorporated area but in most of the Cities there will be a Municipal Election. We generally have a formula with the Board of Elections where we share in the cost but in this case the County is going to agree to absorb most of the cost because they would actually be required to have the Special Election anyway. Some of the advertising costs would be unique to us but we will pay our pro rata share.

A MOTION by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (6-0) to approve an Intergovernmental Agreement for SPLOST VII.

CITY MANAGER'S REPORT

Larry Hanson, City Manager, stated that there was a fire last week in the Industrial Park which could have been catastrophic; however, it was a great example of public service and people willing to put their lives on their line to do what is needed in a time of distress. Not only did the Valdosta Fire Department fight the fire, there were others who responded under mutual aid which shows the benefit of having things like that. We are very proud of our Firefighters and the equipment that we have been able to purchase using SPLOST funds. Some of the new ladder trucks responded to the fire and the new elevated water tank that serves the entire south side of the City was utilized. The old water tank that was just removed had a 150,000 gallon capacity. The new tank has a 2,000,000 gallon capacity. That fire alone used 750,000 gallons of water so the old tank would have been drained and immediately the Fire Department would have been calling the Water Plant asking them to boost pressure in the system to steer more water to the area. In this case that never became necessary and the new water tank did not drop a foot. Not only is it beneficial from a quantity standpoint, it is beneficial because the weight of that improves the pressure in the system. There was never a pressure issue or capacity issue in fighting that fire and they had all the water they needed. That is a blessing and this shows you the importance of SPLOST, planning, and having good equipment. We recently not only removed the Fry Street water tank but we have also taken the Briggs Street tank off line because we are no longer going to need it which will save our system some money as well. The Valdosta High School water tank is in the final stages of repair which has been delayed due to rain. Larry Hanson stated that he wanted to help people make the connection between SPLOST, fire, water, planning, and elevated storage and how it all goes together.

A Press Release was sent out today about the temporary repairs that have started this week at the Withlacoochee Wastewater Treatment Plant. We are pleased to have the \$2.5 million improvements underway which is intended to buy us time in relocating the Plant, making every effort to keep it in compliance, and minimizing/eliminating overflows. Today the Plant was actually running at 15 million gallons which is well beyond its capacity of 12 million gallons per day. The concept is embedded in the Press Release of how important SPLOST VII will be to the City because 70% of our proceeds will go toward wastewater and relocating that Plant and building a new collection system.

Larry Hanson, City Manager, commended the Valdosta Fire Department and the cooperation of all the other agencies, including the Police Department and Sheriff's Department in evacuating a one square mile area and keeping it safe and secure. This was a great example of agencies not concerned about jurisdictional lines in a time of real need. We will also continue to pray for the workers who were injured in the fire.

COUNCIL COMMENTS

Councilman Carroll welcomed Mayor Gayle back as well as Henry Hicks, Utilities Director. Councilman Carroll stated that there is a new SPLOST VII Committee and inquired as to when they would be getting an update on their marketing plans and efforts to convince voters to pass SPLOST VII. We also need to spend some quality time in the community to meet with citizens and get the message out about the importance of SPLOST.

Councilman Vickers inquired about the status of the Savannah Avenue railroad crossing repairs. Larry Hanson, City Manager, stated that CSX had committed to come in and make the repairs. Councilman Vickers stated that it has gotten worse and the road is being used a lot more now due to the Hill Avenue Overpass Project. Larry Hanson stated that he would contact CSX tomorrow because they had committed to make temporary repairs last week.

Mayor Gayle stated that last month he appointed a Committee consisting of Councilmen Tim Carroll, Councilman Sonny Vickers, and Councilman Robert Yost to research attendance policies and make recommendations regarding such for members of the governing authority and appointed members of Boards, Commissions, Authorities, and Advisory Committees. The Committee requested that the City Manager assist them with research and information was collected from various sources and shared with the Committee members. The Committee met on Friday, August 2, 2013 and agreed on the following recommendation: (1) Mayor/Council - Each member will be marked as either Present, Absent, or Excused Absence. For non-emergencies, members of the governing authority will be requested to notify the Mayor, City Manager, or the Clerk of Council of any absence as soon as their absence is known to them and preferably at least 48 hours prior to the meeting. This will help to ensure the timely start of each meeting and to be sure a quorum will be present. The minutes of each meeting will include attendance, and a matrix of attendance for the previous 12 months (calendar year) will be sent to the Mayor and Council with the Agenda Packet. The purpose of this is to encourage accountability. No policy change is needed to enact this measure. (2) Boards, Commissions, Authorities, and Advisory Committees - Each Board, Commission, Authority, or Advisory Committee on which the City has an appointee is requested to have an Attendance Policy in their By-laws. In the event they do not, all applicants applying as a City appointee for these positions will be required to agree to an Attendance Policy as follows: If any member fails to attend two (2) of three (3) successive meetings without cause and without prior approval of the chairperson, the Board, Commission, Authority, or Advisory Committee shall declare the member's seat vacant, and the Mayor and Council shall promptly appoint a replacement. Mayor Gayle stated that we can require this for any City-only Board, Commission, or Advisory Committee but not necessarily for any joint (City-County) Board or Commission and not for any Authority. All of the Authorities have Attendance Policies in place and they are generally not where the issue occurs. A letter will be sent to the Chairperson of each Board, Commission, Authority, and Advisory Committee asking them to provide the City with a copy of their Attendance Policy if they have one in place. If they do not have one in place, they will be asked to consider adopting one at least as strong as the one recommended. This recommendation, as it relates to applicants for Boards, Commissions, Authorities, and Advisory Committees, will require a change in the Board Application so that applicants will sign that they understand and agree to abide by the Attendance Policy of the Board, Commission, Authority, or Advisory Committee, or in the event they do not have one, the Attendance Policy in the application. We can make that change administratively. Teresa Bolden, City Clerk, will also begin to provide to you an attendance record of the members of the Boards, Commissions, Authorities, and Advisory Committees semi-annually, in July and January of each year. Mayor Gayle stated that he felt this was something that was necessary and it does not require any action by Council. This will help to keep people conscious of where they stand when they commit to serve on these different Boards. Councilman Vickers suggested that Mayor Gayle speak to County Commission Chairman Bill Slaughter to see if what he thought about these new changes and to provide some feedback. Mayor Gayle also thanked Council for their help and support during his absence for elective surgery.

Councilman Wright stated that he thought the attendance policy changes were good and inquired as to whether the members of the Boards would contact their Chairman if they were planning to be absent. Mayor Gayle stated that was correct and they will keep up with the members' attendance on their own. If the members are not in attendance for three consecutive meetings then the Board can decide to have them removed.

CITIZENS TO BE HEARD

Ruth Cooper, 302 Pendleton Avenue, stated that she was concerned about the HUD Grant money where citizens could apply for funds to help repair their homes. She tried to apply for it but found out that her area was not designated for the Grant money. Ms. Cooper inquired as to what her area could do to be included in the Grant money next time. Councilman Vickers stated that those citizens who qualified have to live in the area that HUD designated. Larry Hanson stated that it is a Designated Revitalization Area and it is based strictly on Census data and suggested that she speak with Vanassa Flucas, Neighborhood Development Manager. Ms. Flucas can share the specific criteria that led to the designation and what, if anything, that can be done. Councilman Vickers stated that he spoke with a citizen that lives in that area and there is no difference in income and the condition of homes in that area. Councilman Wright stated that he thought the City submitted the areas of designation for HUD to review. Larry Hanson stated that he knew a lot of it is based on Census data and the appropriate place for Ms. Cooper to start would be with Vanassa Flucas. Councilwoman White stated that she is finishing her fourth year on Council and she did not want them to get the wrong impression because she has never had any discussion or interaction with HUD in her four years. If this group does make recommendations on neighborhoods it must be on occasion because it has not happened during the four years that she has been here. Councilman Wright stated that Councilwoman White is right and she was not on Council when they designated the areas but he did remember the process of amending the areas because Brookwood was amended. There is a way to do it and include those areas.

ADJOURNMENT

Mayor Gayle entertained a motion for adjournment.

A MOTION by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (6-0) to adjourn the August 22, 2013 Meeting of the Valdosta City Council at 6:23 p.m. to meet again in Regular Session on Thursday, September 5, 2013.

City Clerk, City of Valdosta

Mayor, City of Valdosta