

**MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, SEPTEMBER 25, 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: Tim Carroll, Alvin Payton, Jr., John Eunice, and Robert Yost. Councilman Sonny Vickers, Councilman Willie Head, Jr., and Councilman James Wright were absent. George Newbern, Attorney with Coleman & Talley, LLC, attended the meeting for George Talley, City Attorney, who was out of town. The invocation was given by Mayor Fretti, followed by the Pledge of Allegiance to the American Flag.

APPROVAL OF MINUTES

The minutes of the September 11, 2008 Regular Meeting were approved by unanimous consent (4-0) of the Council.

CITIZENS TO BE HEARD

George Boston Rhynes, 5004 Oak Drive, stated that he had spoken before the Lowndes County Board of Commissioners earlier this week and told them that another inmate had died in the Lowndes County jail on September 17, 2008 which brings an approximate total of 19-26 deaths in the jail. He keeps track of the deaths because he is President of the NAACP, involved with SCLC, National Action Network, and PUSH. He receives calls from all across the nation. The inmate who died recently was Wayne Dixon and they say he committed suicide. Mr. Rhynes stated that he has a list and there have been quite a few inmates who have committed suicide and someone needs to look at why we are leading the State in deaths in the jail. The people in Lowndes County can act like no one is paying attention but the people in Atlanta are paying attention. He has a moral responsibility and hoped that someone would eventually find a need to look into the deaths. Mr. Rhynes stated that last year he went to Montgomery, Alabama and went to Edmund Pettis Bridge, the Civil Rights Museum, the Slave Dungeon, and several other places. Mr. Rhynes wondered why Valdosta does not build upon the historical landmarks we have in the City. For example, in 1938 there was a "Week of Terror" when 12 people were lynched in Brooks County and Lowndes County, Mary Turner whose child was cut from her womb, Sidney Johnson who was dragged up and down Patterson Street, the 103rd Colored Infantry, and Ossie Davis who resided in Valdosta. Mr. Rhynes stated that Valdosta is losing money in tourist dollars and hoped that at some point the City could build these historical landmarks.

ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 2008-16, A RESOLUTION FOR COMPLIANCE WITH THE U. S. DEPARTMENT OF COMMERCE E.D.A. GRANT PROGRAM FOR REIMBURSEMENT OF EXPENSES

Consideration of a Resolution to comply with the U. S. Department of Commerce E.D.A. Grant Program for reimbursement of expenses.

Von Shipman, City Engineer, stated that the City of Valdosta and Lowndes County received a joint award for the E.D.A. Martin's Project. The South Georgia Regional Development Center is administering the project for the County since there is also an Employment Incentive Grant committed to the project. The Project Manager has recently notified the City of the E.D.A. requirement that a resolution be approved by both the City and County before the U. S. Department of Commerce will honor any reimbursement requests. Each entity must adopt their own resolution approving the contractor for the Potato Roll Lane Road, Drainage, Water, Sewer Improvement and Sewer Pump Station & Controls Project. Von Shipman recommended that Council approve the Resolution to comply with the U. S. Department of Commerce E.D.A. Grant Program for reimbursement of expenses.

A **MOTION** by Councilman Payton, seconded by Councilman Carroll, was unanimously adopted (4-0) to enact Resolution No. 2008-16, a Resolution to comply with the U. S. Department of Commerce E.D.A. Grant Program for reimbursement of expenses, the complete text of which will be found in Resolution Book IV.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of bids for ten traffic control cabinets for the Engineering Department (Bid No. 16-08-09).

Greg Brown, Purchasing Agent, stated that the Engineering Department is in need of ten new signal cabinets for inventory in order to update various intersections throughout the City. These cabinets house assorted equipment which is responsible for controlling the traffic lights at an intersection. Funds are available in SPLOST for a purchase of this nature. Sealed bids were received on September 16, 2008 with the low bid submitted by Control Technologies in the amount of \$52,900. Greg Brown recommended that Council approve the low bid submitted by Control Technologies in the amount of \$52,900 and allow the Engineering Department to proceed with the purchase. Councilman Eunice inquired as to where the company was located. Greg Brown stated that Control Technologies was located in Sanford, Florida. Councilman Carroll inquired about the cabinets being in inventory. Greg Brown stated that these cabinets are needed in case something happens to a current cabinet and it needs to be replaced or as new signals are added in the future.

A **MOTION** by Councilman Eunice, seconded by Councilman Payton, was unanimously adopted (4-0) to follow the recommendation of the Purchasing Agent and approve the low bid submitted by Control Technologies in the amount of \$52,900 and allow the Engineering Department to proceed with the purchase.

Consideration of a Change Order for Scott Park renovation for installation of a curb and gutter on Continental Drive.

Von Shipman, City Engineer, stated that the renovation of Scott Park is moving forward very nicely. The track is complete, grass has been planted, the booster pumps are ready, and other amenities are nearing completion. The east side of Continental Drive which is adjacent to Scott Park does not have curb and gutter. The opposite side does have a sidewalk and curb that was installed approximately eight years ago. The edge of the pavement is uneven and it is a maintenance and aesthetic problem that can be corrected by the installation of curb and gutter. Staff asked Rountree Construction to submit a cost estimate for approximately 410 feet of curb and gutter. We have reviewed the items and determined the cost is in line with current construction prices. Von Shipman recommended that Council approve the Change Order in the amount of \$32,187 with funds coming from the SPLOST VI Road Improvement Account. Councilman Eunice inquired about the lighting around the track. Von Shipman stated that Eric Hahn, Interim Director of Parks and Recreation, a representative from Georgia Power, and a Staff member from Engineering have been on site to insure that there is adequate lighting in the track area. Councilman Payton inquired about the feasibility of placing a sidewalk on the side where the curb and gutter will be placed. Von Shipman stated that there is a sidewalk of the other side where the school is located. There will be people crossing the street to get to the park at certain locations. This is a very low traveled street and sidewalks on both sides of the road could be considered beneficial to some and over kill to others. Councilman Payton inquired as to whether there would be a fence on that side of the road. Von Shipman stated that there would not be a fence along that side. Councilman Payton stated that he noticed McKey Park has sidewalks on both sides of the road. Von Shipman stated that was due to the parking areas on both sides of Burton Avenue. Larry Hanson, City Manager, stated that during the couple of years the track was closed due to renovation of the school the City wanted to make a track around McKey Park so the sidewalk was poured on Burton Street, Roosevelt Drive, Oak Street, and Patterson Street to create a similar size loop so that people could continue to walk during the period of time the community did not have a track. Councilman Payton stated that he would like to know what the cost would be for a sidewalk on that side of Continental Drive as well. Von Shipman stated that he would find out about the cost. Mayor Fretti stated that Council may want to consider in the next action that they take that a cost estimate for a sidewalk be brought back to Council and incorporated in the same bid if the cost estimate is approved. There could be either a postponement or approval that it comes back for approval with a recommendation from the City Engineer. Von Shipman stated that the contractor would probably be able to start with the curb and gutter and there is some extensive work required to saw the edge of the pavement to get a uniform joint for pouring concrete. If

a sidewalk was approved, it would be several weeks before installation. The contractor is in a mode for curb and gutter installation and he would hate for them to stop work now when they could possibly hold off on backfilling the area until a decision is made about the sidewalk. Larry Hanson, City Manager, stated that the City has recently adopted a Transportation Master Plan which contains a sidewalk component to it and this street was not listed because it already has a sidewalk. There is a fixed amount of sidewalks for SPLOST and putting a sidewalk on a street that already has one means that those funds will not be available for a street that does not have any sidewalks. Mayor Fretti stated Council could approve the request with a request for a sidewalk to be added to the Transportation Master Plan. Councilman Payton stated that he would word a motion the way he would like for it to be considered.

A MOTION was made by Councilman Payton to approve the request for a Change Order with the contingency that they get a price of what the sidewalk would cost for Continental Drive and present at the Work Session. Councilman Carroll seconded the motion. Councilman Yost stated that he understood the need for a sidewalk and all the Districts have needs for sidewalks; however, those have been identified through the City Engineer, the Transportation Master Plan, and the Sidewalk Committee. He would not vote for the request if they do not proceed tonight without a sidewalk. Councilman Yost stated that he does not have a sidewalk in front of his house which is on a major road and he did not believe there was a need to place or even get a price for a sidewalk on the other side of the street when there is already one on one side. Councilman Eunice stated that the way the motion was worded that if the Change Order was approved then the contractor would not be able to begin working until a decision is made on whether a sidewalk was going to be placed on that side of the road. Councilman Payton stated that was not the motion. Mayor Fretti stated that the motion was to approve the Change Order and the contractor could start work and Von Shipman would bring a price back to the Council. Von Shipman stated that the contractor would work on the curb and gutter part which would take several weeks and not do anything behind the curb and gutter. Councilman Eunice inquired as to whether the contractor would have to back track the work in any way if they proceeded with the curb and gutter and a decision was made to place a sidewalk there at a later date. Von Shipman stated that the contractor would not have to back track the work. Councilman Payton stated that he did not know what the sidewalk would cost and he envisioned the park would have a lot more traffic than in the past. It would be due diligence on the part of the Council to go with the curb and gutter but still see what the cost would be for a sidewalk and then make a decision based on that cost. The Transportation Master Plan does include where sidewalks would be considered and the Sidewalk Committee has not met in two years but Council should still be wise enough to consider sidewalks for this park. The motion was tied (2-2) with Councilman Yost and Councilman Eunice voting in opposition. Mayor Fretti broke the tie and voted in opposition to the motion.

A MOTION by Councilman Eunice, seconded by Councilman Yost, was adopted (3-1) to approve the Change Order as requested by the City Engineer with Councilman Payton voting in opposition.

Consideration of an agreement with the American Red Cross and South Georgia Medical Center for use of Mathis Auditorium for disasters or emergencies.

Larry Hanson, City Manager, stated that for many years the American Red Cross, Valdosta Chapter, has had a contract with the City for use of Mathis Auditorium in the event of the need for an emergency shelter. Recently, South Georgia Medical Center requested use of Mathis for similar uses. Both had requested first priority usage in the event of an emergency. Both parties were asked to meet and reach an agreement as to who would have first priority so that the City would not have to make that decision. They have met and agreed that the request of South Georgia Medical Center would take precedence unless Mathis Auditorium was already occupied or used for some contractual event that could be relocated such as an election. Larry Hanson recommended that Council approve the agreement with the American Red Cross and South Georgia Medical Center for use of Mathis Auditorium for disasters or emergencies. Mayor Fretti inquired as to whether South Georgia Medical Center would be able to move in for triage other than patient triage if we have a truly high shelter need and Mathis Auditorium is being used but there is not a heightened medical need. Larry Hanson stated that would be the only example, patient triage, mass casualty, or pandemic flu where there would absolutely be a need and they would have limited mobility whereas we have five other approved shelters that could be used for some type of weather related evacuation. Mayor Fretti inquired as to whether the contract would revert to the City Manager if there was some type of disagreement in use. Larry Hanson stated that we have never had that type of a situation but the agreements

state that the American Red Cross would agree to concede to South Georgia Medical Center and they would find an alternate facility and if they were already there, South Georgia Medical Center could ask them to relocate only in a dire circumstance.

A MOTION by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (4-0) to approve the agreement with the American Red Cross and South Georgia Medical Center for use of Mathis Auditorium for disasters or emergencies.

LOCAL FUNDING AND REQUESTS

Consideration of a request to accept grant funds from the Georgia Department of Community Affairs Special Project Local Assistant Grant and authorize the Mayor to sign the contracts.

Kathy Brunot, Grants Administrator, stated that the City of Valdosta has been successful in obtaining Local Assistance Grant funds in the amount of \$10,000 from the Fiscal Year 2009 State budget. These funds will be used to assist with a broad scale study to gauge the existence or perception of existence of barriers to people with disabilities when accessing public and private buildings and businesses. The Valdosta Mayor's Council for People with Disabilities undertook a localized small scale study to survey and gauge what barriers are most problematic for people with disabilities who live and work in the Valdosta area. The preliminary study was performed by a Valdosta State University Master of Applied Sociology graduate student last spring. This study revealed a number of potential barriers to this group of citizens which consisted of 17 participants. Local Assistance Grant funds were requested to expand the study to include a larger sampling of this population sector by conducting a similar study while enlisting the help of a Valdosta State University professor and several graduate students within the same department this fall. By utilizing their expertise in the research and compilation of data, the survey will be performed at minimal cost; however, the cost of providing transportation to multiple locations for the study was still prohibitive. The Local Assistance Grant funds will allow us to utilize our local resources and also provide some funding to help with transportation costs and meeting locations to increase the participation and accessibility level. The objective of the expansion of this project is to include more individuals who are challenged by a variety of disabilities in our area. We hope to gain a bigger picture of the existence or perception of existence of barriers to these individuals who would like to more fully participate in our societal functions and offerings. These barriers may be physical, emotional, or psychological. The project will help us to understand the world in which they live, the face that Valdosta presents to them, and the opportunities we have to make our City more accessible overall. The City of Valdosta has pledged to match the funds by 20% or \$2,000 from Mayor/Council Contingency funds and in kind donations of media support valued at more than \$4,000 or 40% of the local assistance grant. Kathy Brunot recommended that Council approve the acceptance of the grant funds with a match by the City and allow the Mayor to execute the grant contracts for this study. Mayor Fretti stated that Senator Tim Golden assisted the City of Valdosta in receiving the Local Assistance Grant funds to conduct this study. Larry Hanson stated that the motion would need to authorize the Mayor to sign the grant accepting the funds and authorize \$2,000 in matching funds from the Mayor/Council Contingency fund.

A MOTION by Councilman Yost, seconded by Councilman Eunice, was unanimously adopted (4-0) to approve authorization for the Mayor to sign the grant accepting the funds and authorize \$2,000 in matching funds from the Mayor/Council Contingency fund.

Consideration of a request to accept grant funds for the U. S. Attorney's Office Project Safe Neighborhoods (PSN) Anti-Gang Grant Initiative and authorize the purchase of a microscope.

Frank Simons, Chief of Police, stated that the City of Valdosta and Lowndes County previously received funding from the United States Attorney's Office in 2007 in the area of gang intervention. The United States Attorney's Office is again offering funding to the City under the Project Safe Neighborhoods (PSN) Anti-Gang Grant Initiative in an effort to reduce gun violence and aggressively prosecute offenders who commit crimes with firearms and gang related crimes. For the 2008 grant program, the PSN Anti-Gang Grant Initiative Allocation determined for the City is \$3,005. In 2008, the City of Valdosta is the sole beneficiary of this grant. The Valdosta Police Department will use the funds to purchase a "Stereomaster Zoom Microscope" to be used in the analysis of shell casings and bullet fragments when investigating crimes involving gun violence and criminal street gang

activities. This is in keeping with the tradition of improving technology in the fight against gun violence and criminal gang activity and the approved acquisition will also be a valuable tool in the joint City/County regional crime lab. Chief Simons stated that there was no match involved and recommended that Council approve the request to accept grant funds for the U. S. Attorney's Office Project Safe Neighborhoods (PSN) Anti-Gang Grant Initiative and authorize the purchase of a microscope. Councilman Yost inquired as to whether that was the entire cost of the microscope. Chief Simons stated that was correct and that it was not a ballistic microscope but would help with analyzing shell casings, fragments, and micro evidence.

A MOTION by Councilman Eunice, seconded by Councilman Carroll, was unanimously adopted (4-0) to follow the recommendation of the Chief of Police and approve the request to accept grant funds for the U. S. Attorney's Office Project Safe Neighborhoods (PSN) Anti-Gang Grant Initiative and authorize the purchase of a microscope.

CITY MANAGER'S REPORT

Larry Hanson, City Manager, stated that a new signal at Forrest Street and Pineview Drive went into flash mode today which will help alleviate traffic congestion in that area and will go into full operation on September 30, 2008.

Make a Difference Day will be held on October 25, 2008 from 8:30 a.m. until 11:30 a.m. in the Clay Road area and volunteers will meet at Bailey's Meats. Also, Rivers Alive will take place on October 4, 2008 at several locations from 8:30 a.m. until 11:30 a.m. One location is in the City at the Withlacoochee River at Pallbearer Road.

There will be a Council Tour on October 11, 2008 to view identified projects in the Districts of Councilman Head, Councilman Wright, and Councilman Eunice and Mayor Fretti will have input as well.

A Press Release was sent out today regarding changes in the First Friday event which were appropriate and needed in order to keep this event growing and prospering.

COUNCIL COMMENTS

Councilman Eunice stated that he would not be in attendance at the City Council tour due to a prior commitment. Councilman Payton stated that he would be glad to volunteer some projects in his District for the tour.

Councilman Yost stated that he had received a copy of a letter from the Retired Enlisted Association and inquired as to whether the City of Valdosta serves that area. Larry Hanson stated that they were referring to a neighborhood outside of the City of Valdosta and it is currently served by the Lowndes County Utilities Department. The Retired Enlisted Association is requesting that the City serve this neighborhood due to price, water quality, and other issues. Mayor Fretti stated that the City Manager and Utilities Department would review this and look at the viability of serving this area. Councilman Yost stated that the City should respond regardless of the findings.

Councilman Payton stated that the First Friday event has really grown and inquired as to the plans for cleaning the downtown area after the event. Larry Hanson stated that this was one of the reasons changes were made regarding open containers. It appears that some citizens were taking advantage of a good will gesture of those businesses located downtown who are legally authorized to sell alcohol and were bringing in coolers and generating a lot of litter. This event is not a revenue-generating event for the City but it has been a great partnership. Ordinances in other communities were reviewed and no other city of a similar size allowed the relaxed standards that the City of Valdosta had. Therefore, it was appropriate to follow our ordinance more closely. Councilman Payton inquired as to whether the City would ever get to the point where they reconsider First Friday's altogether. Larry Hanson stated that he hoped that would not be the case because it has been a good event for the downtown area. The City has to balance the resources that can be contributed to it such as Police and Sanitation personnel and at some point in time it may be that the merchants would pay more to have a higher level of service

than we can afford to provide. This is a downtown event and the City of Valdosta is very supportive and would rather management the event and work to make improvements.

Mayor Fretti stated that this would be the last Council meeting for Kari Sands, Reporter for the Valdosta Daily Times, who has accepted a new position with another company. In a note to the Mayor and Council, Ms. Sands stated that she has always felt welcome and has personally grown from her experiences. Mayor Fretti stated that it has been a pleasure working with Ms. Sands and wished her the best of luck in her new endeavors.

ADJOURNMENT

Mayor Fretti entertained a motion for adjournment.

A MOTION by Councilman Payton, seconded by Councilman Eunice, was unanimously adopted (4-0) to adjourn the September 25, 2008 meeting of the Valdosta City Council at 6:20 p.m. to meet again in regular session on Thursday, October 9, 2008.

City Clerk, City of Valdosta

Mayor, City of Valdosta