

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, NOVEMBER 10, 2016
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, Sandra Tooley, Robert Yost, and Vivian Miller-Cody. Councilman Alvin Payton, Jr., was absent. The invocation was given by Associate Pastor Jeff Williams, New Covenant Church, followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

EMPLOYEE OF THE MONTH AWARD

Consideration of the November, 2016 Employee of the Month Award (Lt. Charles Phillips, Fire Department).

Fire Chief Freddie Broome stated that Charles Phillips began his employment with the City of Valdosta Public Works Department in August, 2005. He was transferred to the Fire Department in June, 2007 and currently holds the position of Lieutenant. Lt. Charles Phillips is responsible for the daily activities at his assigned Fire Station which includes supervising personnel and responding to emergency incidents. Lt. Phillips also manages the non-suppression activities such as hydrant maintenance, employee training, and pre-incident surveys. Someone once said that Firefighters take control and respond to emergency situations where life, property, or the environment is at risk. Lt. Phillips has definitely impacted a local citizen’s life. Lt. Phillips is the neighbor of an elderly lady who cares for her 93 year old mother. As her mother requires constant supervision, she is no longer able to perform routine outside chores. Lt. Phillips has been a constant in her life and without being asked, he began performing duties around her home including maintaining the lawn, pressure washing her home, and regularly visiting the two of them. Although she offered to pay Lt. Phillips, he declined. Recently, the citizen had to make several emergency trips out of town to visit her son who has cancer. Lt. Phillips once again volunteered to assist her and also cared for her pet. As stated on the nomination document, “It’s just the way of life and how life should be - people helping people and neighbors helping neighbors.” Lt. Phillips has shown he is a part of the “VFD Way” by taking time out of his day to help this citizen and serve the common good of the public. For these reasons and many others, the Employee Relations Committee nominated Lt. Charles Phillips as Employee of the Month.

APPROVAL OF MINUTES

The minutes of the October 20, 2016 Regular Meeting were approved by unanimous consent (6-0) of the Council.

PUBLIC HEARINGS

ORDINANCE NO. 2016-23, AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS

Consideration of an Ordinance to rezone 2.26 acres from conditional Office-Professional (O-P)(c) to Residential-Professional (R-P) as requested by HG Pinnacle Properties, LLC (File No. VA-2016-15). The property is located at 2320 North Patterson Street. The Greater Lowndes Planning Commission reviewed this request at their October regular meeting and recommended approval with conditions (7-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that HG Pinnacle Properties, LLC is requesting to rezone 2.26 acres from Conditional Office-Professional (O-P)(c) to Residential Professional (R-P). The property is located at the western portion of the 6.6 acre parcel which is located at 2320 North Patterson Street, along the west side of the street directly across from the South Georgia Medical Center (SGMC) parking garage. The property contains an existing professional office building (11,946 square feet total) and the applicant is proposing to add

multi-family development (30 dwelling units) to the property, while the remainder is still planned for continued office development. The property is located within an Institutional Activity Center (IAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of R-P zoning. The property is also located within the City's Urban Commercial Corridor Overlay District (UCCOD). The property is part of an original tract of land that was zoned R-15 and consisted of three, single-family residences on separate large lots. This tract was rezoned from R-15 to O-P(c) in 2002 for a proposed medical office complex. The conditional zoning was later modified and then the property was rezoned from O-P(c) to PMD in 2007 for a proposed 11-story mixed office/retail/residential building with a 5-level parking garage. The northern most former residence was converted to a bank and then a professional office, and the other two residences were removed. This proposed mixed-use development never materialized and in late 2010, the property was rezoned "back" to conditional O-P(c) so that it could be marketed for a conventional type office development. The three "conditions" of this O-P zoning are as follows: (1) The only driveway access onto North Toombs Street shall be in the form of gated emergency access on durable surface as required by the Fire Department. (2) Maintain the existing undisturbed vegetative buffer along North Toombs Street for a width of at least 25' adjacent to proposed buildings, and at least 10' adjacent to proposed parking areas. The only encroachments into this buffer shall be for gated emergency access. (3) Provide shared common parking and appropriate cross-access easements among the various phases of the development, as needed, to provide coordinated access and adequate parking for the entire development as a whole. The original northwest corner of the property with the converted office/residence was sold to the Valdosta-Lowndes County Industrial Authority (now known as the Valdosta-Lowndes County Development Authority) in 2013 as their headquarters, and the rest of the property was re-designed as its own office park. The first building (11,946 square feet) was then constructed in 2013 as a catalyst for more office development. The remainder of the property has remained vacant and the developer is now proposing to add 30 multi-family dwelling units to this rear portion of the property (and attached to the existing new office building) as part of a mixed office/residential design. It is the addition of these multi-family dwelling units that has triggered the need for rezoning. In terms of zoning and land use considerations, the only change from the 2010 concept is that the developer is proposing to include several multi-family dwelling units which are attached to one of the professional office buildings of the complex. The professional office style architecture will remain the same, and the complex will still resemble a planned office park. The same conditions of zoning approval from the O-P zoning should also remain in place, since there is no change in the thought process that warranted these. In terms of the number of parking spaces throughout the development, it is likely that the substitution of one-bedroom and two-bedroom dwelling units (in lieu of professional office space) will actually be a little less than what it would have been previously. In addition to the UCCOD architectural and design standards (which were still applicable in 2010), the City also has supplemental standards for multi-family dwelling developments. The applicant's conceptual designs demonstrate general compliance with applicable standards, with the exception of minimum roof pitch. Since the multi-family building addition is intended to blend-in with the existing office building and overall office park development, it is logical that the roof design be similar to that of the existing building and this should be reflected in the new conditions of approval. Staff found the request for conditional R-P(c) Zoning consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommended approval of R-P(c) Zoning subject to the same conditions as the current O-P(c) plus a fourth condition pertaining to the roof design, as follows: (1) The only driveway access onto North Toombs Street shall be in the form of gated emergency access on durable surface as required by the Fire Department. (2) Maintain the existing undisturbed vegetative buffer along North Toombs Street for a width of at least 25' adjacent to proposed buildings, and at least 10' adjacent to proposed parking areas. The only encroachments into this buffer shall be for gated emergency access. (3) Provide shared common parking and appropriate cross-access easements among the various phases of the development, as needed, to provide coordinated access and adequate parking for the entire development as a whole. (4) The building addition shall reflect a similar non-pitched corniced roof design as the existing building. The Planning Commission reviewed this at their October 24, 2016 meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval of R-P(c) Zoning with the same four conditions as recommended by Staff (7-0 vote).

Howard Dasher, III, 2701 Green Meadow Drive, spoke in favor of the request. Mr. Dasher stated that he represented the owners of the parcel and has been working with the developer who is planning to build a nice, multi-family addition to the building. Mr. Dasher asked Council's consideration in approving the request.

No one spoke in opposition to the request.

A **MOTION** by Councilman Yost, seconded by Councilman Carroll, was unanimously adopted (6-0) to enact Ordinance No. 2016-23, an Ordinance to rezone 2.26 acres from conditional Office-Professional (O-P)(c) to Residential-Professional (R-P)(c) with the four conditions noted above as requested by HG Pinnacle Properties, LLC, the complete text of which will be found in Ordinance Book XIII.

ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 2016-19, A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE U. S. DEPARTMENT OF HOMELAND SECURITY (DHS) TO REQUEST FUNDING TO TRAIN TEN VALDOSTA FIRE DEPARTMENT MEMBERS IN TECHNICAL RESCUE SPECIALTIES

Consideration of a Resolution authorizing the filing of an Application with the U. S. Department of Homeland Security (DHS) to request funding to train ten (10) Valdosta Fire Department members in the technical rescue specialties of high angle rescue, confined space rescue, trench rescue, and structural collapse.

Fire Chief Freddie Broome stated that the Department of Homeland Security (DHS) Federal Emergency Management Agency's (FEMA) Grants Program directorate is responsible for the implementation and administration of the Assistance to Firefighters Grant (AFG) Program. The primary goal of the Assistance to Firefighters Grant (AFG) is to meet the firefighting and emergency response needs of fire departments and non-affiliated emergency medical service organizations. Since 2001, AFG has helped firefighters and other first responders to obtain critically needed equipment, protective gear, emergency vehicles, training, and other resources needed to protect the public and emergency personnel from fire and related hazards. Georgia's Urban Search and Rescue (US&R) Program was established and funded under the authority of the Georgia Emergency Management Agency (GEMA) in 2003. It was designed to establish a framework of local emergency services personnel that are trained and integrated into disaster response task forces. Georgia Search and Rescue Task Force 2 (GA-T2) was established in 2008 and is part of the State's US&R Program and can be mobilized within four to six hours after proper notification for deployment in-State through the State Mutual Aid Agreement, or out-of-State through the Emergency Management Assistance Compact (EMAC). The State of Georgia is vulnerable to a wide range of natural or man-made disasters and emergencies. The Georgia Emergency Management Act, as amended (The Act) gives the State and local government's authority to make agreements for mutual aid assistance in emergencies, and through such agreements to ensure the timely reimbursement of costs incurred by the local governments which render such assistance. Under the Act, the Georgia Emergency Management and Homeland Security Agency (GEMHSA) has authority to coordinate assistance between local governments during emergencies and to provide available resources, where needed. As part of the aforementioned authority, GEMHSA created the Georgia Search and Rescue (GSAR) teams as special regional response teams comprised of qualified local governmental public safety entities. GEMHSA supplied teams with appropriate equipment, training, and exercises, enabling each team to assist with GSAR personnel, equipment, facilities, services, supplies, and other resources during an emergency or disaster. GSAR Task Force 2 requires a minimum of 70 members to meet State requirements but the team is currently below that minimum requirement due to recent retirements and resignations from either the participating Departments or from the Task Force 2 team. Valdosta Fire Department currently has 16 members on the team; however, it has constantly maintained 22 members. The major reduction of members was the result of five employees leaving to work for another Fire Department this past year. Therefore, due to the recent resignations and senior members, the Department is in dire need to train ten new members in the technical rescue specialties. The Valdosta Fire Department will provide a 10% match (\$5,000) from City Funds if successful in receiving the \$50,000 in grant funds. Chief Broome recommended that Council approve the Resolution authorizing the filing of an Application with the U. S. Department of Homeland Security (DHS) to request funding to train ten (10) Valdosta Fire Department members in the technical rescue specialties of high angle rescue, confined space rescue, trench rescue, and structural collapse.

A **MOTION** was made by Councilwoman Miller-Cody to approve a Resolution authorizing the filing of an Application with the U. S. Department of Homeland Security (DHS) to request funding to train ten (10) Valdosta Fire Department members in the technical rescue specialties of high angle rescue, confined space rescue, trench rescue, and structural collapse. Councilman Yost seconded the motion. Councilman Yost stated that if the City does not receive this grant he would like for Staff to find the money to fund this as soon as possible. We do not need to rely on the County to borrow equipment from them. The motion was unanimously adopted (6-0) to enact Resolution No. 2016-19, the complete text of which will be found in Resolution Book V.

**RESOLUTION NO. 2016-20, A RESOLUTION TO AUTHORIZE THE
EXTENSION OF THE SERVICE DELIVERY STRATEGY (SDS) AGREEMENT**

11/10/16 CONTINUED

Consideration of a Resolution to authorize the extension of the Service Delivery Strategy (SDS) Agreement.

Mayor John Gayle stated that Lowndes County and the five Cities are required by State law to review and revise as necessary the Service Delivery Strategy (SDS) Agreement in 2016 because of the mandatory update of the Comprehensive Plan. The local governments have met, conducted mediation, and thus far have been unable to reach agreement on all issues. As a result of missing the State deadline to have a new or revised Agreement in place by October 31, 2016, the County and Cities have been notified by the Georgia Department of Community Affairs that they are out of compliance and no longer eligible for State grants, loans, and permits unless compliance is achieved. The County and the Cities can regain compliance by simply extending the existing Agreement until next year to allow for the statute authorized mediation and any necessary judicial proceedings. Extending the existing Agreement harms no local government and allows all to remain in compliance. Failing to do so could result in harm to citizens by being unable to receive grants, loans, and permits, but can be completely avoided by the local governments extending the existing by Resolution. There is no State approval needed and it is entirely up to the local governments to choose to remain in compliance while remaining issues are resolved to achieve the ten-year Agreement. Mayor Gayle recommended that Council approve the Resolution to authorize the extension of the Service Delivery Strategy (SDS) Agreement.

Councilman Carroll stated that he was appointed to serve on the SDS negotiations and if it were something that we anticipated settling in the next 30 days then this would not be necessary; however, in light of the fact that we may end up going into litigation, it may be months before there is a final agreement between the Cities and the County. This does become very important to all of us and not just the City of Valdosta so that we can stay in compliance.

A MOTION by was made by Councilman Carroll to approve a Resolution authorizing the extension of the Service Delivery Strategy (SDS) Agreement. Councilman Vickers seconded the motion. Councilman Yost stated that he would reluctantly vote for this but it is past time for each of the County Commissioners elected by the citizens of every City in this County to start representing the citizens of the County. We have been through this before and it is the same song and dance. They come to us and say that we agreed the last time but we didn't. We were blackmailed into agreeing to sign because we did not have a choice as they hold the cards. They are not doing what they should do and they are not representing every citizen in this County. They continue to blatantly thumb their fingers at us. They are puppets of their Attorney and they do nothing on their own. It is time they stand up and be the men and women that we elected to serve this County and every constituent in it. Until they do that, they are sorry individuals representing us. It is time for them to stand up and do what is right for everyone. They better get on board and start working with everybody. It is not just Valdosta but every City in this County feels the same about how they operate and what they do for the citizens. It is the citizens that are suffering. Mayor Gayle stated that the County has informed him that they will not sign an extension. Councilwoman Miller-Cody inquired as to whether this was going to cost the City money for an Attorney. Mayor Gayle stated that was correct. Councilwoman Miller-Cody stated that the citizens of this City have to hire an Attorney to get this done. This is making us poor employees. Mayor Gayle stated that we are still in mediation until November 21, 2016. We have a mediator handling this now but we have been unable to reach an agreement. It will cost the citizens of Valdosta and Lowndes County extra money for us to continue to argue about this; however, his position is that we have some things that have changed in the last ten years and the SDS Agreement dictates to us that we negotiate and settle these things. We have not been able to settle this and he could not in good faith agree to their proposals because he does not feel like it is fair to the Cities. Councilman Carroll stated that he backed the Mayor on this too. Mark Barber, Assistant City Manager, stated that a question has come up about the loss of grant funds. Anything that we have already been approved for and have been granted by the State still stays in place. It will only affect things going forward from this date. Mayor Gayle stated that there was no question that it would affect some things. The motion was unanimously adopted (6-0) to enact Resolution No. 2016-20, the complete text of which will be found in Resolution Book V.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of bids for eight Thermal Imaging Cameras for the Valdosta Fire Department.

Chuck Dinkins, Finance Director, stated that the Valdosta Fire Department is in need of eight thermal imaging cameras and accessories to aid in their duties. These cameras measure temperature while on the scene at fires as well as record the vital data. This data can then be saved and used at a later date for reports. These cameras are in the current Council-approved budget for this fiscal year. Sealed bids were received on October 21, 2016 and the low bid was submitted by GA Fire and Rescue in the amount of \$67,072. Chuck Dinkins recommended that Council approve the low bid was submitted by GA Fire and Rescue in the amount of \$67,072 for the purchase of eight Thermal Imaging Cameras for the Valdosta Fire Department.

A MOTION by Councilman Norton, seconded by Councilwoman Miller-Cody, was unanimously adopted (6-0) to approve the low bid was submitted by GA Fire and Rescue in the amount of \$67,072 for the purchase of eight Thermal Imaging Cameras for the Valdosta Fire Department.

Consideration of bids for resurfacing City streets using SPLOST funds and the Georgia Department of Transportation (GDOT) 2016 Local Maintenance and Improvement Grant (LMIG) funds.

Pat Collins, City Engineer, stated that the Georgia Department of Transportation (GDOT) assists Cities and Counties by awarding funds through the Local Maintenance and Improvement Grant (LMIG) Program which can be used for resurfacing as well as other local transportation-related improvements. LMIG awards are formula based and proportionate to a combination of a local jurisdiction's population and centerline street mileage. Every LMIG award requires a minimum of a 30% match from the local jurisdiction. In the City of Valdosta, we continue to use these awards each year to resurface streets. The City received two LMIG awards for use in 2016. The first is the conventional LMIG award for 2016 in the amount of \$439,649.81. This award is to be used to resurface the list of streets submitted to GDOT in December, 2015. The second award is an Emergency, Education, Economic (EEE) LMIG award up to \$500,000 to make school zone operational improvements for J. L. Newbern Middle School and Scintilla Charter School on East Park Avenue. Both LMIG awards require a minimum of a 30% match. In April, 2016, both projects were advertised and bid separately. On April 26, 2016 bids were opened and the City later discovered the local roadway contractor's interest in the City's work was low due to a large multi-million dollar bid letting in South Georgia by GDOT. Given one unqualified bid was received, the City opted to utilize the option to reject the bid and re-advertise at some future date. Over the course of the next several weeks following the bid opening, conversations were conducted with the local contracting community and GDOT which resulted in a conclusion that opening bids in the fall of the year and extending the time frame to complete the work from 90 days to 150 days would be favorable to the contractors existing work schedules. GDOT also agreed to combine the two separate scopes of the work into one large single-bid Project. This approach was thought to encourage bidding and lessen the administrative burden of managing separate Projects. Given the large GDOT contracts afforded by House Bill 170, many local governments in Georgia have had difficulties in obtaining bids and have had to be both creative and flexible to create win-win situations to get qualified bids. Over the summer months in anticipation of the fall bid time frame, the City also reached out and contacted several qualified paving contractors outside the immediate Valdosta area in both South Georgia and North Florida to spread knowledge and urge interest. However, if one gives thoughtful consideration to the nature of working with hot asphalt, limits on transport distances, the higher hot-asphalt cost per ton of providing portable batching capabilities (should local asphalt be unavailable), and having to warranty the work under these circumstances, it is easy to understand the difficulty in getting viable competitive bids from such vendors. With that knowledge in mind, the Project was re-advertised and the City held a mandatory pre-bid meeting which several local contractors attended. The bids were publicly opened on October 13, 2016 at 2:00 p.m. The single low bid was submitted by The Scruggs Company in the amount of \$1,682,366.96. A critical review of the past LMIG awards from 2013 through 2016 was performed and revealed that the bids were all won by The Scruggs Company and the price bid per mile submitted is consistent with the price of previous years given variations in market prices and differences in the scope of work (the 2016 EEE LMIG scope includes possible weekend/holiday work and rebuilding of roadways within school zones on East Park Avenue rather than just resurfacing). Prices per mile were: (1) 2013 - \$231,091.27, (2) 2014 - \$203,742.58, (3) 2015 - \$226,669.99, and (4) 2016 - \$264,611.36. Pat Collins recommended that Council approve the low bid submitted by The Scruggs Company for the 2016 LMIG and EEE LMIG in the amount of \$1,682,366.96 plus a 10% contingency (\$168,236.70) for a total amount of \$1,850,603.66.

A MOTION by Councilwoman Miller-Cody, seconded by Councilman Carroll, was unanimously adopted (6-0) to approve the low bid submitted by The Scruggs Company for the 2016 LMIG and EEE LMIG in the amount

\$1,682,366.96 plus a 10% contingency (\$168,236.70) for a total amount of \$1,850,603.66 for resurfacing City streets using SPLOST funds and the Georgia Department of Transportation (GDOT) 2016 Local Maintenance and Improvement Grant (LMIG) funds.

Consideration of bids for Phase 5 of the Manhole Replacement and Rehabilitation Program.

Henry Hicks, Utilities Director, stated that the Utilities Department has over 6,500 sewer manholes within its sanitary sewer system. The majority of these manholes are at least 30 years old or older with some almost 100 years old. As a result of age, many are seriously deteriorated due to hydrogen sulfide gas corrosion over the years. Both their age and constant corrosive effects of sewer gases have caused many to be at a point where failure is likely without rehabilitation. As manholes fail, they cause sewage spills in the vicinity of the manholes which in most cases create a violation of State and Federal regulations as well as public health and safety issues. Failure to address this issue will result in regulatory action including but not limited to fines and/or consent orders. To address this, the Utilities Department has implemented an annual Manhole Replacement and Rehabilitation Program using structurally sound liner technology, where the most seriously deteriorated manholes are being addressed first. This is an ongoing Program until the entire system has been evaluated and proper corrective measures taken where needed. Since 2011, Utilities Department Staff inspected approximately 50% of the sewer system's manholes focusing on areas within the City where prior manhole failures occurred, recurring sewer overflows occurred, and where defects were detected through smoke testing. From these investigations, Staff compiled a list of manholes meeting one or more of the criteria required for rehabilitation. The first four phases of this annual Program addressed approximately 130 manholes. This Project will be the fifth phase and will address 30 additional manholes in our system. On August 24, 2016, a pre-bid conference was held to review the expectations and requirements of this work as well as answer pertinent questions from the prospective bidders. Bids were received on September 8, 2016 from two bidders, Radney Plumbing Inc. (RPI) and Standard Contractors. RPI was the low bidder at \$235,151. RPI uses a proven manhole lining product and has a consistent record of good performance. A 10% contingency is requested on this Project due to potential unknown structural issues associated with the manholes. Henry Hicks recommended that Council approve the low bid submitted by Radney Plumbing Inc. in the amount of \$235,151 plus a contingency of 10% to handle any unforeseen circumstances for Phase 5 of the Manhole Replacement and Rehabilitation Program.

A MOTION by Councilman Vickers, seconded by Councilman Norton, was unanimously adopted (6-0) to approve the low bid submitted by Radney Plumbing Inc. in the amount of \$235,151 plus a contingency of 10% to handle any unforeseen circumstances for Phase 5 of the Manhole Replacement and Rehabilitation Program.

Consideration of a request to approve a Quit Claim Deed for an easement previously needed for the Force Main Project.

Henry Hicks, Utilities Director, stated that prior to construction of the Force Main Project, numerous easements had to be acquired and recorded. One easement was with Harvey Box for the property located on St. Augustine Road, Tax Map 0081C Parcel #002 and 0081D Parcel #002A. In this Easement Agreement, a new easement was requested and the old existing easement would be returned to the property owner by Quit Claim Deed upon completion of the Project. This portion of the Force Main Project was recently completed and the old easement is no longer required by the City. The old easement was previously used for a small sewer lift station and force main serving this area. The old lift station was replaced with a new lift station and force main at a different location. A new gravity sewer line runs through the subject property within the new easement. The old lift station has subsequently been removed along with the old force main and that portion of the property is no longer needed for any City purpose. Per the new Easement Agreement, the old easement is to be deeded back to the property owner by a Quit Claim Deed. Henry Hicks recommended that Council approve a Quit Claim Deed for an easement previously needed for the Force Main Project.

A MOTION by Councilman Norton, seconded by Councilman Carroll, was unanimously adopted (6-0) to approve a Quit Claim Deed for an easement previously needed for the Force Main Project.

Consideration of an Easement Agreement with Georgia Power for solar panels at the Mud Creek Wastewater Treatment Plant.

Henry Hicks, Utilities Director, stated that the City of Valdosta has been working with Hannah Solar and Georgia Power through a competitive process to be selected for a solar panel site where the City would allow Hannah Solar to use some of our excess property for placement of solar panels at the Mud Creek Wastewater Treatment Plant. At the July 7, 2016 Council Meeting, the City agreed to contract with Hannah Solar on a 2.5 acre tract of land for them to build a solar array by which they would sell power on the grid to Georgia Power. Instead of getting land lease payments from Hannah Solar, Hannah would build the City a separate solar array to provide power to the Mud Creek Plant. At the end of six years, Hannah Solar would deed the solar array to the City. Hannah would have all responsibility for construction, set-up, operation, and maintenance for the first six years. The solar array to be built and ultimately deeded to the City would provide 50kW of power, which would provide a portion of the power needed for the Mud Creek Wastewater Treatment Plant. Using solar power instead of electricity would provide greater savings to the City than a land lease would generate in income. The solar array would save the City approximately \$9,000 per year and over \$270,000 over a 30-year period in present day costs. Georgia Power has established a very aggressive installation schedule for Hannah Solar and has a project now underway at the Mud Creek Wastewater Treatment Plant. Georgia Power needs an easement for the distribution line that will be going into the new solar field at the Mud Creek Wastewater Treatment Plant. Henry Hicks, Utilities Director, reviewed the map showing the easement and Exhibit A and based on the map, it was difficult to determine if the easement will encroach on our road or pipeline. They have two poles at this location on both sides of the road and pipeline. It is assumed that their line will be an aerial power line which is not a big issue, but we cannot grant any easement that crosses the road or pipeline. We can allow them to cross both with an aerial line without an easement. Henry Hicks recommended that Council approve the Easement Agreement with Georgia Power for solar panels at the Mud Creek Wastewater Treatment Plant.

A MOTION by Councilman Carroll, seconded by Councilman Vickers, was unanimously adopted (6-0) to approve an Easement Agreement with Georgia Power for solar panels at the Mud Creek Wastewater Treatment Plant.

Consideration of bids for emergency repairs to a sewer line located in Sugar Creek.

Henry Hicks, Utilities Director, stated that the Sewer Collection Systems everywhere rely on gravity flow to convey sewage to their Treatment facilities. When gravity cannot be used any further in a collection system, sewage is then pumped through a lift station to another location where gravity can be utilized again. This process is repeated until the sewage reaches the Treatment Plant by gravity or under pressure through a force main. To fully use gravity as a means of sewage collection and conveyance, utilities rely on the natural lay of the land (contours) to locate their piping with the largest diameter pipe paralleling creeks, streams, or rivers as these are almost always the lowest points in any given area. These large pipes are typically placed in the stream banks several feet from the high water mark. Occasionally, these sewer mains must cross the stream to take best advantage of gravity or tie into another large sewer main. When crossing the stream, the sewer main is usually located well under the bottom of the stream. Over time, the natural flow of any stream, creek, or river will gradually erode its banks and bottom especially during major storm events. This natural erosion will eventually expose some sections of the sewer main where action must be taken to rebuild the stream bank or relocate the sewer main. Sugar Creek is one of our locations for major sewer collection mains. This Creek has very high flow rates during storm events and as a result significant erosion problems. Early last year, the Utilities Department bid out and awarded a contract to Garney Construction for the reinforcement of an exposed 36-inch sewer main and stream bank stabilization of this main on the Sugar Creek trunk line. This was a direct result of ongoing erosion of the stream bank where this large diameter sewer main was severely exposed and in danger of imminent collapse if not addressed quickly. The work was satisfactorily completed and the area stabilized remains in good condition. The emergency repair being requested now was adjacent to but not part of the work scope for the previous Project. This area was inspected after completion of the 2015 Project and deemed stable at that time because the remaining 36-inch sewer main was still mostly covered by sand in the creek bottom and creek bank. Since that time, we have had several major storm events causing even more erosion to the banks and creek bottom in this area resulting in the 36-inch sewer main being openly exposed to the creek flow. This exposure has caused a section of the main to separate at the joint requiring emergency repair. While this portion of the sewer main is now mainly used as an overflow line from the new Remer Pump Station to the Gornto Pump Station, it still services a few small sections of water and sewer customers. Radney Plumbing was immediately contacted to start an emergency bypass pump system in order to prevent any additional sewer spillage into Sugar Creek until repairs can be completed. A scope of work for

replacing and reinforcing the main and stabilizing the creek bank was developed and bids were solicited from three local underground utility contractors capable of performing this work. Bids were submitted on October 19th with the lowest responsive bidder being Radney Plumbing, Inc. (RPI) in the amount of \$355,846.80. Bidders were also asked to submit an alternate bid for reusing and reinforcing the existing main instead of replacing it. The only bidder for the alternate bid was RPI in the amount of \$324,396.80, a difference of \$31,450. If the existing piping were to be reused, we would need to line this pipe using CIPP due to the internal corrosion of the interior. To do so would cost more than triple any savings realized by reuse of the old pipe; therefore, the recommendation is to go with replacement with new pipe. Henry Hicks recommended that Council approve the low bid submitted by Radney Plumbing, Inc. (RPI) in the amount of \$355,846.80 plus a 10% contingency to handle any unforeseen circumstances.

A MOTION by Councilman Yost, seconded by Councilman Norton, was unanimously adopted (6-0) to approve the low bid submitted by Radney Plumbing, Inc. (RPI) in the amount of \$355,846.80 plus a 10% contingency to handle any unforeseen circumstances for emergency repairs to a sewer line located in Sugar Creek.

LOCAL FUNDING AND REQUESTS

Consideration of a request to abandon an easement located between 604 and 605 Smithbriar Drive.

Pat Collins, City Engineer, stated that on September 29, 2016, Mr. Charles Hinke contacted the Engineering Department with a request that the City release all rights to a 20' easement located between 604 and 605 Smithbriar Drive. There are no utilities within its boundaries. The easement was required for Annexed Island 35A but was never utilized due to being redesigned. The City had originally purchased the easement from Mr. Hinke for \$500. Henry Hicks, Utilities Director, was contacted and agreed with the release of this easement. Pat Collins recommended that Council approve the request to abandon an easement located between 604 and 605 Smithbriar Drive with the contingency that the property owner will reimburse the City in the amount of \$500.

A MOTION by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (6-0) to approve the request as presented and abandon an easement located between 604 and 605 Smithbriar Drive with the contingency that the property owner will reimburse the City in the amount of \$500.

BOARDS, COMMISSIONS, AUTHORITIES, AND ADVISORY COMMITTEES

Consideration of appointments to the Central Valdosta Development Authority/ Downtown Development Authority.

Mayor John Gayle stated that the Central Valdosta Development Authority/Downtown Development Authority has three members, Angela Crance, Howard Dasher, III, and Michael C. Lee whose terms will expire on December 31, 2016. These members have expressed an interest in being reappointed. These appointments were advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants that met the requirements for serving on the Central Valdosta Development Authority/Downtown Development Authority are as follows: (1) Angela Crance - Educational Leader (Wiregrass Technical College) and small business owner (Art and Soul Furniture/Design), (2) Howard Dasher, III - Commercial Real Estate Broker (Prime Properties Commercial Real Estate) and Attorney, and (3) Michael C. Lee - Accountant (Lee & Associates Accountants). Mayor Gayle asked that these three applicants be appointed by acclamation.

A MOTION by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (6-0) to approve the reappointments of Angela Crance, Howard Dasher, III, and Michael C. Lee to the Central Valdosta Development Authority/ Downtown Development Authority for a term of two years.

Consideration of an appointment to the Lowndes County Board of Health.

Mayor John Gayle stated that the Lowndes County Board of Health has a member, Dr. Mary Margaret Richardson, whose term will expire on December 31, 2016. Dr. Richardson has expressed an interest in being

reappointed. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants are as follows: (1) George Cleland - Respiratory Therapist (South Georgia Medical Center), (2) Ellen Dunleavy - Registered Nurse (Davita), (3) Nancy Lane - Quality/Compliance Officer (Hospice of South Georgia), (4) Janie McGhin - Nurse Practitioner (Partners in Health) & Certified Diabetes Educator (Self Employed), (5) Dr. Mary Margaret Richardson - Retired Professor Emeritus (Retired Associate Dean of Nursing at Valdosta State University), and (6) Keneshia Van Cleave - Domestic Engineer (Second Choice).

Mayor Gayle asked for nominations. Councilwoman Tooley placed in consideration the name of George Cleland. Councilman Carroll placed in consideration the name of Dr. Mary Margaret Richardson. There being no other nominations, Mayor Gayle closed nominations. George Cleland received two votes and Dr. Mary Margaret Richardson received four votes. Dr. Mary Margaret Richardson was reappointed to the Lowndes County Board of Health to serve a term of six years.

Consideration of an appointment to the Metropolitan Planning Organization Citizens Advisory Committee.

Mayor John Gayle stated that the Metropolitan Planning Organization (MPO) Citizens Advisory Committee had a member, William (Bill) Tucker, who resigned due to personal reasons. This member serves at will. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants are as follows: (1) Vanassa Flucas - Director/Manager, Neighborhood Development Division (City of Valdosta), (2) Phillip Hubbard - Transportation Manager (Ft. Worth Carrier - Dillard's), (3) Vivian Miller-Cody - Retired and City Councilwoman (Second Choice), and (4) Keneshia Van Cleave - Domestic Engineer (First Choice).

Mayor Gayle asked for nominations. Councilwoman Miller-Cody placed in consideration the name of Vanassa Flucas. There being no other nominations, Mayor Gayle closed nominations. Vanassa Flucas was appointed by acclamation to serve at will on the Metropolitan Planning Organization Citizens Advisory Committee.

Consideration of an appointment to the Valdosta Historic Preservation Commission.

Mayor John Gayle stated that the Valdosta Historic Preservation Commission had a member, Matthew Hart, who resigned due to personal reasons. This term expires February 13, 2019. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants are as follows: (1) Margaret Cousart - Registered Nurse (South Georgia Medical Center), (2) Keith Hawthorne - Owner (Bailey Monument & Vault Company), (3) Christopher McDougald - Salesman (Langdale Hyundai), and (4) Laura Yale - Designer (Studio 8 Design).

Mayor Gayle asked for nominations. Councilman Norton placed in consideration the name of Laura Yale. Councilwoman Tooley placed in consideration the name of Margaret Cousart. There being no other nominations, Mayor Gayle closed nominations. Laura Yale received three votes. Margaret Cousart received three votes. Mayor Gayle broke the tie and appointed Laura Yale to fill the unexpired term of Matthew Hart on the Valdosta Historic Preservation Commission.

Consideration of an appointment to the Valdosta Housing Authority.

Mayor John Gayle stated that the Valdosta Housing Authority has a member, Joyce Evans, whose term will expire on December 31, 2016. Ms. Evans has expressed an interest in being reappointed. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants are as follows: (1) Gloria Edmondson - Administrative Assistant (Automated Medical Systems), (2) Joyce E. Evans - Consultant and Lowndes County Commissioner, and (3) Vivian Miller-Cody - Retired and City Councilwoman - First Choice.

Mayor Gayle stated that he would make the appointment to the Valdosta Housing Authority and reappointed Joyce Evans to serve a term of five years on the Valdosta Housing Authority.

Consideration of an appointment to the Valdosta-Lowndes County Development Authority.

Mayor John Gayle stated that the Valdosta-Lowndes County Development Authority has a member, Jerry J. Jennett, whose term will expire on January 1, 2017. Mr. Jennett has expressed an interest in being reappointed. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants are as follows: (1) David Bailey - President (New Concepts Marketing, Inc.), (2) Jerry J. Jennett - CEO (Georgia Gulf Sulfur), (3) Reginald Rainge - Teacher (Loftiss Regional Youth Detention Center), and (4) Charles Van Cleave - Financial Analyst (RISE Real Estate Company).

Mayor Gayle asked for nominations. Councilman Carroll placed in consideration the name of Jerry Jennett. There being no other nominations, Mayor Gayle closed nominations. Jerry Jennett was reappointed by acclamation serve on the Valdosta-Lowndes County Development Authority for a term of five years.

Consideration of an appointment to the Valdosta-Lowndes County Land Bank Authority.

Mayor John Gayle stated that the Valdosta-Lowndes County Land Bank Authority had a member, Robert Yost, who resigned due to personal reasons. This term will expire on January 31, 2020. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The only applicant to apply for this slot was Karla Walker (Self Employed as an Attorney).

Mayor Gayle entertained a motion to nominate Karla Walker to the Valdosta-Lowndes County Land Bank Authority.

A MOTION by Councilman Norton, seconded by Councilman Vickers, was unanimously adopted (6-0) to approve the appointment of Karla Walker to fill the unexpired term of Robert Yost on the Valdosta-Lowndes County Land Bank Authority.

Consideration of an appointment to the Valdosta-Lowndes County Conference Center & Tourism Authority.

Mayor John Gayle stated that the Valdosta-Lowndes County Conference Center & Tourism Authority has a member, Rob Evans, whose term will expire on December 31, 2016. Mr. Evans has expressed an interest in being reappointed. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants are as follows: (1) Samuel Clemons - Administrator (Lowndes County Board of Education), and (2) Robert F. Evans, Jr. - Architect, Owner, and Principal in Charge (IPG, Incorporated).

Mayor Gayle asked for nominations. Councilman Carroll placed in consideration the name of Rob Evans. There being no other nominations, Mayor Gayle closed nominations. Rob Evans was reappointed by acclamation serve a term of three years on the Valdosta-Lowndes County Conference Center & Tourism Authority.

CITIZENS TO BE HEARD

George Boston Rhynes, 5004 Oak Drive, stated that he had previously talked about citizen participation and how Council had moved the Citizens to be Heard portion of the Council Meeting up on the Agenda which was great. He also spoke about the Troup Street revitalization, unfair citations on the south side of town, the Kendrick Johnson fees, Judge Richards who often sleeps in Court during a case, and the WALB recording of the Judge sleeping which has not been reported to the general public. Tonight he wanted to start out by adding the paving of roads and contracts in Valdosta. There are people in this County and area who could benefit from the paving of roads and not hiring the same people over and over again. He was hoping that this could be fixed so that some people who have been locked out or did not apply would have an opportunity. He spoke eight years ago about pictures hanging on the wall on the first floor and there are no pictures of the black American communities. When children come from the schools and visitors come to City Hall they could get the impression that blacks did not contribute to the City of Valdosta. They had churches and industries and the museum has plenty of pictures that could be included. Also, this is a metro City but he is still inquiring as to why the City of Valdosta would not have the Council Meetings placed on CDs and given out to the public. Mr. Rhynes also inquired as to why Valdosta only has one newspaper. There are many other communities that have several newspapers.

George Cleland, 27 Pinetree Circle, stated that he had a question about an item that was on the ballot. He has not seen any results about the Tax Commissioner and wanted to know the status. Mayor Gayle stated that they have not received anything on that either. The Lowndes County Board of Elections has stated that it is too close to call at this time. There was less than 100 votes difference the last time he heard something and the provisional ballots are still being counted. This race should be decided by Monday.

CITY MANAGER'S REPORT

Mark Barber, Assistant City Manager, stated that the Bulk Trash Amnesty Day was held on October 22, 2016 and there were 25.5 tons of debris brought to the different sites. Since the inception of this plan, the City has collected approximately 76 tons of bulk debris and trash from the neighborhoods. They used the Dumpster Art bins for the collection and they were very popular. We are looking at purchasing a couple more bins and doing more artwork. They spent all day unloading the debris and it was a great turnout.

The Citizens Police Academy Graduation will be held on Thursday, November 17, 2016 at 6:30 p.m. at the Police Department on Toombs Street. Mayor and Council are invited to attend.

There will be a Veterans Day Ceremony tomorrow at 10:00 a.m. at Martin Stadium and Mayor Gayle will be speaking at the event. Everyone is encouraged to wear patriotic colors.

The Electronics Recycling Event will be held on Saturday, November 19, 2016 from 9:00 a.m. to 12:00 p.m. at Mathis Auditorium. This has been a very popular event and it is for both residents of the City and the County. There is a charge of \$10 to drop off televisions; however, computers, monitors, and other electronic equipment are free. Since the inception of this Event, we have kept 600,000 lbs of electronics out of the landfill.

The Shop with a Cop and Shop with a Firefighter Programs are underway and they are accepting donations for these events. Donations can be made to Officer Vernotis Williams at the Police Department and Capt. James Clinkscales at the Fire Department.

The Mayor's Motorcade will be held December 6, 2016 at 10:00 a.m. and items collected will be taken to the residents at Parkwood Developmental Center to spread some holiday cheer.

The Christmas Tree Lighting Event will be held on December 2, 2016 at 5:30 p.m. at City Hall. First Friday will also be held on that date and the Christmas Parade will be held on December 3, 2016 beginning at 5:00 p.m.

COUNCIL COMMENTS

Councilman Vickers inquired about the City's Thanksgiving Luncheon. Mark Barber, Assistant City Manager, stated that it would be held tomorrow beginning at 11:30 a.m. at the Rainwater Conference Center.

Councilwoman Tooley stated that she wanted to comment on the appointments to Boards, Commissions, Authorities, and Advisory Committees. She has listened about making changes and adjustments but it seems that a lot of the time Council puts the same people back in office even though they say there needs to be some changes and people taken off the Board. She spoke to one person who was on a Board and that person did not even know the other members on the Board. They just go there and sometimes they do not even go the meetings. That is not what we want to continue. They need to take this a little more serious and watch who they are putting on these Boards. A lot of them do not even attend the meetings and some are just there because they have been there. One of the people that she spoke with was nominated again tonight and that person did not know who the other Board members were. She did not know if that was because they were on more than one or two Boards but she noticed that. Councilwoman Tooley stated that she was concerned as to why we are putting these people back on the Boards and inquired as to what they were doing and what their contributions were. We ask citizens to participate and when we get some citizens to participate we knock them down. We need to consider giving someone else a chance and look at the people we keep reappointing. It is not right and we need to look at it very, very closely because a lot of members on the Boards do not even know what they are doing. It is ridiculous that a person who

has been on a Board for years does not even know all the members on the Board. The same thing happens over and over and as a leader in the City we should consider other citizens sometimes. They might have something to add and they could progress and move on in a better way.

Councilwoman Miller-Cody stated that she attended the Georgia Municipal Association (GMA) District 11 Meeting in Douglas recently. She learned that they have 909 hours of credit classes for Council members to take and she is learning a lot. It was an honor to represent Valdosta at the event.

Councilman Carroll stated that they do take these appointments to Boards, Commissions, and Authorities seriously. They study the applicants and look at their backgrounds and obviously if there is someone on a Board who is not attending that would be factored into the decision. Mayor Gayle stated that there is an Attendance Policy which was instituted three years and if there are people who are not attending the meetings then that Board or Commission needs to act so that Council can act and replace those people. Councilman Vickers stated that if a Council member knows something specific then they need to let the other Council members know but not in a public meeting. Councilwoman Tooley inquired about having term limits. Councilman Vickers stated that they did not need to get into a debate. Mayor Gayle stated that having terms limits was brought up in the past and if it needs to be discussed again they could place it on the Agenda for the Mayor and Council Retreat. Councilman Carroll stated that appointees have the same term limits as the Mayor and Council. They can be voted in or get voted out.

ADJOURNMENT

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

A MOTION by Councilman Norton, seconded by Councilman Carroll, was unanimously adopted (6-0) to adjourn the November 10, 2016 meeting of the Valdosta City Council at 6:30 p.m. and enter into Executive Session for the purpose of discussing real estate and personnel.

Mayor Gayle reconvened the regular City Council meeting at 6:52 p.m. and stated that there was discussion of real estate and personnel in the Executive Session and there were two items that they would need to take action on.

Mayor Gayle entertained a motion on a real estate matter that was discussed.

A MOTION was made by Councilman Yost to sell the old Valdosta Waterworks Building, which consists of .32 acres, to the Valdosta-Lowndes County Development Authority for an amount to be determined and grant an exclusive easement for nine spaces immediately adjacent to the Waterworks Building. Councilwoman Miller-Cody seconded the motion. The motion was unanimously adopted (6-0).

Mayor Gayle stated that the next item is a personnel matter and entertained a motion on what was discussed in Executive Session.

A MOTION was made by Councilman Carroll to accept the retirement of George Talley, City Attorney, effective December 31, 2016, to appoint Tim Tanner as the new City Attorney effective January 1, 2017, and to allow George Talley to continue to represent the City of Valdosta on the current Service Delivery Strategy (SDS) negotiations as well as other litigation that he is currently working on. Councilman Vickers seconded the motion. The motion was unanimously adopted (6-0).

Mayor Gayle stated that the City has to periodically review proposals on our insurance and he appointed Councilman Alvin Payton, Jr. to serve on a Committee with Mark Barber, Assistant City Manager, to review the Cafeteria 125 Benefits Plan. Mayor Gayle also asked that Councilman Tim Carroll serve on the Insurance Broker Committee.

Mayor Gayle entertained a motion for adjournment.

A **MOTION** by Councilman Vickers, seconded by Councilman Norton, was unanimously adopted (6-0) to adjourn the November 10, 2016 Meeting of the Valdosta City Council at 6:55 p.m. to meet again in Regular Session on Thursday, December 8, 2016.

City Clerk, City of Valdosta

Mayor, City of Valdosta