

**MINUTES**  
**REGULAR MEETING OF THE VALDOSTA CITY COUNCIL**  
**5:30 P.M., THURSDAY, JANUARY 22, 2015**  
**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., Sandra Tooley, and James Wright. Councilman Robert Yost was absent. The invocation was given by Pastor Ricardo Vielmas, BIZ With a Good Name, followed by the Pledge of Allegiance to the American Flag.

**APPROVAL OF MINUTES**

The minutes of the January 8, 2015 Regular Meeting were approved by unanimous consent (6-0) of the Council.

**ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 2015-2, AN ORDINANCE TO AMEND THE TAXI CAB ORDINANCE**

Consideration of an Ordinance to amend the Taxi Cab Ordinance. This request was postponed at the December 11, 2014 Regular Council Meeting to the January 22, 2015 Regular Council Meeting.

Police Chief Brian Childress stated that the current City Ordinance regulating taxi cabs provides for fees to be charged to passengers based on dividing the City into zones or a “Zone Fee Schedule.” The City was contacted by some of the current licensed taxi cab companies and they have requested that the Ordinance be amended and the fee system changed from the “zone to zone calculation” to a fee system based on the use of a “time/distance meter” referred to as a “taximeter.” The Police Department conducted research and reviewed other Taxi Cab Ordinances from other cities and found two similar sized cities that mandate the use of taximeters to accurately charge fees to passengers/customers of said taxi cabs. A meeting was held by the Police Department and all taxi cab companies to discuss their request and a possible amendment to the current Taxi Cab Ordinance. During the meeting, it was revealed that four of the five current taxi cab companies already use taximeters because the current Ordinance is difficult for both the cab companies and passengers to accurately track fees. It was a consensus by all companies to move to a fee schedule calculated by a taximeter device. Based on the review of other Taxi Cab Ordinances from other cities and the meeting with all taxi cab companies, the Police Department recommends amending the current Ordinance by removing the “Zone Fee Schedule” and adding the requirement of the use of a taximeter for charging passengers/customers fees. The new Ordinance recommendations also include an annual calibration requirement for each taximeter, the posting of a fee schedule for all passengers/customers, a minimum wait time fee, a one-time pick up fee of \$5.00, a maximum fee to be charged per mile, a fuel surcharge when gasoline cost exceed \$3.50, and the updating of the overall Ordinance based on current City and taxi cab practices. Chief Childress recommended that Council approve the Ordinance to amend the Taxi Cab Ordinance.

Councilman Payton inquired about some other organizations such as LYFT or UBER that provide transportation but are not in the taxi cab business. Chief Childress stated that is not a big concern in Valdosta and he did tell the taxi cab companies that if they had any other concerns down the road they could make additional changes to the Ordinance. Larry Hanson stated that this issue is being debated at the State Capital and they are looking at ways to regulate those companies. Chief Childress stated that this is a fair system having a taxi meter there because you will see the fare and know what is required to pay. Councilman Vickers inquired as to whether this will affect services that are offered on holidays when free rides are offered. Mayor Gayle stated that it should have no effect on those services. UBER is licensed to do business and these are individuals that may be by themselves or have two or three other cars that work for them. They are contacted through the Internet and it will show where those cars are and they will pick you up within two or three minutes.

Councilwoman Tooley inquired about Section 102-40 - Manifest in the Ordinance. Chief Childress stated that this means they are subject to inspection by the City since they are licensed with the City. There is a State law that says a truck driver is required to maintain a Manifest Log and the Taxi Manifest is very similar to that. It

ensures that they are subject to inspection by an Officer if we so choose. Councilwoman Tooley inquired as to how we will monitor new taxi cab companies since Valdosta is so large and we now have four or five taxi cab companies. Chief Childress stated that any Ordinance that they enforce is subject to change. They could limit the number of taxi cab companies in the City but he was reluctant to do that because you are limiting what people can do with businesses. That is something that would need to be discussed with the City Attorney.

A **MOTION** by Councilman Payton, seconded by Councilman Carroll, was unanimously adopted (6-0) to enact Ordinance No. 2015-2, an Ordinance to amend the Taxi Cab Ordinance, of the City of Valdosta's Municipal Code, the complete text of which will be found in Ordinance Book XIII.

**RESOLUTION NO. 2015-1, A RESOLUTION TO APPROVE A GEORGIA ENVIRONMENTAL FINANCE AUTHORITY (GEFA) LOAN FOR WATER AND SEWER INFRASTRUCTURE PROJECTS**

Consideration of a Resolution to approve a Georgia Environmental Finance Authority (GEFA) loan for Water and Sewer Infrastructure Projects.

Henry Hicks, Utilities Director, stated that this is a modification of the 2013 GEFA Loan for an additional project (Rechlorination Station) as well as to allow sufficient time to complete two major unfinished projects (construction of raw water wells 9 and 10 at the Water Treatment Plant and Sugar Creek Sewer Main Repair) that would probably not be completed by the June 1, 2017 deadline under that loan. There is \$9,592,369 of funds remaining in that loan still available to complete these projects by June 1, 2018. Other projects covered under this loan consist of annexed islands, upgrade or replacement of four additional lift stations, and other associated sewer system repairs. GEFA has agreed to modify this loan in order to complete these projects. The interest rate remains at 2.4%. GEFA requires a new promissory note, legal opinion of borrowers counsel, and a new City Council Resolution agreeing to the modified loan. Henry Hicks recommended that Council adopt the Resolution to approve a Georgia Environmental Finance Authority (GEFA) loan for Water and Sewer Infrastructure Projects. Larry Hanson, City Manager, reiterated that this is not a new loan but merely added some additional time to complete projects and specifying that one of those projects is the Rechlorination Station that was approved in December, 2014.

A **MOTION** by Councilman Norton, seconded by Councilman Carroll, was unanimously adopted (6-0) to enact Resolution No. 2015-1, a Resolution to approve a Georgia Environmental Finance Authority (GEFA) loan for Water and Sewer Infrastructure Projects, the complete text of which will be found in Resolution Book V.

**LOCAL FUNDING AND REQUESTS**

Consideration of a request to declare one (1) Rapid Identification Device from the Valdosta Police Department as surplus property and issue to the Lake Park Police Department for law enforcement purposes.

Police Chief Brian Childress stated that the City of Valdosta Police Department currently has seven Rapid Identification Fingerprint Devices which are portable handheld units that have the ability to scan an individual's fingerprints through the Georgia Department of Corrections and limited Federal law enforcement databases for possible identification. The program is sponsored by the Georgia Bureau of Investigations (GBI) and Georgia Crime Information Center (GCIC). The program has helped the Valdosta Police Department and other law enforcement agencies in Georgia to identify offenders who are attempting to hide their identity from law enforcement. In the past, the City has often sold surplus equipment to other governments and organizations who may continue to use the equipment, either in a law enforcement or non-law enforcement capacity, or in smaller jurisdictions where the demand on the surplus equipment may not be as high. The Police Department has one Rapid Identification Fingerprint Device which the Department desires to declare as surplus property and sell to the Lake Park Police Department who currently does not have a unit and has requested one from the Valdosta Police Department. The unit is approximately four years old with an approximate value of \$2,000. The Police Department has contacted the Georgia Crime Information Center (GCIC) who governs the operations of the Rapid Identification Program and they advised there are no issues with providing the Lake Park Police Department with one unit. The Lake Park Police Department will be responsible for coordinating activation and certification requirements with GCIC for the operation of the unit if it is turned over to that Department. Chief Childress

recommended that Council approve the request to declare one Rapid Identification Device from the Valdosta Police Department as surplus property and issue to the Lake Park Police Department for law enforcement purposes.

Councilman Vickers inquired as to what would happen if he was pulled over and he did not want his fingerprint taken. Chief Childress stated that they have a policy in place for that. To even fingerprint someone you must have a reasonable suspicion which is a first tier requirement. The City of Valdosta's policy is that we are not going to use force to use these devices.

Lake Park Police Chief James Breletic thanked Chief Childress for his kindness in providing the Lake Park Police Department with the Rapid Identification Device. The Lake Park Police Department will be following the same policy and procedures as the Valdosta Police Department.

Councilwoman Tooley inquired as to whether we have to maintain a certain number of these devices for CALEA credit. Chief Childress stated that anyone who handles criminal history data or who runs a license query on a NCIC or GCIC network has to be a certified operator and they have to follow State and Federal rules and regulations. That is not only a CALEA requirement and a State certification requirement but also a State law requirement.

**A MOTION** by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (6-0) to declare one (1) Rapid Identification Device from the Valdosta Police Department as surplus property and issue to the Lake Park Police Department for law enforcement purposes.

**BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES**

Consideration of a request to approve an Amendment to the Intergovernmental Agreement between the City of Valdosta and Lowndes County for the establishment and upgrade of a Centralized Public Safety Radio System.

Larry Hanson, City Manager, stated that the City of Valdosta and Lowndes County currently has an Intergovernmental Agreement that has been in place since on or about June 27, 2001 for the establishment and maintenance of a jointly and equally owned Centralized Public Safety Radio System. The Lease-Purchase Agreement and Contract for the Radio System is being upgraded at a cost of \$6,567,000. Both Lowndes County and the City of Valdosta have agreed to fund the upgrade at 50% each and shall remain joint and equal owners of the entire Radio System. Lowndes County has agreed to execute a Lease-Purchase Contract with Motorola providing for three payments over 36 months at 0% interest with annual payments of \$2,189,000 due each year beginning October 1, 2016. These annual payments will be made one-half by the City of Valdosta and one-half by Lowndes County. After discussion with the Lowndes County Board of Commissioners Chairman Bill Slaughter, Lowndes County has asked that the original Intergovernmental Agreement be amended to reflect the dates that Lowndes County will invoice the City of Valdosta which will be on or before August 1, 2016, 2017, and 2018 for Valdosta's one-half payment. The City of Valdosta will make its one-half payment to Lowndes County on or before September 1, 2016, 2017, and 2018. Larry Hanson recommended that Council approve the Amendment to the Intergovernmental Agreement between the City of Valdosta and Lowndes County for the establishment and upgrade of a Centralized Public Safety Radio System.

**A MOTION** by Councilman Vickers, seconded by Councilman Payton, was unanimously adopted (6-0) to approve the Amendment to the Intergovernmental Agreement between the City of Valdosta and Lowndes County for the establishment and upgrade of a Centralized Public Safety Radio System.

**CITY MANAGER'S REPORT**

Larry Hanson, City Manager, stated that Georgia Power has a program across the State where they are replacing the manhole cover lids. They are currently replacing their lids in the Downtown area on Hill Avenue from Toombs Street to Ashley Street. There will be some minimal interruptions in traffic and this will continue for approximately 30 days.

Larry Hanson, City Manager, stated that the Bird Supper is scheduled for Wednesday, January 28, 2015 at The Depot in Atlanta. Also, the Local Maintenance and Improvement Grant (LMIG) Project began this week and we will be resurfacing 12 streets for a total of 2.6 miles.

Larry Hanson, City Manager, stated that we are also soliciting applications for the 2015 City Government 101 Class and citizens are encouraged to apply. We currently have ten applicants signed up and we have 25 slots. The Boys Scouts will be contacted as suggested at the Mayor and Council Retreat for young participants.

Larry Hanson, City Manager, stated that the Valdosta Police Department will be featured in the next Georgia Municipal Association (GMA) Georgia Cities Week newsletter for our innovation and use of body cameras and our policy. He and Police Chief Brian Childress will be making a presentation on this at the upcoming GMA Mayors' Day Conference in Atlanta. Also, Emily Davenport, Assistant Director of Engineering, will be making a presentation on Stormwater Utilities at the Conference as well. This is being held up to other cities as a model program. She has also been asked to present at the American Public Works Association which is a National Public Works Association.

Larry Hanson, City Manager, stated that the Georgia Department of Community Affairs (DCA) is featuring one of our Downtown Projects that was recently completed. The Cranford Building located at 110-114 West Hill Avenue now has 11 apartments and 3 office spaces. They invested \$1.7 million in our Downtown and it was done with the DCA State Revolving Loan Fund. DCA is touting that as a model project for other communities to look at.

## **COUNCIL COMMENTS**

Councilman Vickers stated that he was concerned about changes in our Information Technology (IT) program. He inquired as to whether we have someone on Staff yet because when Council approved the changes VC3 was going to have a person on-site. Larry Hanson, City Manager, stated that VC3 is actively recruiting, hiring, and advertising both in Valdosta and Atlanta. They initially did not get qualified candidates and they interviewed someone in Valdosta recently but chose not to hire them. They have assigned two engineers to work with us while they are still looking for a full time employee to assign here. VC3 will also be migrating our E-mail system to their system within the next week. Councilman Vickers stated that he was under the impression that VC3 had everything that we needed and they were going to send someone here to Valdosta. Larry Hanson stated that they have had two or three people here in Valdosta working on our system. Councilman Vickers stated that he was surprised that they have not been able to find someone. Councilman Payton stated that when he read the directions of the migration process it was a little complex and he wanted to do like Councilman Vickers and just hand someone his Ipad.

Mayor Gayle stated that at the recent Mayor and Council Retreat they discussed reviewing some of the City's Ordinances. Mayor Gayle appointed a Committee and to begin the review process and they will start with the Tree and Landscape Ordinance. Councilman Alvin Payton, Jr. has been asked to Chair the Committee and others serving on the Committee will be Councilman Ben Norton, Kevin Jenkins, City Arborist, Emily Davenport, Assistant Director of Engineering, and Kevin Conrad, Chairman of the Tree Commission. Mayor Gayle asked for a report from the Committee within 90-120 days. Councilman Payton inquired as to what the report should contain. Mayor Gayle stated that it should note any problems the Committee may find with the Tree and Landscape Ordinance, if any, and whether some of the regulations, penalties, or fees need to be changed. We have had some situations in the past that do not seem to be correcting themselves.

## **CITIZENS TO BE HEARD**

Roy Taylor, 2209 Bridlewood Drive, stated that when the Mayor and Council holds their Retreat next year, he has a lodge that they could use free of charge. It is a very private place and the only thing the City would have to pay for is the food. Also, he recently received a ticket for running a red light and when he went to pay the ticket he told them he was guilty. We have a very good Police Department and he wanted to thank them personally by extending an invitation for any Law Enforcement Officer in Lowndes County to bring a child and go fishing at his pond. He does not want any favors from the City and if he runs a red light then he should be charged. We have good Police Officers and we should all be extremely proud of what Valdosta and Lowndes County has built in this

community. He keeps a gun by his bed and has faith that he will never have to use it. With the kind of Police Officers we have they know when to use one and when not to use one. He has six great-grandchildren and six grandchildren and if he died tomorrow he knows they would be protected. When he first moved to Valdosta the Police Department had some problems but they have straightened it out now. We owe them a great debt of gratitude and any time they would like to go fishing they are welcome to bring their children.

John Hogan, taxi cab owner in Valdosta, stated that he wanted to elaborate on what Councilwoman Tooley had mentioned earlier. It was not necessarily the case that there should be a cap on the number of taxi cab companies in Valdosta, but the real problem they are facing is companies who are not abiding by the permitting and licensing in our City. He has personally seen some UBER companies in Valdosta and if anyone logs into the UBER app on their phone they can see where they are located here in Valdosta. He has also seen something from a Mayor in Florida where it said that if you get into a cab you are doing something your mother told you never to do. You should not get into a cab with a stranger. The only reason you do this is because you believe that the government has sanctioned it and there is an oversight of the cab companies. The CEO of UBER has stated that they are not necessarily a transportation company but more of a technological company and that is how they are getting away with this. They have seen a lot of the LYFT vans here in Valdosta but did not recognize them. They have big white vans with green stripes on the side that say "Ride Share." You will also see an Atlanta tag. Taylor Bennett, spokesperson for UBER Technology, has stated that the service was launched in Miami in June and in Ft. Lauderdale in August. They are also operating in Florida's other major populated areas such as West Palm Beach, St. Petersburg, Jacksonville, Gainesville, Tampa, Tallahassee, and Orlando. We do not see the threat until it is already here and right now we only have four cab companies instead of five. A lot of the taxi cab companies have gotten rid of some of their vehicles because they cannot utilize them right now due to the high cost of insurance. The biggest situation is that they have been in the City for several years now and they have a good reputation where people are not afraid to ride in cabs. They are required to have permits and that is what makes people confident to ride in the cab because the City and the Police Department are backing them. These other companies such as UBER are not backed by any permits or licenses by the City and are not regulated by the City at all. He was not saying to put a cap on the number of taxi cab companies but ask the companies to start with a certain number of cars. In Savannah, they have 280 taxi cab permits and right now they are down to 156 because they say it is too much of an over-supply. They have a big problem with UBER and LYFT because they are not governed by the same regulations and they do not pay for commercial insurance. They also charge different prices and that is why the taxi cab companies in Valdosta agreed to charge a set fare. Mr. Hogan asked that Council give consideration to limiting companies to at least 15 cars which ensures that it is not a "fly by night" company and it will not ruin their reputation.

Sharon Tyson, 1415 North St. Augustine Road, Apt. B-3, stated that she came to Valdosta bright-eyed and bushy-tailed and excited for southern hospitality. She had a wonderful job and apartment. She worked for Life Changers Life Insurance which was a new business; however, she did not get paid for her labor and as a result of that she had an issue with her apartment at The Commons Apartments located at 1415 North St. Augustine Road. She has never had an experience like this before and was not sure what to do. There was one month that they did not pay their employees for over 90 hours of labor. She has filed a complaint with the Department of Labor and it is being sent to Atlanta. By not receiving any money from that job she is now homeless and living at LAMP New Horizons on Lee Street. She is grateful that she has a place to lay her head and asked Council to come and visit her after 4:00 p.m. or at 6:00 p.m. so that they could smell what she smells and see what she sees. She trusts that by speaking here today it will arouse some curiosity to see what an average young woman like herself who paid her dues, went to work, and paid her bills has encountered. Ms. Tyson stated that she is not dismayed with Valdosta and she knows that there are sincere people who would be willing to see what she sees from her perspective. She asked that Council open their eyes and visit her at 614 North Lee Street and not to announce their visit. Homelessness has no race and no social class. She has a resume with wonderful positions and her last job paid approximately \$18 per hour. She now makes \$7.25 per hour. Ms. Tyson asked that Council consider the invisible people that you do not see because she did not come here invisible. She came here with opportunity, hope, and optimism. She would leave Council Chambers today because she trusted that someone would come and investigate what was at that building.

Ms. Chapman, 614 North Lee Street, LAMP New Horizons, stated that she has been a resident in Valdosta for six months and she inquired as to how long you have to live in Valdosta before you are considered to be a

resident and be part of the magnificent things that go on here. Some people are born and raised in certain places and then there are some who may move there but they are not considered to be a legitimate resident until a certain amount of time has passed. Mayor Gayle stated that would only apply if you were running for an elected office and does not apply for becoming a resident. Ms. Chapman inquired as to whether there were any restrictions on residents applying for charity programs or if the residents were considered to be strangers. Mayor Gayle stated that he thought there were no strangers in Valdosta. Ms. Chapman stated that she was not familiar with it and Valdosta was slightly smaller than other communities. She is not a stranger because she has been living here for six months and used to live here ten years ago. When she tries to apply for help with the charity programs and national grants she keeps getting denied because the people are not familiar with her. They want to say that she just walked in and will not go way back to see that she previously lived here and that is wrong. She knows what to do about it now though. Councilman Vickers stated that the City does not have that and we would have no control over what some other charity group or agency might require. Ms. Chapman stated that discrimination is an illegal act and it does not have to be color or gender. If someone takes up residency here and that person has a need for charity then they have a right not only to apply if they meet the eligibility requirements or qualifications but also to receive the benefits. Police Chief Brian Childress stated that there is a State law that says if you reside in the State of Georgia for a certain period of time then you are considered a resident. Ms. Chapman inquired as to how many years you would have to reside in Georgia before that applies. Chief Childress stated that it was not years and he thought it was 90 days. Ms. Chapman stated that she was not expecting to speak tonight but just wanted to bring out the stranger issue. That was new to her and it is not good because it is discrimination. Mayor Gayle stated that the City of Valdosta does not have any discriminatory policies and we look forward to new people coming here to our community.

#### ADJOURNMENT

Mayor Gayle entertained a motion for adjournment.

**A MOTION** by Councilman Carroll, seconded by Councilman Wright, was unanimously adopted (6-0) to adjourn the January 22, 2015 Meeting of the Valdosta City Council at 6:25 p.m. to meet again in Regular Session on Thursday, February 5, 2015.

---

City Clerk, City of Valdosta

---

Mayor, City of Valdosta