

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, JANUARY 23, 2020
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

Mayor Scott James Matheson 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, Andy Gibbs, and Vivian Miller-Cody. Councilman Eric Howard was absent. The invocation was given by Pastor Marlon Seifert, Chaplain with the Valdosta Police Department, followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

PRESENTATION OF THE JANUARY, 2020 EMPLOYEE OF THE MONTH AWARD

Pat Collins, City Engineer, stated that Scott Nobles, Anthony Manning, Eddie Cribbs, Shawn Massey, Terrance Brown, Benjie Vann, and Joe Baker work for the City of Valdosta Engineering Department in the Stormwater Division. The Stormwater Division is responsible for the operation and maintenance (O&M) of the stormwater conveyance system which includes cleaning, maintaining, and repairing over 5,800 catch basins, 170 miles of storm pipes, 775 outfalls, 33 miles of drainage ditches, 22 City detention/retention ponds, and sweeping 350 miles of streets. During the summer of 2019, the Stormwater Division was prompted to investigate a hole that had developed in the center of the road on Wisenbaker Lane. Due to the conditions of the aging storm pipe, the City was forced to close the road and replace the corroded pipes with a precast concrete box culvert. The replacement and improvement would help with water quality, protect the roadway, reduce the chances of local flooding, and deliver a longer service life. Typical box culverts are designed, cured, and delivered within an 8-12 week timeframe. The City moved forward in purchasing the culvert to eliminate unexploited time. During the manufacturing process, the Department proposed to bid out the installation of the culvert due to time restraints on the Stormwater Crew. A year had barely passed since the Stormwater Crew had taken the challenge to install its first box culvert located just upstream on South Lee Street. It would have cost the City of Valdosta \$187,300 to install the culvert. Knowing the capabilities and skills of the Stormwater Crew, the Engineering Department chose to use an in-house, seven-man crew to replace the aging storm pipes. The time of year was not ideal due to it being mid-summer and high temperatures. Also, working inside a box culvert is definitely not appealing to everyone; however, each person showed dedication and devotion to this Project with no hesitation or complaints. Their responsibilities included removing the existing pipe and preparing the site, scheduling and unloading boxes, diverting water drainage, establishing a line and grade for installation, setting 16 boxes and wing walls, and backfilling and preparing for paving. The Stormwater Crew identified the problem, determined the solution, vetted proposals, and completed installation in three weeks. By completing the Project in-house, the Stormwater Division was able to replace the deteriorating pipe for a mere \$26,690.42. This cost includes fully loaded Staff time, equipment rental, and materials. With previous experiences and willingness, the Stormwater Crew saved the City \$160,609.58. It is for these reasons and many others that the Employee Relations Committee nominated these individuals as Employee of the Month.

APPROVAL OF MINUTES

The minutes of the January 9, 2020 Regular Meeting are forthcoming.

A MOTION by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (6-0) to approve the forthcoming of the minutes of the January 9, 2020 Regular Meeting.

PUBLIC HEARINGS

Consideration of a request to close an alley located between Toombs Street and Wall Street.

Pat Collins, City Engineer, stated that the City has received a request from ASA Engineering and IDP South Patterson, LLC to close the alley located between Toombs Street and Wall Street extending to Hill Avenue. This request was made for the purpose of redeveloping the properties adjacent to the alley and to eliminate the

required building setback lines from the alley. Closing the alley will in-effect eliminate the setback requirement allowing more options for development. All Departments are supportive of vacating the alley and returning it to private use. The City properly advertised for the Public Hearing on January 3, 2020, January 4, 2020, and January 10, 2020. All of the City Departments and other Public Utilities have been contacted. The City Utilities Department is supportive of the closure pending receipt of a 20-foot wide easement. Pat Collins, City Engineer, recommended that Council approve the request to close the alley located between Toombs Street and Wall Street.

No one spoke in favor of the request.

No one spoke in opposition of the request.

A MOTION by Councilman Carroll, seconded by Councilman Gibbs, was unanimously adopted (6-0) to approve the request to close the alley located between Toombs Street and Wall Street with the retention of the 20-foot easement.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Mayor Matheson stated that if there was no objection from Council, Agenda Items 5(a) through 5(i) would be considered under a Consent Agenda. There were no objections from Council.

Consideration of bids for one Ford F-350 Truck with a Utility Body for the Utilities Department (Bid No. 15-19-20).

Greg Brown, Purchasing Agent, stated that the Utilities Department needs to replace an existing truck (1764) to update its fleet. This is due to age, high mileage, and rising maintenance costs. The current truck is a 2008 which is 12 years old and is used daily around the City. This truck is in the current Mayor/Council approved Budget for this Fiscal Year. Sealed bids were received on January 7, 2020 with the low bid meeting specifications submitted by Langdale Ford in the amount of \$41,654.

Consideration of bids for one Ford F-450 Truck with a Dump Stake Body for the Utilities Department (Bid No. 16-19-20).

Greg Brown, Purchasing Agent, stated that the Utilities Department needs to purchase an additional fleet vehicle to assist in their daily duties. This truck has a short-sided dump body that can be loaded with various materials, taken to a work site, and then off loaded by tilting the body hydraulically. This is a new vehicle request so there is no replacement vehicle that will be taken out of service. This vehicle is in the current year Mayor/Council approved Fiscal Year Budget. Sealed bids were received on January 7, 2020 with the low bid meeting specifications submitted by Langdale Ford in the amount of \$47,587.

Consideration of bids for one Ford F-450 Truck with a Utility Body for the Fire Department (Bid No. 17-19-20).

Greg Brown, Purchasing Agent, stated that the Fire Department needs to replace an existing truck (1605) to update its fleet. This is due to age, high mileage, and rising maintenance costs. The truck to be replaced is a 2001 model which is 19 years old. This truck is in the current Mayor/Council approved Budget for this Fiscal Year. Sealed bids were received on January 7, 2020 with the bid meeting specifications submitted by Langdale Ford in the amount of \$52,333.

Consideration of bids for one Ford F-550 Truck with a Utility Body, Crane, and Compressor for the Utilities Department (Bid No. 18-19-20).

Greg Brown, Purchasing Agent, stated that the Utilities Department needs to add an additional work vehicle to assist with their daily duties. Since this is a new request, there will not be any vehicle taken out of service. This truck will be used by the Central Lines Division so it will include a crane to lift and lower heavy equipment required for the operation of the Department and other various equipment necessary for operation. This

truck is in the current Mayor/Council approved Budget for this Fiscal Year. Sealed bids were received on January 7, 2020 with the low bid meeting specifications submitted by Langdale Ford in the amount of \$81,291.

Consideration of bids for one, four-wheel drive Kubota Backhoe with a Hydraulic Thumb for the Public Works Department (Bid No. 19-19-20).

Greg Brown, Purchasing Agent, stated that the Public Works Department needs to replace a small Backhoe (4415) that is being used at the Cemetery. The 2006 model is ready to be removed from service due to age, hours, and rising maintenance costs. This machine is used in the small areas to dig graves and other various tasks. The new machine will be a welcomed addition for the Cemetery Staff. The Backhoe is in the current Mayor/Council approved Budget for this Fiscal Year. Sealed bids were received January 7, 2020 with the bid meeting specifications submitted by Southern Tractor in the amount of \$37,650.

Consideration of bids for four, one-half ton Extended Cab Trucks for the Inspections Department (Bid No. 20-19-20).

Greg Brown, Purchasing Agent, stated that the Inspections Department needs to replace four trucks (1615, 1616, 1613, and 1617). All four trucks were purchased in 2006 and have very high mileage and rising maintenance costs due to age. These trucks are driven all over the County where inspections are required and have been in service for 14 years. These are in the current Mayor/Council approved Budget for this Fiscal Year. Sealed bids were received on July 7, 2020 with the low bid submitted by Cass Burch Dodge in the amount of \$25,377 each for a total of \$101,508.

Consideration of bids for six, one-half ton Crew Cab Trucks for various City of Valdosta Departments (Bid No. 21-19-20).

Greg Brown, Purchasing Agent, stated that the Engineering Department, the Public Works Department, the Utilities Department, and the Community Development Department need to replace five trucks and the Utilities Department will be adding one new truck to their fleet. The trucks to be replaced are (1530, 1554, 0248, 1520, and 1535). The newest of these trucks is a 2005 which is 15 years old. The age, mileage, and rising maintenance costs demonstrate why each truck should be replaced. These new trucks are all in the current Mayor/Council approved Budget for this Fiscal Year. Sealed bids were received on January 7, 2020 with the low bid submitted by Cass Burch Dodge in the amount of \$27,687 each for a total of \$166,122.

Consideration of bids for one, one-ton 15 Passenger Van for the Fire Department (Bid No. 22-19-20).

Greg Brown, Purchasing Agent, stated that the Fire Department currently has a 2005 van (1046) in their fleet. Due to age, mileage, and maintenance costs, the van needs replacing. Production of the current van stopped several years ago. The new vehicle will be used for training, transportation, and other call out needs. The van is in the current Mayor/Council approved Budget for this Fiscal Year. Sealed bids were received on January 7, 2020 with the low bid submitted by Cass Burch Dodge (Chevrolet) in the amount of \$29,317.

Consideration of bids for one, Ford F-250 Transit Van with a Cargo Area for the Utilities Department (Bid No. 23-19-20).

Greg Brown, Purchasing Agent, stated that the Utilities Department needs to add an additional unit to their fleet to assist with their daily duties. This van will allow for tools, parts, and supplies to be stored in a waterproof area instead of the back of a truck. There is no vehicle to be taken out of service as this was approved as a new vehicle and is in the Mayor/Council approved Budget for the current Fiscal Year. Sealed bids were received on January 7, 2020 with the low bid submitted by Langdale Ford in the amount of \$36,998.

Councilwoman Tooley stated that she had a question and inquired as to whether the City had just purchased a 15-passenger van for the Police Department. Greg Brown, Purchasing Agent, stated that we have not purchased one for the Police Department. Councilwoman Tooley stated that she thought the City had purchased several individual cars within the past six years so that they could have them and now we are purchasing a 15-passenger

van for them. Mark Barber, City Manager, stated that this van is for the Fire Department Training Division. The cars that Councilwoman Tooley mentioned are for administrative type tasks. The van will not only transport the Firefighters but also the equipment that they use in training. Also, the GSAR Team has to respond to emergencies in a timely manner so this van will come in very handy for the Fire Department. It will also pull a trailer as well.

A MOTION by Councilman Norton, seconded by Councilman Carroll, was unanimously adopted (6-0) to approve the consideration of Agenda Items 5(a) through 5(i) under a Consent Agenda.

Consideration of bids for the Georgia Department of Transportation 2020 Local Maintenance and Improvement Grant (LMIG) Program.

Pat Collins, City Engineer, stated that the Georgia Department of Transportation (GDOT) administers the Local Maintenance and Improvement Grant (LMIG) Program which allocates transportation funding from the State based on a formula that includes population and street mileage (paved or unpaved). Most communities will use the funds to resurface streets. The City has received a grant in the amount of \$669,177.90. The City is required to provide a 10% match, or \$66,917.79. Consequently, the minimum Project total cost shall be \$736,095.69. The 2020 LMIG resurfacing list was approved by City Council on December 5, 2019. Seventeen streets were selected from the street evaluation list for this year's LMIG Program based on funding availability and conditions of the roads. The recommended list resurfaces 5.30 miles total and was estimated to cost \$724,693 to \$984,592. Bids were received and opened publicly on January 8, 2020 at 10:30 a.m. The low bid was submitted by Reames and Sons Construction in the amount of \$849,040.50. The SPLOST VII resurfacing account will be used to pay the amount over the GDOT commitment level. Pat Collins, City Engineer, recommended that Council approve the low bid submitted by Reames and Sons Construction Company in the amount of \$849,040.50 plus a 10% contingency (\$84,904.05) for a total of \$933,944.55.

A MOTION by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (6-0) to approve the low bid submitted by Reames and Sons Construction Company in the amount of \$849,040.50 plus a 10% contingency (\$84,904.05) for a total of \$933,944.55 for the Georgia Department of Transportation 2020 Local Maintenance and Improvement Grant (LMIG) Program.

Consideration of a request to approve a State-wide Mutual Aid Agreement.

Fire Chief Brian Boutwell stated that this a continuation of a State-wide Mutual Aid Agreement that was approved by the Valdosta City Council and signed by the Mayor on March 10, 2016 between the Georgia Emergency Management Agency (GEMA), all 159 counties, and nearly every municipality in Georgia. This previous Agreement was to remain in effect for a 4-year period and is set to expire on March 1, 2020. GEMA, through Lowndes County EMA, has provided an updated Mutual Aid Agreement with similar terms. If approved, this Agreement will expire on March 1, 2024. The City of Valdosta first approved and signed this agreement in 2012. Prior to 2012, municipalities fell under the Agreement signed by the County. The only substantive change to this Agreement is the effective date of the Agreement. This Agreement serves as the formal framework which allows the City of Valdosta to provide assistance to other local governments when requested. Since it is a reciprocal Agreement, it also provides the City of Valdosta with the mechanism to request assistance in the case of a situation that overwhelms local resources or requires resources that the City does not otherwise have available. It also establishes GEMA as the State's coordinating entity for mutual aid resources. Most mutual aid requests are completed with no reimbursement and are simply "neighbors helping neighbors." The entities involved will acknowledge whether reimbursement for aid will be given at the time aid is requested; however, if the City was to get into a situation in which we received a Federal Declaration then we would be able to recover the costs of the labor and materials for any outside resources that assisted us and likewise they could do the same for us. In that instance we would provide them reimbursement for their time and expenses and submit that to FEMA as an eligible disaster related expense. Without this Agreement in place for formalizing the assistance process, we would not be eligible for that reimbursement. Fire Chief Brian Boutwell recommended that Council approve the State-wide Mutual Aid Agreement.

A MOTION by Councilman Gibbs, seconded by Councilman Norton, was unanimously adopted (6-0) to approve the State-wide Mutual Aid Agreement.

Consideration of a request to approve a Contract for new water meters for the City of Valdosta. This request was postponed at the December 5, 2019 Regular Meeting until the January 23, 2020 Regular Meeting.

Darryl Muse, Utilities Director, stated that this request was postponed at the December 5, 2019 Regular Council Meeting until the January 23, 2020 Regular Council Meeting. The City of Valdosta wants to replace approximately 25,000 water meters throughout the City. Many of these meters were already in need of replacement. AWWA recommends that meters be replaced on a 10-15 year schedule. This will place us within that window and give us coverage for the next 20 years on water meters. These AMI meters give us a lot of functionality. They will allow us to remotely read all the water meters in the City which gives the Billing Department a lot of options. We often have citizens come in who are on a fixed income, and they may request a certain billing day; however, because of our read and route schedule, they are billed whenever the rest of the people on that route are billed. This gives us the flexibility to adjust our billing schedule to coincide with their fixed income. The price of the Project is \$9,540,033.92 and Chuck Dinkins, Finance Director, will present information on return on investment.

Chuck Dinkins, Finance Director, stated that the meters in the ground are aging and as they get older they turn more slowly which means you are billing at 97-99% of what is being used. Based on the work we have done so far, we are seeing an 8-10% increase in the usage which means we were under billing prior to these new meters going into the ground. This system should pay for itself in a little over five to seven years. We will pick up revenue and when this is fully implemented, we should rely on three or four people to do the same job that we currently have 11 people doing right now. We would be saving on salaries and benefits as well as the employees having to walk through citizen's yards and being exposed to the elements. Mark Barber, City Manager, stated that the people in the Meter Reading Division will be transferred to other Divisions within the Utilities Department where we have held off hiring people who have retired or whose positions were vacant but not filled. No one will lose a job for this Project. Councilman Vickers inquired as to where the funds would come from for this Project. Mark Barber, City Manager, stated that funds would come from SPLOST as well as a GEFA note that we are going to take out in May. We will get approximately \$1,000,000 in debt forgiveness when we do this in May. Chuck Dinkins stated that GEFA has a Loan Forgiveness Program and we had originally intended to apply for that upfront, but it will not be available until May. We will pay for the first pieces of this out of existing SPLOST VII money and then in May we will apply for the GEFA note. At the end of the Project, GEFA will review all the work that has been done and are happy with everything then the City will be eligible for loan forgiveness. That means that at the end of the Project they will reduce our loan up to \$1,000,000 and the Project could conceivably be an \$8,500,000 Project. Councilman Vickers inquired as to the timeframe for installation of the equipment. Chuck Dinkins stated that they hope to have it done within a year from the time they start in February, 2020. IBT has installers who will come in and put the meters in the ground. Our employees will be there to learn how to do it and after the installation is complete, City Staff will maintain it. There is no way we could get in the ground that fast doing it in-house. Councilman Vickers inquired as to how much we would have to pay them to install the meters. Chuck Dinkins stated that was include in the \$9,500,000. Councilwoman Tooley inquired as to whether the water bills will be going up. Chuck Dinkins stated that it would increase and IBT has a public relations program to assist with notifying the public. Darryl Muse stated that they have already started working with the vendor and the Public Information Officer on this. Councilman Gibbs stated that it could also save people money. Chuck Dinkins stated that there are a few cases. The other good thing about this is that citizens who now get a monthly read will be able to see what they used yesterday. Chuck Dinkins, Finance Director, recommended awarding the contract for the installation of an AMI system to IBT in the amount of \$9,540,033.92. The FY20 budget contains \$5,000,000.00 for AMI and the balance will be budgeted in FY21.

A MOTION was made by Councilwoman Vivian Miller-Cody to approve a Contract in the amount of \$9,540,033.92 with IBT for the installation of an AMI system for new meters for the City of Valdosta. Councilman Gibbs seconded the motion. The motion was adopted (5-1) with Councilman Norton voting in opposition.

LOCAL FUNDING AND REQUESTS

Consideration of a request to approve proposed changes to the Procedures for Changes to Water and Sewer Service Areas which was revised January 2, 2020.

Mark Barber, City Manager, stated that the legislative intent of the Strategic Delivery Service (SDS) Act is to provide a flexible framework which local governments in each County can develop a service delivery system that is both efficient and responsive to citizens in their County. However, Legislators recognized that the unique characteristics of each County throughout the State preclude a mandated outcome for the delivery of services in every County. The processes in regard to SDS are intended to minimize inefficiencies resulting from duplication of services and competition between local governments and to provide some method to resolve disputes over local government service delivery, funding equity, and land use. The SDS should result in the minimization of non-compatible municipal and county land use plans in a simple and concise Agreement describing which local governments will provide which services in specified areas within a County and how the funding of these services will be funded. On April 12, 2016, Lowndes County Commission Chairman Bill Slaughter called for a meeting with all Cities in Lowndes County to begin the process of discussion of the 2016 SDS. As previously discussed, the SDS article calls for review and renegotiation of the prior Agreement every 10 years. The April 12th meeting was convened by Chairman Slaughter with him stating that the County was pleased with the Agreement that was concluded in 2008 for the 2006 timeframe. In a letter dated November 1, 2016, the City of Valdosta received notification from the Georgia Department of Community Affairs (DCA) stating that the six local governments in Lowndes County were placed under sanctions for failure to complete the 2016 SDS as required by October 31, 2016. The County's position at this time was that the local governments in Lowndes County were still bound by the 2006 Agreement that was completed in 2008. As several Cities were impacted by these sanctions, the Cities had to enter into litigation to lift the sanctions. The Courts ruled in favor of the Cities and the sanctions were placed in abeyance to give us more time to reach an agreement. The Court cited abeyance remains in effect. From this point on, there have been meetings, proposals, and counter proposals with no agreement as of yet. Lowndes County has continued with litigation and has filed two appeals thus far. As we have previously discussed, the continued litigation and appeals is not central to the actual issues we are trying to resolve in order to meet SDS requirements. On December 31, 2019, an E-mail was distributed by Lowndes County Commissioner Clay Griner indicating that a meeting had taken place between himself, Commissioners Orenstein and Evans, and City Council Members Gibbs and Vickers to find wording for the SDS as it pertains to the delivery of utility services. Based upon this meeting, the following verbiage was disseminated and voted upon by the Board of Commissioners: (A) The Parties' current water and sewer service areas are delineated on the service area maps attached to the DCA Forms for water and sewer services approved herewith. (B) All existing Intergovernmental Agreements of the Parties regarding the provision of water and sewer services shall remain in effect. (C) Any request for extraterritorial service extension shall be negotiated by the requesting Party and the affected Party. Approval of the affected Party shall not be unreasonably withheld. The City of Valdosta's response is as follows with the rationale for proposed amendments are as follows: (A) There were no changes made to Section A. (B) Section B. was changed to read Extraterritorial Agreements as opposed to Intergovernmental Agreements. An example was listed to insure clarity for all parties. Additionally, Commissioners Griner and Orenstein are aware of this change and were in concurrence with the amendment during a discussion with both at the time the SDS package was delivered by hand. Councilman Gibbs also states that this is what was agreed upon during the December 31, 2019 meeting. (C) Any request for extraterritorial service extensions for a commercial and/or industrial prospect shall be made by written notification and forwarded to the Office of the County Manager or the City Manager as the case may be. Upon receipt of the request, and in consideration of same, the affected party shall consider the efficiency and effectiveness of delivery of the utility and the desires of the economic prospect. Any objection by an affected party shall be made within twenty-four (24) hours after receipt of the notification of the request. If an objection is lodged, the Parties shall schedule and hold a meeting within five (5) calendar days to discuss resolution. If the objection cannot be resolved, the Requesting Party shall be allowed to provide the requested service as provided under Georgia law, its charter or enacting legislation. Section (C) was adjusted to reflect the City of Valdosta's continued position that a commercial/industrial prospect should have a choice of their utility provider, and if there is a request for an extraterritorial request, that discussion should center around the needs and request of the economic prospect. The remaining changes were made because it is believed that more structure was needed in regard to time frames and procedures to ensure a timely response to the requester of the extraterritorial extension.

Mayor Matheson stated that they are probably two words away from settling the SDS. It thrills the Council and everyone who has been watching this. Mayor Matheson thanked Lowndes County Chairman Bill Slaughter and former Mayor John Gayle for all of their efforts.

Councilman Vickers stated that this will affect commercial property and not residential. Mark Barber, City Manager, stated that was correct. Councilman Vickers inquired about the other issues that need to be agreed upon.

Mayor Matheson stated that this was the only issue left. Councilwoman Sandra Tooley stated that it was not the only issue remaining; however, she wanted to comment about Item (C), it states that there will be written notification and forwarded to the office of the City Manager or the County Manager as the case may be. She thought it should be "and/or" because they should both be notified at the beginning. Mark Barber, City Manager, stated that if someone wanted our service in the unincorporated area, realistically, we are all going to know before that happens but procedure-wise, he will make notification to the County Manager within that 24 hour period and make sure they are aware of the request that has been made by the industrial client. Councilwoman Tooley stated that the business owner should notify the County Manager and send a copy to the City Manager to let him know they are applying in the County but for City services. Mark Barber stated that the reason it is set up this way is because more than likely, depending on what their choice is, that prospect will have more conversations with him and Darryl Muse, Utilities Director, than they have with the County at that point in time. Realistically, they will all know at the same time and it will not be a surprise for anyone, but they can look at that wording. Councilman Vickers stated that it will probably come through the Development Authority. Councilman Vickers inquired about the litigation that they are in. Mayor Matheson stated that if we had an Agreement there would be no need for litigation. Tim Tanner, City Attorney, stated that this portion of water and sewer has been held up for a while now with offers going back and forth and there is an Appeal for a decision to dismiss the Georgia Department of Community Affairs (DCA) that is currently pending on a Petition for Cert before the Georgia Supreme Court. The Court of Appeals upheld the dismissal of DCA in either October or November of 2019. That has held us up in resolving the issues. He would love to see that litigation go away. If Lowndes County accepts the City's proposal, we would be one step closer. If we can all reach an agreement on all of these terms, then the litigation would have to go away. Councilman Vickers stated that we have been in this for three years. Tim Tanner, City Attorney, stated that the County filed a lawsuit in January, 2017. Councilman Vickers stated that in seven years we will have this up again and maybe we should go ahead and let the Supreme Court rule on it because we could be right back here in seven years with the same issue. He really thinks that the State Legislators, who created this problem, need to straighten it out. Tim Tanner stated that if they do reach an agreement on the bones of this that it will be good for that time period. There will be additional people sitting in these seats in seven or ten years from now and they should have the ability to negotiate their desires and wishes for their constituents. Mayor Gayle was not even in office when the current SDS Agreement was signed. We should insist that these Agreements last for the ten-year period and then if the parties want to renegotiate then they should have the option to do so along with the SDS law.

Councilwoman Tooley stated that they have made changes and inquired as to whether the County was acceptable with the changes that the City has made. Mark Barber, City Manager, stated that the only conversation that he has had was with Commissioner Scottie Orenstein and Commissioner Clay Griner as to Item (B) which they were in concurrence with. He could not say if they were in concurrence with Item (C), but they do not represent the entire Lowndes County Board of Commissioners just as Councilman Vickers and Councilman Gibbs did not represent the entire City Council. Councilwoman Tooley inquired as to whether the City Council was in agreement with all of the SDS because there was another issue in it about the roads that has really not been discussed. She would not be in favor of it. Mayor Matheson stated that was correct and that they were only considering what was before the Council on water and sewer. Councilman Vickers inquired as to whether they would come back to discuss the road issue. Mayor Matheson stated that they would come back and vote on the entire SDS Agreement. Mark Barber, City Manager, stated that was an option, but at some point during the negotiations, it was decided that if we could get the water/sewer utility parts taken care of then we could live without the road maintenance and the other issues we talked about. As far as the Appeal process that is going on, that is something that is separate from what we are discussing tonight. Regardless of the outcome of the County's Appeal process, that is kind of a sidebar suit with the County. Tim Tanner stated that the County sued Valdosta and every municipality in the County. They also sued members of the DCA Board. DCA filed a motion to dismiss through the Attorney General's Office to dismiss their lawsuit based on various grounds with one being sovereign immunity. The decision by the Judge was reached in July, 2018 as to whether or not they could be included in the suit. The County appealed that decision and the Court of Appeals has upheld that dismissal, so it is a collateral issue as stated by the Judge recently; however, it is in our lawsuit. If we agree upon resolving this, at the end of the day that case would have to go away and be dismissed as a condition. We would not want to leave it lingering out there. Councilman Vickers inquired as to whether that should be part of the motion. Tim Tanner stated that there were 13 or 14 issues that began this process back in April, 2016 when the County called the meeting. Through a series of negotiations this may be one of the last remaining issues that is in dispute. If you voted for this that is all you are voting on which will go back to the County for the approval or not. If they do approve it, they will bring a new package with all of

the forms. The road issue as presented by the County and they will maintain the position that the County road system would be funded by the County. The Council would have to vote up or down on that as well.

Councilman Gibbs stated that the road issue is an issue, but the water and sewer is more important. If this brings us together and closure to bring more prospects to our community then that is what we need to do. In talks with County Commissioners Orenstein and Griner, if we can come to an agreement then they will get rid of the Appeal. That is going off the conversations that they had and he has no reason not to trust them. He does not think a prospect is coming to Valdosta and Lowndes County to look at our grass to see how beautiful we cut it to bring jobs here. They are coming here for water and sewer and things that matter the most for what makes a company function. We need to come to some closure on that and if time permits, they can open up discussion on the road system. Councilwoman Tooley stated that the case that is in litigation needs to be taken care of and it should be in writing because that is why they are having this problem. We have been back and forth with saying things and being reassured but we need it in writing. Before they can move forward with agreeing to this that part needs to be taken care of. Councilman Carroll stated that he disagreed. Councilman Gibbs stated that the vote tonight is simply to say we are okay with this. Councilwoman Tooley stated that the SDS would still not be settled. Councilman Carroll stated that they would be a step closer. Tim Tanner, City Attorney, stated that this would be to see if they can collectively come up with a proposal on this one issue and then advance it to the County to see if they agree. Council will have another vote on the entire package. If the City and County ever agree on an SDS Agreement, the case would be dismissed because there would be no more case. The issue would be a moot point because they reached an agreement. Mark Barber, City Manager, stated that this process tonight is no different than what they have been doing throughout the years where the County makes an offer and the City makes a counter-offer. The only thing different tonight is that we are doing our counter-offer in a public setting so that the public can hear what is going because we have had so many questions about it. The process has not changed. There may be some words that may be changed in Section (C). We are not asking for the whole SDS and we are just wanting to get the utilities part tied down. We would be way ahead of the game. Councilman Vickers stated that we need some light to shine in on our part publicly and he commended the Mayor and the City Manager for bringing it out to be discussed in public. Councilwoman Tooley stated that they need clarity in it. They need to understand that this is not the end of it and it is just one section of it.

A MOTION was made by Councilman Gibbs to approve proposed changes to the Procedures for Changes to Water and Sewer Service Areas which was revised January 2, 2020 as noted by the City Manager. Councilman Carroll seconded the motion. The motion was adopted (5-1) with Councilwoman Miller-Cody voting in opposition.

CITIZENS TO BE HEARD

Grace Bacon, 708 Holly Drive, stated that there are 16 houses on Holly Drive and the ones at 709, 710, and 712 has a lot of activity. People are working on cars, people are being dropped off, and things are going on at night. They cannot let their children out at night because men are using the rest room in the streets. She has complained to the Police, the City Marshall, Representative Dexter Sharper, and the City Council and no one is doing anything. It has gotten worse. One of the empty houses caught on fire and the Fire Department does not know why it caught on fire. They have asked for help over and over again. She does not understand why they cannot get any help. She gets the same response and that is they cannot stop him from repairing cars. They can write him up and take him to Court where the Judge can give him a fine. He comes back the same day and does the same identical thing.

J. D. Rice, 501 Knob Hill Road, stated that he wanted to read the following: Dear Sir/Madam, It is only rare that the opportunity to do something significant and/or historic occurs in one's lifetime. When this happens, it is our civic duty to cease the moment or we may never have this chance again. Our great City was founded in 1860 by those that had a vision to carve out of wilderness and lay out a town that became what we all know and love as the City of Valdosta. In order to become an incorporated City, a Mayor and City Council had to be elected as well as other important leaders that would have either been elected or appointed. The makeup of Valdosta was as it is now—a diverse City. However, during that timeframe, all voices within the City Limits was not heard or even recognized. It wasn't until 114 years later that citizens of color had a true voice in our City government. In 1974, Mrs. Ruth Kimball Council became the first African American ever elected to serve on the Valdosta City Council. This historic event uplifted our community by showing the world that we have become an inclusive community and

not one separated by boundaries whether perceived or real. Mrs. Council has been and still is a beacon of light in Valdosta and she is not only a retired educator, but she is a true civic leader as well. It was Mrs. Council that gathered others in the community together over 33 years ago and founded the Dr. Martin Luther King, Jr. Commemoration Association honoring the life and legacy of one of our nation's drum majors for justice. Therefore, for this and many more reasons, I am requesting that the City Council and Mayor take it upon yourselves to name the Sr. Citizens Center located on East Park Avenue in Valdosta in honor of Mrs. Ruth Kimball Council. Respectfully submitted by J. D. Rice. He also gave copies of the City's Policy on naming buildings to the Mayor and Council as well as signatures of 138 people who joined him in this request.

CITY MANAGER'S REPORT

Mark Barber, City Manager, stated that he presented the Council with a Summary of Events that they have done this past year in the Downtown area. They have \$4.8 million in public and private investment in Downtown Valdosta which is tremendous. They have added 42 new jobs and hosted 920 promotional events. Ellen Hill, Main Street Manager, and Rachel Thrasher, Main Street Program Coordinator, did that with a two-person staff. They have done a fantastic job.

The Housing Summit that was held at the Mildred Hunter Center this past weekend had a good turnout. This is a great start in getting the entire community engaged in what is going on and the things that they can participate in.

Mark Barber, City Manager, stated that the Georgia Municipal Association will host the Cities United Summit, formerly Mayor's Day, on January 24-27, 2020 in Atlanta and he will be glad to assist Council with anything they need during the Summit.

COUNCIL COMMENTS

Councilman Carroll stated that he wanted to commend the new Mayor for participating in the first ever Mayor's Paddle trip on the Withlacoochee River. That spoke volumes not only to the citizens of Valdosta and Lowndes County but also to the citizens who reside in North Florida. Mayor Matheson stated that he hoped to have an annual Mayor's Paddle and hopefully when they gather there they can celebrate another year without a major spill. In April, he will organize a fundraiser for that group because it costs them \$10 per test to sample water and that will allow them to continue the testing program and make it more aggressive on our waterways. That was his first trip on the 11 mile stretch which took five hours. It was absolute scenic beauty and we need to all enjoy it.

Councilman Norton stated that he wanted to encourage citizens to come out and attend the Town Hall Meetings. They have a lot of complaints about not communicating with our citizens, so the Council is doing more Town Hall Meetings. Vanassa Flucas, Neighborhood Development & Community Protection Manager, did a great job on the Housing Summit. It was very well attended, and she had some excellent topics that were explained by professionals. Also, Councilwoman Miller-Cody had a great meeting at the Lifeline Ministries about the intersection of Forrest Street and Park Avenue. Pat Collins, City Engineer, and Kevin Tolliver, Development Review Engineer, did a great job in helping the citizens to understand what is really going to happen there. Councilman Norton encouraged citizens to attend those events whenever they can.

Councilman Vickers stated that he was unable to attend the Housing Summit on Saturday due to a previous commitment, but he did hear that they had a good turnout and that it was very educational.

Councilwoman Miller-Cody stated that the citizens are very appreciative and enthusiastic about the meetings and they will be having more Town Hall Meetings in the future. Mayor Matheson stated that we will also be taking the Council Meetings on the road in the near future as well.

ADJOURNMENT

Mayor Matheson entertained a motion for adjournment.

A MOTION by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (6-0) to adjourn the January 23, 2020 Meeting of the Valdosta City Council at 6:51 p.m. to meet again in Regular Session on Thursday, February 6, 2020.

City Clerk, City of Valdosta

Mayor, City of Valdosta