

MINUTES
MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, JANUARY 5, 2022
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

Mayor Matheson called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Andy Gibbs, Sandra Tooley, Vivian Miller-Cody, Tim Carroll, Eric Howard, Ben Norton, and Thomas McIntyre. The invocation was given by Pastor Bernard Robinson, Greater Pleasant Temple Missionary Baptist Church, followed by the Pledge of Allegiance to the American Flag.

READING OF THE ELECTION RESULTS

Reading of the 2022 Special Municipal Election and the Run-off Results.

Mark Barber, City Manager, stated that results of the 2022 Special Municipal Election held on November 8, 2022 have been certified by the Lowndes County Board of Elections. The results for the Valdosta City Council District 3 are as follows: (1) India Bell received 302 votes, (2) Mattie L. Blake received 343 votes, (3) Thomas B. McIntyre received 515 votes, and (4) Unresolved Write-In received 8 votes. Results of the Special Municipal Run-off Election held on December 6, 2022 have been certified by the Lowndes County Board of Elections. The results are as follows: (1) Mattie L. Blake received 479 votes, (2) Thomas B. McIntyre received 648 votes, and (3) Unresolved Write-In received 0 votes.

Mayor Matheson entertained a motion to approve the 2022 Special Municipal Election and Run-off Results.

A MOTION by Councilman Norton, seconded by Councilman Carroll, was unanimously adopted (6-0) to approve the Reading of the 2022 Special Municipal Election and the Run-off Results.

OATH OF OFFICE

Oath of Office for City Council District 3.

The Honorable Judge Detria Carter Powell of the Probate Court administered the Oath of Office for Thomas B. McIntyre (District 3). A copy of the Oath of Office is on record in the permanent file of the January 5, 2023 Regular Meeting of the governing body.

ELECTION OF THE MAYOR PRO TEM AND OATH OF OFFICE

Mayor Matheson entertained nominations from Council for the office of Mayor Pro Tem. Councilwoman Miller-Cody placed in consideration the name of Councilman Eric Howard. There being no other nominations, Mayor Matheson closed nominations.

A MOTION by Councilwoman Miller-Cody, seconded by Councilman Carroll, was unanimously adopted (7-0) to approve Councilman Eric Howard as the new Mayor Pro Tem.

The Honorable Judge Detria Carter Powell of the Probate Court administered the Oath of Office for Mayor Pro Tem to Councilman Howard. A copy of the Oath of Office is on record in the permanent file of the January 5, 2023 regular meeting of the governing body.

APPROVAL OF MINUTES

The minutes of the Regular Meeting of December 8, 2022 was approved by unanimous consent (7-0) of the Council.

ORDINANCE NO. 2023-1, AN ORDINANCE TO AMEND CHAPTER 222 – OFF-STREET PARKING STANDARDS OF THE CITY OF VALDOSTA LAND DEVELOPMENT REGULATIONS (LDR) AS IT PERTAINS TO GENERAL PARKING REGULATIONS IN RESIDENTIAL DISTRICTS (SECOND READING)

Consideration of an Ordinance to amend Chapter 222 - Off-Street Parking Standards of the City of Valdosta Land Development Regulations (LDR) as it pertains to General Parking Regulations in Residential Districts. (Second Reading)

Matt Martin, Planning Director, stated that the City of Valdosta is proposing to amend Chapter 222 of the City of Valdosta Land Development Regulations (LDR) as it pertains to general parking regulations in residential districts. These proposed changes are shown in underline/strikeout format and reflect the discussions at the City Council's Strategic Initiatives Summit earlier this year. More specifically, these provisions deal with the differences of off-street parking requirements in single-family and duplex residential developments in general, versus similar requirements for such developments that are located within the designated Residential Parking Overlay District. It should be noted that none of these provisions are applicable to apartments or non-residential developments, which are subject to commercial-type parking requirements. Staff found the request consistent with the Comprehensive Plan and recommended approval. The Planning Commission reviewed this at their November 28, 2022 meeting, found the request consistent with the Comprehensive Plan, and recommended approval (8-0 Vote). At the Work Session, there was a handout of the Ordinance with a slight revision to the final language based on the discussion that they had in December with the City Attorney. They relocated one sentence from the top to the bottom of the page. There were no changes to the wording.

Councilwoman Tooley inquired as to whether they changed the timeframe for the effective date. Matt Martin stated that the Ordinance in the packet is the default and unless Council specifically changes the date then it would become effective immediately. With any Ordinance that comes before Council, they have the discretion to place an effective date for some point in the future. They have done that multiple times in the past depending upon the Ordinance. For example, the LDR was adopted in 2008 but the effective date was not until January 1, 2009. When they did the Overlay District for Residential Parking, the City (through Policy) took several months to implement that change. At the First Reading in December, Council discussed having a delayed effective date and all they would need to do is to have an actual specific date. Councilwoman Tooley inquired as to whether they needed to do that now. Matt Martin stated that the easiest way is to make that part of a motion to approve with an effective date. Councilman Gibbs stated that they should make it an effective date down the road so that they can do some advertisements to let citizens know about the change. Matt Martin stated that they would do an advertisement to notify people and the format in which they advertise would be important whether it is newspaper, letters, or City Marshals starting their review of these properties. That is what they did with the Residential Parking Overlay District when it was first implemented. Councilman Gibbs inquired as to how long it would take to get something together to notify people about the change. Mark Barber, City Manager, stated that with something like this that is City-wide, they would definitely want to have enough time to educate the citizens and inform them of what the changes would be. He would suggest that this not be enforced or even give warnings for six months. That will give all of the City Departments time to get together and market it to the community and have the meetings they need to have. Councilman Howard stated that if this is passed by Council, the motion would need to be that it goes into effect six months from today. Councilman Gibbs stated the effective should be July 1, 2023. Mark Barber stated that he would also add a warning period. They would not start the actual warning citations until after the six-month period just to extend that a little bit longer. Councilman Gibbs stated that it would be one warning. City Attorney Tim Tanner stated that this may be a little too far and he would just give an extra month for warnings and then just extend the effective date for a month. Councilman Gibbs stated that it would be August 1, 2023. Matt Martin stated that warnings would begin July 1, 2023. Mayor Matheson stated that they should just pick a date and they will start on that date after the education process. Councilman Gibbs stated that he would like to pick July 1, 2023.

No one spoke in favor of the request.

No one spoke in opposition to the request.

A **MOTION** was made by Councilman Gibbs to amend Chapter 222 - Off-Street Parking Standards of the City of Valdosta Land Development Regulations (LDR) as it pertains to General Parking Regulations in Residential Districts with an effective date of July 1, 2023. Councilman Howard seconded the motion. The motion was unanimously adopted (7-0) to enact Ordinance No. 2023-1, the complete text of which will be found in Ordinance Book XIV.

A REQUEST TO CLOSE AN UNOPENED ALLEY LOCATED ON WEST STREET BETWEEN J.L. LOMAX AND RIVER STREET

Consideration of a request to close an unopened alley located on West Street between J.L. Lomax and River Street.

Ben O'Dowd, City Engineer, stated that the City has received a request from Randall Godfrey to close a small portion of an unopened alley located on West Street between J.L. Lomax Drive and River Street. This request was made for the purpose of joining two properties adjacent to the alley both of which are owned by Mr. Godfrey. The City properly advertised for the Public Hearing on December 9, 2022 and December 11, 2022. The Public Hearing sign was erected on December 20, 2022 as required by Ordinance No. 2019-2, Section 86-84 C. The closure request was sent to all City Departments and local utility companies for comments. Ben O'Dowd, City Engineer, recommended that Council approve the request to close an unopened alley located on West Street between J.L. Lomax and River Street.

No one spoke in favor of the request.

No one spoke in opposition to the request.

A **MOTION** by Councilman Norton, seconded by Councilwoman Miller-Cody, was unanimously adopted (7-0) to approve a request to close an unopened alley located on West Street between J.L. Lomax and River Street.

LOCAL FUNDING AND REQUESTS

Consideration of a request for payment to the U.S. Geological Survey (USGS) for a monitoring station on the Withlacoochee River as agreed to in the Georgia Environmental Protection Division Consent Order (No. EPD-WP-8904).

Bradley Eyre, Director of Utilities, stated that on August 11, 2020, the City signed and agreed to comply to all conditions of Consent Order EPD-WP-8904. This Consent Order was issued as a result of a major spill reported in December of 2019 at the City's Gornto lift station. Per Section 13 of the above-mentioned Georgia Department of Natural Resources (DNR) Environmental Protection Division (EPD) Consent Order, and within 180 days of its execution, the City was to establish a permanent water quality monitoring station on the Withlacoochee River at U.S. Highway 84 downstream of the outfall of the Withlacoochee WPCP. This monitoring station was established and operational in the required time frame. In accordance with the Consent Order, the monitoring station operation began May 1, 2020, and will continue operation at a cost to the City until April 1, 2025. The City's cost for the operation of this monitoring station is in the sum of \$170,150 to the U.S. Geological Survey (USGS). Bradley Eyre, Director of Utilities, recommended that Council approve payment in the amount of \$170,150 to the USGS for the cost of the monitoring station operation on the Withlacoochee River as agreed to in the Georgia Environmental Protection Division Consent Order.

A **MOTION** by Councilwoman Tooley, seconded by Councilman Carroll, was unanimously adopted (7-0) to approve payment in the amount of \$170,150 to the USGS for the cost of the monitoring station operation on the Withlacoochee River as agreed to in the Georgia Environmental Protection Division Consent Order.

Consideration of a request for replacement of packing material in Scrubbers 1, 2, and 3 at the Guest Road Water Treatment Plant.

Bradley Eyre, Director of Utilities, stated that the current packing material was installed in 2007 and has a normal operational life span of 15 years. Scrubbers 1, 2, and 3 are used in the process of drinking water treatment. Wear and tear and the age of the packing material adversely effects the efficiency of the Scrubbers and causes more sulfides to be released into the air which causes additional smell. This packing material replacement is part of normal routine maintenance and for maintaining proper treatment processes and Water Treatment Plant operating conditions. This Agenda Item is submitted to authorize payment to Indusco Environmental Services, Inc. in the amount of \$87,825 to purchase and install the full complement of the Scrubber packing. This also includes the removal and disposal of existing packing, cleaning of scrubber vessels, and general system performance inspection. Bradley Eyre, Director of Utilities, recommended that Council approve the request for the sole source purchase of all 2" X-Flow PP Packing Materials from Indusco Environmental Services, Inc. in the amount of \$87,825.

A MOTION by Councilman Norton, seconded by Councilwoman Miller-Cody, was unanimously adopted (7-0) to approve the sole source purchase of packing material in Scrubbers 1, 2, and 3 at the Guest Road Water Treatment Plant from Indusco Environmental Services, Inc. in the amount of \$87,825.

Consideration of a request for payment of emergency sewer repairs on Baytree Road.

Bradley Eyre, Director of Utilities, stated that during the week of July 11, 2022, the City Utilities Department personnel responded to a report of sewage overflowing from the sanitary sewer manhole in the roadway on Baytree Road near the intersection of Springhill Drive. Following an investigation, City crews installed a temporary bypass pump to transfer sewage flowing into this manhole to the next downstream manhole due to a blockage in the sewer main. A subsequent video inspection and evaluation revealed a sewer pipe liner failure which was causing an obstruction and buildup and hindering proper flow in the sewer pipe. After receiving a proposal for the work, the City selected James Warren & Associates (JWA) to begin making the repairs. The existing sewer liner required installing and maintaining a bypass pump operation and securing a liner boring/removal company to extract the old liner. A new liner was installed in this section of sewer main after removal of the old liner. A new sanitary manhole was installed immediately south of Baytree Road at the location of an older 3-foot diameter brick manhole (sub-standard size for access) that was also leaking when flows were heavy. In addition, a drop connection invert repair was required at the existing manhole in Baytree Road that the existing connection was discovered to be cracked and in a state of collapse during the final video inspection after the initial anticipated repairs were completed. JWA completed all of the repairs on December 9, 2022. JWA submitted invoices for the work in the amount of \$159,300 and \$15,200 for a total of \$174,500. Bradley Eyre, Director of Utilities, recommended that Council approve the request for payment to JWA in the amount of \$174,500 for emergency sewer repairs on Baytree Road.

A MOTION by Councilman Gibbs, seconded by Councilman Norton, was unanimously adopted (7-0) to approve the request for payment to James Warren & Associates (JWA) in the amount of \$174,500 for emergency sewer repairs on Baytree Road.

Consideration of a request for payment to CDM Smith Engineers for Phase 1 of the new Water Treatment Plant No. 2 Project.

Bradley Eyre, Director of Utilities, stated that on October 26, 2022, the City of Valdosta Utilities Department, with the assistance of CDM Smith Engineers, submitted a Georgia American Rescue Plan Act (ARPA) Grant Application for the Design and Construction of a new Water Treatment Plant to be located on the south side of the City. On February 22, 2022, the City Utilities Department received a notification from the Governor's Office of Planning and Budget (OPB) that we had a preliminary Grant award in the amount of \$12,075,000 pending approval of a final budget. On December 22, 2022, we received a notification that our final budget was approved by OPB. Since such time as the Utilities Department had been notified of the preliminary Grant award, the Utilities Department began the progress of preliminary planning activities to begin Site Acquisition and Plan Design Processes. The City was approved for a Grant Award of \$12,075,000. Along with the City's matching funds of \$4,025,000 (25%), the combined funds budgeted for the new Water Treatment Plant No. 2 total \$16,100,000. CDM Smith Engineering, who was selected by the City Utilities Department in 2017 to conduct a Future Water Study and then subsequently assisted the City in submitting for the ARPA Grant Award, was selected as the Engineering Consultant to design and provide oversight for the new Water Treatment Plant No. 2. At the Utilities

Department request, CDM Smith Engineers have provided a cost proposal for this new Water Treatment Plant No. 2 - Phase 1 in the amount of \$175,302 and subconsultant fees to Grosch Drilling Company for installation of a test well at a cost of \$93,880 for a total of \$269,182 for Phase 1 of this Project. Bradley Eyre, Director of Utilities, recommended that Council approve the request for payment not-to-exceed \$269,182 to CDM Smith Engineers for Phase 1 of the new Water Treatment Plant No. 2 Project.

A MOTION by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (7-0) to approve the request for payment not-to-exceed \$269,182 to CDM Smith Engineers for Phase 1 of the new Water Treatment Plant No. 2 Project.

Consideration of a request to purchase of two vacant parcels of land located at 400 South Patterson Street and 406 South Patterson Street.

Mark Barber, City Manager, stated that several months ago, Council gave him authorization to start negotiations for the purchase of several parcels of land located under the James Beck Overpass. The City Manager sent letters to the property owners to let them know of the City's interest in purchasing the parcels. There were two vacant parcels located at 400 and 406 South Patterson Street that the property owner was interested in selling to the City. The property at 400 South Patterson Street is approximately 0.11 acres and the parcel at 406 South Patterson Street is 0.032 acres. The City contacted Bryan Almand, Almand & Co., LLC, and asked him to conduct an appraisal of both parcels in January of 2022. After negotiations with the property owner, they agreed to sell both parcels to the City of Valdosta for \$13,500. Mark Barber, City Manager, recommended that Council approve the purchase of the two parcels located at 400 and 406 South Patterson Street in the amount of \$13,500.

A MOTION by Councilman Gibbs, seconded by Councilman Howard, was unanimously adopted (7-0) to approve the request to purchase two vacant parcels of land located at 400 South Patterson Street and 406 South Patterson Street in the amount of \$13,500.

Consideration of a request to select a Consultant to assist in the recruitment and selection of a new City Manager for the City of Valdosta.

Mayor Matheson stated that the current City Manager Mark Barber submitted his retirement letter in December of 2022 with an effective date of February 1, 2023. The Georgia Municipal Association (GMA) recently submitted the names of three Consultants that several other cities in the State of Georgia have used to assist them in their search for Executive/Upper Management positions. The names of the three Consultants submitted by GMA are as follows in no order of preference: (1) Colin Baenzinger & Associates - Phone: 561-707-3537 & Website: www.cb-asso.com, (2) Mercer Group Associates - Phone: 706-614-4961 & Website: mercergroupassociates.com, and (3) Slavin Management Consultants - Phone: 707-449-4656 & Website: www.slavinmanagementconsultants.com. Mayor and Council will need to make a decision as to which of these three Consultants they would like to retain to assist in the recruitment and selection of a new City Manager. Councilman Carroll stated that to properly go through the process for the selection of a Consulting Firm, he would like to make a motion.

A MOTION was made by Councilman Carroll to have the City Manager or his designee to engage with all three Consulting Firms that have been presented to Council and provide a written quote on how much they would charge for this service and once we have the quotes back, Council can then make the selection complete. Councilman Norton seconded the motion. Tim Tanner, City Attorney, inquired as to whether there was a motion to table with those instructions. Councilman Gibbs inquired as to whether they were going to put a timeframe on hearing back from the Consulting Firms. Councilman Carroll stated that it could be done before our next Council Meeting. Councilman Gibbs stated that he did not want it to be 30 days down the road. Councilman Carroll stated that it should be done before the next Council Meeting if not before then. They can process it at their next Council Meeting. Councilman Carroll and Councilman Norton were in agreement with tabling the request and to seek written quotes. The motion was unanimously adopted (7-0).

Consideration of a request for the selection of an Interim City Manager for the City of Valdosta.

Mayor Matheson stated that it was up to Council to take action.

A **MOTION** was made by Councilman Howard to name Richard Hardy, Deputy City Manager of Operations, as the Interim City Manager until they decide on a new City Manager. Councilman Norton seconded the motion. Mayor Matheson inquired as to whether there was an effective date. Councilman Howard stated that it would be effective February 1, 2023 until they name a City Manager. The motion was unanimously adopted (8-0).

CITIZENS TO BE HEARD

John Robinson, 3227 San Juline Circle, Lake Park, stated that he wanted to congratulate everyone who took office today. Today is a historic day for the City of Valdosta. This is the first time that the City has ever had someone appointed as a Black City Manager. He would like for Council to give him an opportunity and the chance that he deserves. He believes that Council selected the right person. He is a man who is fair and is someone who will give us some changes. This is the beginning of a new start and it is time that we recognize that this City needs to move forward in unity.

Chris Harvey, Mercer University Medical School in Macon, stated that he is a student at the Mercer University Medical School and he is here with another student on a population health rotation. They are looking to identify some issues in the rural areas of Georgia and they are currently doing a project over the next four years throughout their Medical School careers. They will be coming back to this same community implementing a project based on disparities that they identify, re-engineer, and then implement what they think is a well-oiled machine. The first part of the project is to interview some stakeholders within the community. He wanted to let Council know that if they or any citizens in Valdosta would like to talk to them, they would like to set something up over the next two weeks.

Cassandra Washington, sole proprietor of the Hair Works Beauty Salon located at 2131 Bemiss Road, stated that she has the distinct position of being a licensed shop owner in the same Plaza for over 30 years which is quite unique. Over the years, being a small and minority business owner, she has endured many challenges. Small businesses survive on one-week revenue at a time. When Covid hit the nation, it devastated them. With no immediate relief, they did the things necessary to stay afloat. In September of 2022, the City of Valdosta gave small businesses an opportunity to apply for the ARPA Small Business Grant. She applied early because she fit into the small priority group stating first preference. She checked every requirement and she even called the Finance Office on the things she was not sure of. For the E-Verify, they stated that because she was less than ten people that it was not necessary for her. After her submission, she waited for a response by phone, mail, and E-mail for this much needed approval. After she heard that the first distributions were given out, she called the Finance Office again and was told that if she did not qualify she would have received a letter of denial which she never did. She spoke about this matter to another small business owner and they suggested that she check her Spam E-mail and there it was. The deadline was over and the small business owner of over 30 years was not awarded and Grant funds. She is here today for an even greater transparency when Grants or other funds become available to the greater community including small businesses in particular. She suggests follow-up calls be made to qualifying business owners to ensure that the funds are distributed to the ones who need it most.

Alvin Baldwin, 701 Johnson Street, stated that he has been going through the mill trying to determine who owns a canal in the City of Valdosta because it floods all the way underneath his house. He and his wife have invested a lot of money in rehabilitation of the house in the Historical District. He was told yesterday that it was their responsibility to build a retainer wall to prevent the water from going underneath the house. How can the City help them build a retaining wall to help them from not losing their home over a period of time? Every time it rains like crazy they have to fight the water. It will make it difficult in the long run if they do decide to rent the house or sell it because someone will have a problem. It also floods on the side of the house so parking is an issue. If you go to the Boys and Girls Club, it floods the whole parking lot on the Oak Street side. Mr. Baldwin inquired as to who could help them with this problem.

CITY MANAGER'S REPORT

Mark Barber, City Manager, stated that he did not have a formal report this evening; however, he did want to congratulate Councilman McIntyre and Councilman Howard for their appointments tonight. Also, he cannot agree more with John Robinson than to congratulate his good friend Richard Hardy for being named Interim City Manager. That was the right choice.

Councilman Gibbs congratulated Councilman McIntyre for winning the election and stated that they are glad to have him on the City Council. He also congratulated Councilman Howard on being selected as the new Mayor Pro Tem and Richard Hardy as the new Interim City Manager.

Councilman Tooley congratulated everyone in their new positions and she thanked the City of Valdosta employees for their efforts in decorating Unity Park. She also thanked the Public Works Department and the Utilities Department for working so hard to make our City look good. Regarding the ARPA Small Business loan, she is still getting calls about it and inquired as to whether it was made publicly known that it was distributed. Mark Barber, City Manager, stated that it was made publicly known that the period had ended and the check distribution had taken place. It did take place in phases because there were some documents like a W-9 that the Finance Office had to have in order to cut a check; however, to date, all of the checks have been distributed. Councilwoman Tooley stated that there were a lot of people who did not receive notification and she did not think to tell them to check their Spam folder. Also, there were a lot of people who said their name was not on the list. She inquired as to whether the list was publicized. Mark Barber stated that the list was part of the Council Agenda Packet. They did not post that on the website because there is some confidentiality there.

Councilman Carroll stated that he has had a number of phone calls from small businesses who received their checks and they were very appreciative of those funds.

Councilwoman Miller-Cody stated that Councilman McIntyre is sitting in the honored seat and they are very honored to have him on the Council. All of the Council Members know how she felt about Councilman Vickers so she wanted to thank Councilman McIntyre for filling the seat. She also congratulated the new Mayor Pro Tem and Interim City Manager.

Councilman McIntyre thanked everyone for their warm welcome.

ADJOURNMENT

Mayor Matheson entertained a motion to adjourn the Regular Meeting and enter into Executive Session for the purpose of discussing real estate.

A MOTION by Councilman Howard, seconded by Councilman Norton was unanimously adopted (7-0) to adjourn the January 5, 2023 Meeting of the Valdosta City Council at 6:25 p.m. to enter into Executive Session for the purpose of discussing real estate.

Mayor Matheson reconvened the January 5, 2023 Meeting of the Valdosta City Council at 6:37 p.m. and stated that there was discussion of real estate in the Executive Session and no action was taken.

Mayor Matheson entertained a motion for adjournment.

A MOTION by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (7-0) to adjourn the January 5, 2023 Regular Meeting of the Valdosta City Council at 6:37 p.m. to meet again in Regular Session on Thursday, January 19, 2023.

City Clerk, City of Valdosta

Mayor, City of Valdosta