

**MINUTES**  
**MEETING OF THE VALDOSTA CITY COUNCIL**  
**5:30 P.M., THURSDAY, JULY 20, 2023**  
**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, Eric Howard, Ben Norton, and Vivian Miller-Cody. Councilman Thomas McIntyre and Councilman Tim Carroll were absent. The invocation was given by Councilman Andy Gibbs, followed by the Pledge of Allegiance to the American Flag.

**APPROVAL OF MINUTES**

The minutes of the Regular Meeting of June 8, 2023, the Special Called Meeting of June 21, 2023, and the Regular Meeting of July 6, 2023 were approved by unanimous consent (5-0) of the Council.

**LOCAL FUNDING AND REQUESTS**

Consideration of a request to approve matching funds for the Georgia Environmental Protection Division SFY2023 Regional Water Planning Seed Grant.

Bradley Eyre, Director of Utilities, stated that on October 26, 2022, the Utilities Department submitted a Grant application for the SFY 2023 Regional Water Planning Seed Grant. On January 30, 2023, the Georgia Environmental Protection Division (EPD) Grants Unit notified the Utilities Department that our application was selected for funding. In continuing efforts to support regional water quality and the environment, the Utilities Department made application for the fiscal year 2023 Regional Water Planning Seed Grant when the announcement was made in the fall of 2022. The Federal Grant Award amount award is \$74,887 with a total matching amount from the awardee of \$75,113 (total in-kind matching funds is \$30,087 and total cash matching funds of \$45,026). The Project total, including Grant funds and matching funds, is \$150,000. The Utilities Department has had preliminary discussions with the Valdosta State University Geosciences Department to provide their Environmental Program students and Department Head an opportunity to assist with the Grant Project and participate with some hands-on field experience data collection alongside our Staff. Bradley Eyre, Director of Utilities, recommended that Council approve the request for matching funds in the amount of \$75,113 for the Georgia Environmental Protection Division SFY2023 Regional Water Planning Seed Grant.

**A MOTION** by Councilman Gibbs, seconded by Councilman Norton, was unanimously adopted (5-0) to approve the request for matching funds in the amount of \$75,113 for the Georgia Environmental Protection Division SFY2023 Regional Water Planning Seed Grant.

**ORDINANCES AND RESOLUTIONS**

**ORDINANCE NO. 2023-21, AN ORDINANCE TO ESTABLISH QUALIFYING FEES AND DATES AND ENTER INTO A CONTRACT WITH THE LOWNDES COUNTY BOARD OF ELECTIONS FOR THE 2023 CITY OF VALDOSTA MUNICIPAL ELECTION**

Consideration of an Ordinance to establish qualifying fees and dates and enter into a contract with the Lowndes County Board of Elections for the 2023 City of Valdosta Municipal Election.

Richard Hardy, City Manager, stated that according to Georgia Code 21-2-131(a)(1)(A), the governing authority of any county or municipality shall fix and publish a qualifying fee for each county or municipal office to be filled in the upcoming primary or election no later than February 1<sup>st</sup> of any year in which a general primary, non-partisan election, or general election is to be held, and at least 35 days prior to the special primary or election. An advertisement will run in the Valdosta Daily Times. The Districts to be considered for election as well as the qualifying fees are as follows: (1) Mayor - \$765, (2) District 1 (Vivian Miller-Cody) - \$474, (3) District 3 (Thomas McIntyre) - \$474, (4) District 5 (Tim Carroll) - \$474, and (5) At Large (Ben Norton) - \$474. Additionally, a contract requesting the services of Lowndes County Board of Elections will be sent to the City upon approval of the

qualifying fees by the Mayor and Council. These services include qualifying of candidates, training poll workers, placing required ads, and other duties as may be required to conduct the November 7, 2023 Municipal Election. The Budget amount to be requested in the Fiscal Year 2024 Budget is \$30,000. If a Run-Off Election is necessary, it will also be conducted by the Lowndes County Board of Elections and held on December 5, 2023. Richard Hardy, City Manager, recommended that Council approve the Ordinance to establish the qualifying fees and dates for the 2023 Municipal Election and authorize the City Manager to enter into a contract with the Lowndes County Board of Elections to conduct the 2023 City of Valdosta Municipal Election.

**A MOTION** by Councilman Norton, seconded by Councilman Howard, was unanimously adopted (5-0) to enact Ordinance No. 2023-21, an Ordinance to establish qualifying fees and dates and enter into a contract with the Lowndes County Board of Elections for the 2023 City of Valdosta Municipal Election, the complete text of which will be found in Ordinance Book XIV.

### **ORDINANCE NO. 2023-22, AN ORDINANCE TO AMEND THE CITY OF VALDOSTA ANIMAL CONTROL ORDINANCE**

Consideration of an Amendment to the City of Valdosta Animal Control Ordinance.

Richard Hardy, City Manager, stated that the City needs to update the language used in our Animal Control Ordinance and streamline it with the Responsible Dog Ownership Law contained in OCGA §§ 4-8-20 - 4-8-33. The most important change the Law made was to update the classifications of dogs and definitions for the different types of classified dogs. The old classifications were: "Potentially Dangerous Dog" and "Dangerous Dog." The new classifications are: "Dangerous Dog" and "Vicious Dog." As such, we identified the portions of our Ordinance where these classifications were utilized and made the appropriate substitutions. Other than those substitutions, the only substantive changes made are highlighted in yellow to also make it in line with State Law with respect to the certificate of registrations of classified dogs and the transferability of dogs classified as vicious. Richard Hardy, City Manager, recommended that Council approve the Amendment to the Animal Control Ordinance.

**A MOTION** by Councilman Howard, seconded by Councilman Gibbs, was unanimously adopted (5-0) to enact Ordinance No. 2023-22, an Ordinance to amend the City of Valdosta Animal Control Ordinance, the complete text of which will be found in Ordinance Book XIV.

### **RESOLUTION NO. 2023-8, A RESOLUTION TO AUTHORIZE THE ADOPTION AND EXECUTION OF A FACILITY ENCROACHMENT AGREEMENT BETWEEN THE CITY OF VALDOSTA AND CSX RAILROAD FOR THE INSTALLATION OF A NEW 24" SEWER MAIN ACROSS THE RAILROAD RIGHT-OF-WAY AT THE LOCATION OF THE CITY'S EXISTING SANITARY SEWER TRUNK LINE**

Consideration of a Resolution to authorize the adoption and execution of a Facility Encroachment Agreement between the City of Valdosta and CSX Railroad for the installation of a new 24" sewer main across the railroad right-of-way at the location of the City's existing sanitary sewer trunk line.

Bradley Eyre, Director of Utilities, stated that the City's existing 20" ductile iron sanitary sewer line collapsed due to advanced deterioration on February 15, 2023. The City engaged Barge Design Solutions and RPI Underground Contractors to design and repair the existing sewer main. The final engineering design requires replacement of the existing 20" ductile sewer main with a new 24" sewer main installed by jack and bore across both Highway 84 right-of-way and CSX Railroad right-of-way. This Facility Encroachment Agreement pertains only to the utility installation across the railroad right-of-way. CSX railroad will require a permit fee of \$8,600 for the facility encroachment and utility installation. A Resolution has been prepared authorizing the adoption and execution of the Facility Encroachment Agreement between the City of Valdosta and CSX Transportation, Inc. Bradley Eyre, Director of Utilities, recommended that Council approve the Resolution authorizing the adoption and execution of the Facility Encroachment Agreement between the City of Valdosta and CSX Transportation, Inc.

**A MOTION** by Councilman Norton, seconded by Councilman Gibbs, was unanimously adopted (5-0) to approve Resolution No. 2023-8, a Resolution to authorize the adoption and execution of a Facility Encroachment Agreement between the City of Valdosta and CSX Railroad for the installation of a new 24" sewer main across the

railroad right-of-way at the location of the City's existing sanitary sewer trunk line, the complete text of which will be found in Resolution Book VII.

### CITIZENS TO BE HEARD

Rhonda Maxwell, 2311 Chattooga Drive, stated that she stays in a fairly decent neighborhood and she is concerned about the streets. The streets are full of litter all the time. She has addressed the situation with the Sanitation Department and she is not getting anywhere. She does not want to see the litter every day when she comes home or every morning when she leaves. It is really bad with restaurant boxes and diapers in the middle of four-way section. The City is not picking the yard debris up that is in front of everyone's home like they are supposed to and it looks bad. They try to keep their yards up in the subdivision and neighborhood. She may want to sell her house one day and it just makes the property value go down. There are also a lot of potholes in the street that need to be fixed.

Dr. Michael Noll, 2305 Glynnedale Drive, stated that he wanted to give Council an opportunity to ask him any questions they may have about the mural that Christ the King Episcopal Church put on the southern side of their building. The mural has been in the making for about two years and within the last two months they had the opportunity to get the Project rolling. They picked various individuals for the mural that they hope will provide an opportunity for all of us to reflect on ourselves and our society in terms of our successes and failures. They have presented their Project to the Public Art Advisory Committee and they were supportive of it. They also got a thumbs up from the Valdosta Historic Preservation Commission since this is something we should be or will be concerned about as a community in terms of the historical value of the building. There was a prior mural on the building and now they have a very large mural that should be completed by next week. The second reason he is here tonight is to ask the City Council for their support in providing a surveillance system like the one at the Martin Luther King Memorial and Bennie's Alley because due to the nature and the content of the mural, there is a possibility it could be vandalized. They saw that happen to the Mary Turner marker that was placed west of Hahira. They would like to protect mural which is a public piece of art. There will also be a dedication ceremony in August and Council will receive an invitation for that.

Louis Gordon, 2 Shanna Circle, stated that he works for an organization called the New Georgia Project and they are working on decriminalization of marijuana, and changing the marijuana laws in Georgia. They have 11 cities in Georgia who have changed their law to just give simple tickets instead of people getting locked up for it. He wants to have a conversation about what Valdosta can do. We need to be number 12. There is a lot of good research on it and it makes the quality of life better for citizens. There is a lot of weight put on communities of color by criminalization of marijuana. It is something that does not make sense to keep the prohibition on it. He is here to start the conversation on it and he is open to working together. He would like to see what we can do to be leaders in this area.

George Boston Rhynes, 5004 Oak Drive, stated that a few months ago he spoke to the Council about the Georgia flag and some of the Council Members assured him that the flags were up. He would like for them to go to the Valdosta High School which is one of the most expensive buildings in town. The eyes of this nation are on south Georgia and southeast Georgia. He was called to Coffee County last week regarding the breach of voting equipment. He has been in three documentaries and two other agencies want him to participate in more documentaries. He would like to provide copies of it to the Mayor and Council at some point. There is a lot going on even though we may not see it. People are focused on what is going on here in Valdosta. Not too many years ago, 15 people were arrested trying to get the name of Barber Park changed. He hopes that when the big trucks roll in with a much bigger camera than his that we can display flags as other cities and counties. He has been talking about this for seven years. He remembers when the Sheriffs' vehicles had the Georgia Confederate flag on the front of it. There is no Georgia flag on it now. The City Police had the Georgia State flag on the front of their vehicles and it is not there anymore in Valdosta and Lowndes County. The State Patrol also had it. He just hopes at some point that the people in Valdosta can understand what is going on. He has pictures of churches, buildings, and businesses that had the old Confederate flag up. It seems like this thing is much deeper than some of us want to address. He will assure you that as long as Georgia is a part of this republic, he is going to stand for veterans and the Commanders and Airmen at Moody Air Force Base because he served 20 years and he loves the United States of America.

Councilwoman Tooley stated that she wanted to make a comment about Citizens to be Heard and get something clarified. One of the things that she has heard from the citizens is that the Policy of the Council is to get back to them and if a citizen is going to speak on the same thing, then they should have one spokesperson. It has been said to her that we do not let them speak. She has said that every citizen has an opportunity to speak regardless of what they are going to speak on. That is her understanding of the Citizens to be Heard. She asked for the City Attorney to clear it up because some of the citizens are on television watching. If two people want to talk about the same thing, will they both be allowed to speak? Tim Tanner, City Attorney, stated that it is an advisory opinion that should happen to make it flow a little better. Mayor Matheson stated that during his time in office they have not stopped someone from being repetitive. Councilwoman Tooley stated that she told the citizens that this is open to the public and they are welcome to ask any questions. Some of the citizens felt like three minutes was not enough time to speak. She just wanted to clear that up.

### **CITY MANAGER'S REPORT**

Richard Hardy, City Manager, stated that on Saturday, July 22, 2023, there will be a Christmas in July event in Downtown Valdosta from 10:00 a.m. to 2:00 p.m. On Monday, July 24, 2023, the Photo Contest Awards Reception will be held at 5:00 p.m. at the Turner Center for the Arts. On Thursday, July 27, 2023, there will be Coffee with the City Managers at 7:30 a.m. to 9:00 a.m. at The McKey. On Saturday, July 29, 2023, there will be a road cleanup at 9:00 a.m. to 11:00 a.m. at 2941 North Ashley Street (Jersey Mike's). On Saturday, August 5, 2023, there will be a Back to School Block Party at Drexel Park.

### **COUNCIL COMMENTS**

Councilman Howard stated that he wanted to address the citizen who came up and spoke about the trash in her neighborhood. This goes back to us holding one another accountable. We need to keep our neighborhoods up. Maybe we need to get with Police Chief Manahan and also strengthen the littering laws. People throwing trash and diapers out needs to be addressed as a community. You have to be proud of your community. The Sanitation Department comes by once a week but it is up to us as individuals to make sure we do not throw trash out in the street. If you see someone littering then you need to give someone a call. No one wants to look outside of their house and see trash and filth. Those are things that we are going to have to do as a community if we want to be proud of where we live. Also, the young man who spoke about the marijuana, they did that the first year he was on the Council. They just did not advertise it in the paper. We gave people citations but they just were not advertising that because they did not want people riding around smoking marijuana. There are a lot of things we can learn from conversations if citizens want to schedule a meeting with the Council.

Mayor Matheson stated that Carlos Hundley had a Learning Loss Program graduation today. Councilman Gibbs, Representative John LaHood, Adrian Rivers, City Manager Richard Hardy, Assistant City Manager Catherine Ammons, and himself were all in attendance. It was inspirational to see those future Educators and retired Educators giving up their summer to avoid the learning loss gap. It was wonderful to see those young people graduate. Also, there is a river cleanup this Saturday, July 22, 2023 at Sugar Creek behind the Salty Snapper and then all the way to the Troupville Boat Ramp beginning at 9:00 a.m. to 11:00 a.m.

### **ADJOURNMENT**

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

**A MOTION** by Councilman Norton, seconded by Councilman Howard, was unanimously adopted (5-0) to enter into Executive Session at 6:09 p.m. for the purpose of discussing real estate and litigation.

Mayor Matheson reconvened the Regular Meeting at 6:47 p.m. and stated that there was discussion of real estate and litigation in Executive Session and no action will need to be taken.

Mayor Matheson entertained a motion for adjournment.

A **MOTION** by Councilman Norton, seconded by Councilman Gibbs, was unanimously adopted (5-0) to adjourn the July 20, 2023 Regular Meeting of the Valdosta City Council at 6:48 p.m. to meet again in Regular Session on Thursday, August 10, 2023.

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City Clerk, City of Valdosta

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Mayor, City of Valdosta