

**MINUTES
MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, NOVEMBER 9, 2023
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: Thomas McIntyre, Andy Gibbs, Eric Howard, Sandra Tooley, and Tim Carroll. Council members absent were Ben Norton and Vivian Miller-Cody. The invocation was given by Pastor Brinson Barker, New Covenant Church, followed by the Pledge of Allegiance to the American Flag.

APPROVAL OF MINUTES

The Minutes from the October 5, 2023 and the October 19, 2023 Regular Meeting are forthcoming.

PUBLIC HEARINGS

ORDINANCE NO. 2023-29, AN ORDINANCE TO REZONE 2.52 ACRES FROM SINGLE-FAMILY RESIDENTIAL (R-10) TO MULTI-FAMILY RESIDENTIAL (R-M)

Consideration of an Ordinance to rezone 2.52 acres from Single-Family Residential (R-10) to Multi-Family Residential (R-M) as requested by Hickory Heights LLC (File No. VA-2023-16). The properties are located at 802 Harmon Drive, 1501 Hickory Road, and 1509 Hickory Road. The Planning Commission reviewed this at their October 30, 2023 Regular Meeting and recommended approval (8-0 Vote).

Matt Martin, Planning Director, stated that Hickory Heights LLC is requesting to rezone a total of 2.52 acres from Single-Family Residential (R-10) to Multi-Family Residential (R-M). The properties are located at 802 Harmon Drive, 1501 Hickory Road, and 1509 Hickory Road along the south side of the road between 500 and 1,200 feet east of North St. Augustine Road. The applicant is the owner of these properties as well as the property in between (1.79 acres, 1505 and 1507 Hickory Road) which is already zoned R-M. These properties currently contain several single-family residences as rental property. The applicant is proposing to demolish all of these residences, combine all of these properties together into one tract of land (4.31 acres total), and redevelop the entire property as one apartment complex with 75+ dwelling units. The properties are located within a Community Activity Center (CAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of R-M Zoning. It should be noted that the existing R-10 Zoning on the property is non-compliant with the CAC Character Area (not intensive enough). The properties are part of a residential neighborhood that was one of the unincorporated islands that were annexed by the City in 2006. These properties had R-10 Zoning in the County and were given R-10 Zoning in the City upon annexation. In the years leading up to its annexation, this area was once dominated by owner occupied single-family housing and it was considered a very stable neighborhood; however, this characteristic has since changed to one that is now dominated by rental houses and a large apartment complex in the rear area along Harmon Drive (owned by the applicant). While the neighborhood was still in the County, even some non-residential uses crept in through special approvals in R-10 Zoning and there was even a failed neighborhood buyout attempt for a proposed shopping center. Over the past 10 years, the Candlewood Suites hotel has been constructed on property that was rezoned to C-C, and the neighborhood's Character Area has been changed from Transitional Neighborhood (TN) to Community Activity Center (CAC) for the specific purpose of furthering the transition of this neighborhood to an area of higher intensity development. Resulting from this was a 2018 rezoning of the 1.79 acres in between the subject properties from R-10 to R-M (by an out-of-town developer) for the purposes of developing a separate apartment complex. The plans for that complex were fully reviewed and approved by the City, but the actual construction of the Project never commenced. The current applicant later acquired the property, along with the current subject properties, and is simply proposing to combine them all together to develop a larger complex which will be managed in conjunction with the applicant's existing complex to the northeast. As an overall future land use pattern for the area, Staff continues to believe the majority of properties toward the rear of the neighborhood are very well-suited for multi-family or professional office development. Light commercial development should occur on assembled properties fronting North St. Augustine Road. The applicant's proposal is in keeping with this overall land use projection.

The applicant has also informally expressed a desire to continue his redevelopment efforts in the area with future phases of multi-family development that are adjacent to these subject properties and that are based on an overall master plan. Staff found this encouraging and therefore supports this request. Staff found the request consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommended approval. The Planning Commission reviewed this at their October 30, 2023 Regular Meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (8-0 Vote).

Bobby Diaz, Owner and Developer of the Hickory Heights Project, spoke in favor of the request. Mr. Diaz stated that he is also the Owner and Developer of 805 Harmon Heights which are the apartments adjacent to this Project. He currently manages that and is looking to expand and add value to the community.

No one spoke in opposition to the request.

A MOTION by Councilman McIntyre, seconded by Councilman Carroll, was unanimously adopted (5-0) to enact Ordinance No. 2023-29, an Ordinance to rezone 2.52 acres from Single-Family Residential (R-10) to Multi-Family Residential (R-M) as requested by Hickory Heights LLC for properties located at 802 Harmon Drive, 1501 Hickory Road, and 1509 Hickory Road, the complete text of which will be found in Ordinance Book XIV.

ORDINANCE NO. 2023-30, AN ORDINANCE TO REZONE 4.33 ACRES FROM RESIDENTIAL-PROFESSIONAL (R-P) TO COMMUNITY-COMMERCIAL (C-C)

Consideration of an Ordinance to rezone 4.33 acres from Residential-Professional (R-P) to Community-Commercial (C-C) as requested by Harden Rental Network LLC (File No. VA-2023-17). The property is located at 2607 Bemiss Road. The Planning Commission reviewed this at their October 30, 2023 Regular Meeting and recommended approval (8-0 Vote).

Matt Martin, Planning Director, stated that Harden Rental Network LLC is requesting to rezone 4.33 acres from Residential-Professional (R-P) to Community-Commercial (C-C). The property is the rear portion of the existing parcels located at 2607 Bemiss Road, which is along the east side of the road about 600 feet north of Northside Drive. This is also diagonally across from the intersection of Bemiss Road and Connell Road. The front portion of these parcels (1.60 acres) is already zoned C-C. This front portion contains an existing single-family residence which is currently vacant. The remainder of the property (4.33 acres) is zoned R-P and is currently undeveloped and heavily wooded. The applicant is proposing to combine the parcels and redevelop the entire tract of land (5.93 acres total) under all C-C Zoning. This includes converting the existing residence to a business office and constructing a dog kennel facility on the interior portion. The kennel facility would require a Conditional Use Permit (CUP) approval in C-C Zoning, and the applicant may submit the CUP request at a later date (if the rezoning to C-C is approved). No site plan for the kennel facility has yet been prepared but will be required upon CUP submittal. The property is located within a Community Activity Center (CAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of C-C Zoning. The property is part of a much broader commercial area along the Bemiss Road corridor, which is dominated by various levels of commercial zoning, as well as mostly commercial land use patterns. The proposed C-C Zoning for the subject property matches the existing C-C on the remainder of the property and is less intensive than the C-H Zoning found on most of the properties to the north along Bemiss Road. Although there is an existing single-family neighborhood to the east, there is no physical connection or access to the neighborhood from the subject property. The City's general development standards will require substantial buffering between these different zoning areas, and fortunately there is already dense vegetation throughout this required buffer area. Staff found the request consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommended approval. The Planning Commission reviewed this at their October 30, 2023 Regular Meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (8-0 vote).

Stacy Denmark, Applicant, spoke in favor of the request. Ms. Denmark stated that she would be glad to answer any questions that Council may have.

No one spoke in opposition to the request.

A **MOTION** made by Councilman Howard, seconded by Councilman Gibbs, was unanimously adopted (5-0) to enact Ordinance No. 2023-30, an Ordinance to rezone 4.33 acres from Residential-Professional (R-P) to Community-Commercial (C-C) as requested by Harden Rental Network LLC for property located at 2607 Bemiss Road, the complete text of which will be found in Ordinance Book XIV.

ORDINANCE NO. 2023-31, AN ORDINANCE TO GRANT PLANNED DEVELOPMENT APPROVAL FOR A RESIDENTIAL PLANNED DEVELOPMENT IN SINGLE- FAMILY RESIDENTIAL (R-15) ZONING

Consideration of an Ordinance to grant Planned Development Approval for a Residential Planned Development in Single-Family (R-15) Zoning as requested by Tripp Talley and Sam Straka (File No. VA-2023-18). The property is located at 2206 North Oak Street. The Planning Commission reviewed this at their October 30, 2023 Regular Meeting and recommended approval subject to four conditions (8-0 Vote).

Matt Martin, Planning Director, stated that Mr. Tripp Talley and Mr. Sam Straka are requesting Planned Development approval for a non-conventional Single-Family Residential development in a Single-Family Residential (R-15) Zoning District. The property consists of 0.88 acres located at 2206 North Oak Street, which is located at the southwest corner of North Oak Street and Terrace Blvd. The applicants are proposing to subdivide this existing large vacant lot into three individual lots utilizing a non-conventional lot layout with a shared residential driveway. The applicant is then proposing to construct three individual houses on each lot with a coordinated architectural design that is Craftsman style. The lot sizes are proposed to range from 12,093 to 13,072 square feet. The heated floor area of each house is proposed to range from 1,755 to 1,860 square feet. Some of the lots will have reduced minimum lot width and building setbacks than what is normally required in R-15 Zoning. The applicant states they will be marketing all of the homes for sale, rather than for rent. The property is located within an Established Residential (ER) Character Area on the Future Development Map of the Comprehensive Plan. Conventionally, under R-15 Zoning, the property can be easily subdivided into two lots meeting all of the R-15 requirements. The total area of the property (38,195 square feet) is not quite large enough to make three lots in R-15 despite the fact that it has ample total street frontage to make the three lots. LDR guidelines for Planned Development proposals allow an applicant to request up to 20% bonus density in exchange for superior aesthetics and creative site design with due justification. In this case, the applicants are requesting the 20% bonus, which increases the allowable unit density calculation from 2.546 to 3.055, and hence the request for a total of three dwelling units. As with all Planned Development requests, the applicants are requesting a few deviations from the City's standard development code for R-15 Zoning. The most significant deviation of these is the reduction in lot area for all three proposed lots from the minimum 15,000 square feet requirement to a proposed average of only 12,732 square feet. Other deviations include a slight reduction in lot width and building setbacks for some of the proposed lots. When comparing the applicant's proposal to the six nearby properties that are zoned R-15, the proposal exceeds the existing averages on these other properties. A summary comparison of these is as follows: (1) Lot Area (nearby 6 properties) - 7,841-16,117 square feet and the average is 12,342 square feet, (2) Lot Area (proposal) - 12,093-13,072 square feet and the average is 12,732 square feet, (3) Lot Width (nearby 6 properties) - 50-110 feet and the average is 78 feet, (4) Lot Width (proposal) - 80-109 feet and the average is 101 feet, (5) Heated Floor Area (nearby 6 properties) - 1,178-1,659 square feet and the average is 1,334 square feet, (6) Heated Floor Area (proposal) - 1,755-1,860 square feet and the average is 1,790 square feet. Conventionally, the applicant would be allowed an individual driveway for each house, and there would be no controls or guidelines regarding the style or overall character of the house design; however, as trade-off for the bonus density and minor deviations, the applicants are proposing to consolidate the three driveways into only one (accessing Terrace Boulevard), increase the minimum required heated floor area of each house, and mandate a coordinated and attractive house design. With proper conditions of approval, Staff believes this is a very good proposal for infill development that truly meets the overall intent and objectives of Planned Development, on a tract of land that has been sitting vacant for several years. Staff found the request consistent with the Comprehensive Plan and the Planned Development Review Criteria, and recommended approval subject to the following conditions: (1) Approval shall be granted for a non-conventional single-family residential subdivision in general accordance with the submitted master plan, with a maximum of three detached dwelling units on individual lots that are at least 12,000-sf, and with the depicted minimum building setback distances for each Lot as shown. Permitted uses in the development shall be limited to

only single-family dwellings, private gardens, internal open space, keeping of household pets, or Home Occupations which produce no customer or client traffic and are in strict accordance with LDR Section 218-13(HH). There shall be no Home Businesses, Home Daycares, Accessory Dwellings, Personal Care Homes, short-term rentals, nor any other LDR defined permitted or conditional use allowed. (2) All dwellings within the development shall reflect a generally Craftsman style architecture similar to the submitted façade drawings and shall contain at least 1,700-sf heated GFA. There shall be no metal or vinyl siding materials allowed. (3) The development shall utilize a shared private residential driveway from Terrace Boulevard for all dwellings, and there shall be no vehicular access to North Oak Street. (4) Planned Development approval shall automatically expire two years from the date of approval, if no subdivision plat for the entire approved Development has been recorded by that date. The Planning Commission reviewed this at their October 30, 2023 Regular Meeting, found it consistent with the Comprehensive Plan and the Planned Development Review Criteria, and recommended approval subject to the same four conditions as recommended by Staff (8-0 Vote).

Councilman Gibbs inquired as to whether Condition No. (2) refers to the square footage of the house. Matt Martin stated that it has to do with the style and the square footage minimum for the houses. Councilman Gibbs inquired as to whether it was possible to modify that so that one lot can be a minimum of 1,600 square feet for the house and then the other two will have to maintain the minimum 1,700 square feet. Matt Martin stated one below the 1,700 square footage is a lot more acceptable than across the board. Lot Number 1 is a more narrow configuration than the others and he could see some justification of having one maybe just a little bit smaller. They could stipulate that as a change to Condition No. (2).

Tripp Talley, Applicant and Developer of this Project, spoke in favor of the request. Mr. Talley stated the layout that they are proposing matches the character area of what is currently surrounding it. The Craftsman style homes will be very appealing to the corner side of Oak Street.

No one spoke in opposition to the request.

A MOTION was made by Councilman Gibbs to approve the request to grant Planned Development Approval for a Residential Planned Development in Single-Family (R-15) Zoning as requested by Tripp Talley and Sam Straka for property located at 2206 North Oak Street with the following four conditions: (1) Approval shall be granted for a non-conventional single-family residential subdivision in general accordance with the submitted master plan, with a maximum of 3 detached dwelling units on individual lots that are at least 12,000-sf, and with the depicted minimum building setback distances for each Lot as shown. Permitted uses in the development shall be limited to only single-family dwellings, private gardens, internal open space, keeping of household pets, or Home Occupations which produce no customer or client traffic and are in strict accordance with LDR Section 218-13(HH). There shall be no Home Businesses, Home Daycares, Accessory Dwellings, Personal Care Homes, short-term rentals, nor any other LDR defined permitted or conditional use allowed. (2) All dwellings within the development shall reflect a generally Craftsman style architecture similar to the submitted façade drawings. One of the dwellings shall contain at least 1,600-sf heated GFA, and the other two shall contain at least 1,700-sf heated GFA. There shall be no metal or vinyl siding materials allowed. (3) The development shall utilize a shared private residential driveway from Terrace Blvd for all dwellings, and there shall be no vehicular access to North Oak Street. (4) Planned Development approval shall automatically expire two (2) years from the date of approval, if no subdivision plat for the entire approved Development has been recorded by that date. Councilman McIntyre seconded the motion. The motion was unanimously adopted (5-0) to enact Ordinance No. 2023-31, the complete text of which will be found in Ordinance Book XIV.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 2023-32, AN ORDINANCE TO AMEND THE CITY OF VALDOSTA GEORGIA MUNICIPAL EMPLOYEE BENEFITS SYSTEM (GMEBS) DEFINED BENEFIT RETIREMENT PLAN AND ADOPTION AGREEMENT AND APPROVE THE ADOPTION OF THE RESTATED PLAN DOCUMENTS

Consideration of an Ordinance to amend the City of Valdosta Georgia Municipal Employee Benefits System (GMEBS) Defined Benefit Retirement Plan and Adoption Agreement and approve the adoption of the restated Plan documents.

Jennie Boyer, Human Resources Director, stated that in the past the City has adopted the Georgia Municipal Employees Benefit System (GMEBS) Master Defined Benefit Retirement Plan (Plan) and the appropriate Adoption Agreement. Valdosta is one of 285 cities in Georgia in the GMEBS retirement system. The Retirement Plan is administered by GMEBS for the 285 member cities. An Amendment to the Plan changes the minimum hours required for participation in the Plan from 20 hours per week to 30 hours per week for eligible regular employees initially employed or re-employed on or after January 1, 2024. The minimum hour requirement will continue to be 20 hours per week for eligible regular employees in service with the City on or before December 31, 2023, as long as they do not become re-employed. The Adoption Agreement provides that the amended Plan documents will become effective January 1, 2024. The City's request for a Plan Amendment coincides with the restatement of the GMEBS Defined Benefit Retirement Plan documents with the IRS. In order to protect the Plan's tax-qualified status, GMEBS filed draft restated Plan documents, which have been updated to include recent Amendments and to comply with changes in Federal tax law, with the IRS on June 29, 2022. On August 31, 2023, the IRS issued a favorable opinion letter for the restated Plan documents. The IRS opinion letter provides an assurance to employers providing retirement benefits for their employees through the GMEBS Plan that GMEBS is maintaining a qualified pension benefit program that allows employees to accrue benefits tax-free until retirement benefits are distributed to them. To ensure continued tax-qualified status for all GMEBS-member retirement plans, an Ordinance has been prepared for approval by the Mayor and Council for re-adoption of the City's Plans using the most recent IRS-approved Adoption Agreement and General Addendum. Jennie Boyer, Human Resources Director, recommended that Council approve the Ordinance for a change in hours required per week for Eligibility to participate in the Requirements for the GMEBS Defined Benefit Retirement Plan and Adoption Agreement and approve the adoption of the restated Plan documents.

A **MOTION** made by Councilman Carroll, seconded by Councilman Gibbs, was unanimously adopted (5-0) to enact Ordinance No. 2023-32, an Ordinance to amend the City of Valdosta Georgia Municipal Employee Benefits System (GMEBS) Defined Benefit Retirement Plan and Adoption Agreement and approve the adoption of the restated Plan documents, the complete text of which will be found in Ordinance Book XIV.

ORDINANCE NO. 2023-33, AN ORDINANCE FOR A NEW CITY OF VALDOSTA PERSONNEL POLICIES DOCUMENT

Consideration of an Ordinance for a new City of Valdosta Personnel Policies document.

Jennie Boyer, Human Resources Director, stated that the current Personnel Policies and Procedures document was adopted by Mayor and Council on June 25, 2015 with an effective date of July 25, 2015. Since that time, there has been considerable changes to employment regulations and guidelines. Some of the information contained in the current Personnel Policies and Procedures document is outdated or obsolete, resulting in inconsistent or confusing application throughout City Departments. In addition to the need to revise or modify the procedures for the updated environment, there is also a need to create additional procedures that clarify or set expectations in areas not addressed in the current document. The new document will provide enduring principles and guidelines for the City's employment philosophy. The City's practices and procedures will be contained in a new document that will be dynamic and responsive allowing us to adapt quickly to an ever changing employment environment. The separation into two documents will strike a balance between stability and flexibility ensuring that we hold steady to our guiding principles and at the same time remain responsive to our evolving workforce dynamics. Jennie Boyer, Human Resources Director, recommended that Council approve the Ordinance to repeal the existing Personnel Policies and Procedures document and create a new Personnel Policy document.

A **MOTION** was made by Councilman Carroll to approve an Ordinance for a new City of Valdosta Personnel Policies document. Councilman Gibbs seconded the motion. The motion was adopted (4-1) with Councilwoman Tooley voting in opposition to enact Ordinance No. 2023-33, the complete text of which will be found in Ordinance Book XIV.

RESOLUTION NO. 2023-14, A RESOLUTION AUTHORIZING THE CITY OF VALDOSTA TO OPT-OUT AND FILE A REQUEST FOR EXCLUSION FROM THE NATIONWIDE CLASS ACTIONS/SETTLEMENTS RELATED TO PER-AND POLYFLUOROALKYL SUBSTANCES (PFAS) AND ENTER INTO AN AGREEMENT TO AUTHORIZE ATTORNEYS TO REPRESENT THE CITY REGARDING PFAS ISSUES

Consideration of a request to adopt and approve a Resolution authorizing the City of Valdosta to OPT-OUT and file a request for exclusion from the Nationwide Class Actions/Settlements Related to Per-And Polyfluoroalkyl Substances (PFAS) and to enter an Agreement to authorize Attorneys, J. Anderson Davis and Jeffrey E. Friedman, to represent the City regarding PFAS issues.

Richard Hardy, City Manager, stated that there have been nationwide class action/settlements entered into with multiple Defendants, including 3M Company, The Chemours Company, The Chemours Company FC, LLC, DuPont de Nemours, Inc., Corteva, Inc., and E.I. DuPont de Nemours and Company, in MDL 2873 in the United States District Court for the District of South Carolina, Charleston Division, 2:18-mn-02873-RMG. The City of Valdosta wishes to OPT-OUT and file a Request for Exclusion to the action/settlements to avoid being bound by any settlement, judgments and/or other final disposition. This will reserve the City's ability to pursue claims against Defendants separately if warranted. The EPA recently disseminated a federally enforceable Maximum Contaminant Level ("MCL") of 4 parts per trillion for two perfluorochemicals in drinking water - PFOA and PFOS. The EPA also announced planned regulations for PFAS in wastewater effluent, although these regulations are not as far along as the drinking water regulations. PFAS cannot be removed from water or wastewater by conventional filtration methods. PFAS has no taste, odor, or color, and it does not degrade in the environment. Even more alarming is the fact that "according to the best available science" from the U.S. EPA, PFOS and PFOA are thousands of times more toxic than originally thought. From information that was produced by 3M involving the City of Rome, Georgia litigation, Valdosta may have been exposed to PFAS from manufacturing facilities that applied Scotchgard to consumer products and from government use of AFFF firefighting foam. This exposure may have led to the presence of PFAS in the City's raw water sources. The City of Valdosta has determined that the investigation, research, and litigation of the claims may require the expenditure of large sums of money and require the work of numerous Lawyers, Paralegals, and others who are familiar with the actions and/or inactions and related issues of PFAS and for an extended period of time, and has further determined that it is in the best interests of the City and its citizens that the City authorize Attorneys, J. Anderson Davis, and Jeffrey E. Friedman to represent it in such litigation and to associate other Counsel, if needed, to proceed with the claims against the companies responsible for the PFAS compounds and contamination. They have successfully represented other municipalities in the State which it is believed faced more significant PFAS exposure. The Request for Exclusion must be received by the Notice Administrator no later than December 11, 2023. Richard Hardy, City Manager, recommended that Council approve and adopt the Resolution to allow the City to OPT-OUT and file a request for exclusion from the nationwide class settlements related to PFAS and authorize Attorneys, J. Anderson Davis, and Jeffrey E. Friedman to represent the City of Valdosta in such litigation.

A MOTION made by Councilman Gibbs, seconded by Councilman Carroll, was unanimously adopted (5-0) to enact Resolution No. 2023-14, a Resolution authorizing the City of Valdosta to OPT-OUT and file a request for exclusion from the Nationwide Class Actions/Settlements Related to Per-And Polyfluoroalkyl Substances (PFAS) and to enter an Agreement to authorize Attorneys, J. Anderson Davis and Jeffrey E. Friedman, to represent the City regarding PFAS issues, the complete text of which will be found in Resolution Book VII.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of a request for the purchase and replacement of West Train Clarifiers at Mud Creek Water Pollution Control Plant.

Jason Barnes, Assistant Utilities Director, stated that the West Train Clarifiers have been in service at the Mud Creek Water Pollution Control Plant since 1977 with upgrades and replacements made in 1986 and 2011, according to Plant Operators. The drive motors for all the secondary clarifiers were replaced between 12 and 14 years ago. The purpose of the West Train Clarifiers is to remove mixed liquor and solids from the wastewater. Suspended solids leave the aeration tanks and can settle out in the clarifiers. The existing clarifiers are center feed type units containing a flocculating well. Solids that settle out in the clarifiers are removed to 95% removal rate. Clarifier effluent gravity flows to the tertiary filters for additional treatment before being sent to the UV channel for disinfection. The West Train Clarifiers are not allowing the correct amount of flow from the aeration basins. Recent studies show a 25% efficiency rate for the two deficient clarifiers compared to the 75% efficiency rate of the East Train Clarifiers. This low efficiency rate greatly reduces the treatment capability of the two clarifiers and negatively affects overall Plant performance, especially during rain events. Replacing the 10 year old plus clarifier

drives and removing the rag ball that is entangled within the drive will increase the performance of the West Train Clarifiers. The following three quotes were received by the Utilities Department: (1) Rebuild-it Services Group - Option (1) pricing for two new MC30 drive units with adapter steel, control panels, and labor turn-key services - \$136,756.00 which includes freight, installation, and off-loading/loading of drives. (2) Rock Water Equipment - Option (1) pricing for two new CM30 drive units with adapter steel, control panels, and labor turn-key services - \$148,556.00. Includes freight, installation, and off-loading/loading of drives. (3) WesTech Engineering, LLC - Option (1) two WesTech C31 Cage Drives - \$160,250.00. Jason Barnes, Assistant Utilities Director, recommended that Council approve the quote submitted by Rebuild-it Services Group in the amount of \$136,756.00 and allow the Utilities Department to proceed with the purchase and replacement of the West Train Clarifiers at the Mud Creek Water Pollution Control Plant.

A MOTION by Councilman Carroll, seconded by Councilman Howard, was unanimously adopted (5-0) to approve the quote submitted by Rebuild-it Services Group in the amount of \$136,756.00 and allow the Utilities Department to proceed with the purchase and replacement of the West Train Clarifiers at the Mud Creek Water Pollution Control Plant.

Consideration of a revised Intergovernmental Agreement with the Valdosta Housing Authority for the Griffin Avenue Affordable Housing Project.

Chuck Dinkins, Finance Director, stated that on May 15, 2023, the City entered into an Intergovernmental Agreement with the Valdosta Housing Authority to facilitate the acquisition and development of real property for the purpose of developing affordable housing (the Griffin Avenue Project). As part of this Agreement, the City agreed to provide a construction loan in the amount of \$2,400,000 from American Rescue Plan Act (ARPA) Funds to partially fund the development costs of the Project. The first phase of the subject property has been acquired and the Valdosta Housing Authority and the developer are preparing to begin construction. Given changes in economic conditions and the completion of the real estate acquisition, changes to the terms of the loan are needed as well as restatement of certain sections of the Intergovernmental Agreement. The City Attorney has drafted a restated Intergovernmental Agreement for approval by Council. This restatement reflects the fact that the real estate acquisition has been completed and clarifies the loan terms. In addition to clarifying the terms of the loan, it provides the borrower with the opportunity to cure breaches before the property automatically reverts to the City. It also brings the Agreement into conformity with the Memorandum of Understanding (MOU) on the same subject. Finally, it clarifies that the City Manager is authorized to sign future documents related to this Agreement. Chuck Dinkins, Finance Director, recommended that Council approve the revised Intergovernmental Agreement with the Valdosta Housing Authority for the Griffin Avenue Affordable Housing Project.

A MOTION by Councilman McIntyre, seconded by Councilman Gibbs, was unanimously adopted (5-0) to approve the revised Intergovernmental Agreement with the Valdosta Housing Authority for the Griffin Avenue Affordable Housing Project.

LOCAL FUNDING AND REQUESTS

Consideration of a request to approve a Proposal to complete the FY 2025-2029 Consolidated Plan, the FY 2025 Annual Action Plan, and the FY 2025 Analysis of Impediments to Fair Housing for the City of Valdosta Community Development Block Grant (CDBG) Program.

Anetra Riley, Neighborhood Development & Community Protection Manager, stated that every five years, as a Community Development Block Grant (CDBG) Entitlement Community with the U. S. Department of Housing and Urban Development (HUD), we are required to create a Consolidated Plan (Con Plan). The Con Plan is a Strategic Plan of possible activities completed in our community with our CDBG allocations for the next five years (FY 2025-2029). Traditionally, the year one Annual Action Plan of the completed Con Plan. Our last Analysis of Impediment (AI) was completed during FY 2020. Next year is the final year of the FY 2020-2024 Consolidated Plan for the City of Valdosta's CDBG Program. The FY 2023 Annual Action Plan has been completed, submitted, and approved by the U. S. Department of Housing & Urban Development (HUD). Staff submitted a Request for Qualifications (RFQ) in August of 2023 to solicit a Consultant to complete the FY 2025-2029 Con Plan, FY 2025 Annual Action Plan (AAP), and the FY 2025 Analysis of Impediments for Fair Housing (AI) which will be due to

HUD by May 15, 2025. In order to start the Con Plan process, a Contractor must be selected to complete the AI, which must be completed and submitted 180 days before our Con Plan. The RFQ requested the selected Contractor to complete the AI first, and next complete the Con Plan and AAP for the City of Valdosta. The RFQs submitted were opened on September 15, 2023. Four consultants submitted proposals: (1) JQUAD, who was disqualified because they didn't meet requirements, (2) BluLynx Solutions, (3) Civitas, and (4) Ask Development Solutions and AMA Consulting Group LLC. The RFQ Review Committee was comprised of Kimberly Hobbs, South Georgia Regional Commission, Keyara Hamilton, Goodwill, Matt Martin, Planning Director, City of Valdosta, Jeff Brammer, Special Projects/Historic Preservation, City of Valdosta, and Yuershema Flanders, Executive Director of LAMP. Attached are all the finalized scoring rubric for the Consultants who submitted responses to the RFQ. After tabulating the results, there was a tie between BluLynx Solution and Civitas. After reviewing both Proposals, Staff has selected to go with BluLynx Solutions to complete all the requested reports for \$28,690. Anetra Riley, Neighborhood Development & Community Protection Manager, recommended that Council approve the Proposal submitted by BluLynx Solutions in the amount of \$28,690 to complete the FY 2025-2029 Consolidated Plan, the FY 2025 Annual Action Plan, and the FY 2025 Analysis of Impediments to Fair Housing for the City of Valdosta Community Development Block Grant (CDBG) Program.

A MOTION by Councilman Howard, seconded by Councilman Carroll, was unanimously adopted (5-0) to approve the Proposal submitted by BluLynx Solutions in the amount of \$28,690 to complete the FY 2025-2029 Consolidated Plan, the FY 2025 Annual Action Plan, and the FY 2025 Analysis of Impediments to Fair Housing for the City of Valdosta Community Development Block Grant (CDBG) Program.

Consideration of a request for cost-sharing for the replacement of a City Sewer Main through a private Multi-Family Residential neighborhood.

Ben O'Dowd, City Engineer, stated that the City owns and maintains a large diameter gravity sewer main along the north side of One-Mile Branch in the area between Wainwright Drive and Sustella Avenue. The gravity sewer main in question is part of the old Remer Trunkline system which existed prior to our relocation of a portion of the Remer Trunkline to the south side of One-Mile Branch. Portions of this sewer main are over 50 years old and are in need of renovation or replacement. A new Multi-Family Residential housing development, The Retreat at Baytree, is under construction in this area, with a City-owned 18" diameter vitrified clay gravity sewer pipe crossing through and beneath the area of the proposed development. This sewer pipe is in aged condition and currently allows groundwater to infiltrate into the system in some locations. Through the City plan review process, the development's Design Engineer and City staff have worked through several sewer design iterations to arrive at a solution that will best serve the City's current and future interest and accommodate the new development's utility and construction interests. The City encourages private development and redevelopment efforts, and this Project, The Retreat, will provide substantial public improvements to our stormwater drainage system and street sidewalk system in addition to utility customer base expansion. The City has shared in the cost of improvements to the public system in the past in an effort to partner with private investments in our community. Generally, this is done to supplement an existing substantial private investment in the public system to achieve a greater public good or to satisfy the City's long-term infrastructure planning goals. The following documents have been prepared for consideration: (1) The approved construction plans for the proposed development. (2) A signed letter from the owner agreeing to the amount of the proposed cost-share for Council's consideration. (3) Reviewed and approved cost differential presented by RPI, a local licensed Underground Utility Contractor. Given that the existing City sewer that crosses this development serves substantial existing upstream residential and commercial utility customers, and that sewer is deteriorated and in need of renovation/replacement, City staff recommend cost-sharing of this replacement to the amount of \$138,184. The cost-share which is being presented for Council's consideration is based on the differential in cost between the minimum improvements and the improvements which will be to the greatest benefit of the public, and which will fully satisfy the objectives of the Utilities and Engineering Departments in this service location. City Staff reviewed the cost differential and find it responsible and accurate to the conditions of construction. Council may remember this development as being associated with two separate recent closures of portions of Miramar Street south of Baytree Road. The remainder of this 18" diameter vitrified clay gravity sewer pipe continues to the east toward Sustella Avenue and will likely need to be assessed for repair or replacement in the near future as part of a separate Project. The consideration before you today is for the replacement of roughly half of this overall segment of sanitary sewer at a fraction of the cost when compared to costs associated with the work performed as an emergency repair. Emergency repairs have substantial additional

associated costs due to the urgency of the work as well as repair/replacement of surface improvements. This consideration is a unique opportunity for the City of Valdosta to partner with the private development community to bring about the highest possible public good. Ben O'Dowd, City Engineer, recommended that Council approve cost sharing in the amount of \$138,184 for replacement of City sewer main through a private housing development.

A MOTION by Councilman McIntyre, seconded by Councilman Gibbs, was unanimously adopted (5-0) to approve cost sharing in the amount of \$138,184 for replacement of City sewer main through a private Multi-Family Residential neighborhood.

Consideration of a request to approve the final street selections for the Georgia Department of Transportation 2024 Local Maintenance and Improvement (LMIG) Grant Program.

Ben O'Dowd, City Engineer, stated that the City performs annual street maintenance with SPLOST funding through competitive bidding to private Construction Contractors. Our SPLOST funds are supplemented by additional funds from the Georgia Department of Transportation (GDOT) Local Maintenance & Improvement Grant (LMIG) Program which assists local governments for transportation-related improvements. LMIG awards are formula based on a local jurisdiction's population and centerline street mileage. The LMIG award requires a minimum of a 10% match from the local jurisdiction. Our 2024 formula-based allotment is \$691,899.50 and, therefore, our required 10% match is \$69,189.95. The City has recently provided SPLOST VIII funds roughly equivalent to the LMIG amount, and the 2024 proposal is for street maintenance of approximately \$1,400,000. Using the pavement evaluation performed in 2019 of the City's streets, Engineering Staff developed the 2024 recommended list. Roughly half of the streets are identified for LMIG funding (LMIG obligates the City to complete those streets within a two-year period of Grant award). The other half of the streets are funded by SPLOST, and the City has the flexibility of expanding or reducing the scope of work on these streets to match final bid/construction cost. The recommended list selects whole-length street segments of the worst condition streets while distributing the total mileage among the Districts. The recommended list resurfaces +/-3.7 miles total and is estimated to cost approximately \$1,400,000. The construction cost range is estimated using our latest costs from the 2023 resurfacing bid. The actual costs will depend upon bids received. Note that some streets may be removed from the final approved list based upon bids received. This will be done with the intent of preserving SPLOST VIII funding for 2025 that is sufficient to meet the City's 10% match for GDOT LMIG Funding. The streets identified for LMIG Funding must be submitted to GDOT prior to January 1, 2024. While it is not a GDOT requirement to have the City Council's approval of the submitted list, it is the City's customary practice to get the City Council's approval before the final list is submitted to GDOT. Ben O'Dowd, City Engineer, recommended that Council approve the street segments identified in the list and shown on the map for submittal to GDOT for 2024 LMIG and for the City 2024 Resurfacing Program.

A MOTION by Councilman Gibbs, seconded by Councilman Carroll, was unanimously adopted (5-0) to approve the final street selections for the Georgia Department of Transportation 2024 Local Maintenance and Improvement (LMIG) Grant Program.

BOARDS, COMMISSIONS, AUTHORITIES, AND ADVISORY COMMITTEES

Consideration of an appointment to the Community Development Block Grant Citizens Advisory Committee.

Mayor Matheson stated that the Community Development Block Grant Citizens Advisory Committee has a member, Donnell Davis, Jr., whose term expired on February 4, 2023. Mr. Davis did not express an interest in being reappointed. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The only applicant to apply was Lillie Roberts. Mayor Matheson stated that if there was no objection from Council, Ms. Roberts would be appointed by acclamation to serve a four year term on the Community Development Block Grant Citizens Advisory Committee. There was no objection from Council.

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

Mayor Matheson stated that the Lowndes County Board of Health has a member, Dr. Mary Margaret Richardson, whose term expired on December 31, 2022. Dr. Richardson did not express an interest in being reappointed. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The only applicant to apply was Susan E. Ring, Retired Registered Professional Nurse. Mayor Matheson stated that if there was no objection from Council, Ms. Ring would be appointed by acclamation to serve a six year term on the Lowndes County Board of Health. There was no objection from Council.

Consideration of appointments to the Public Art Advisory Committee.

Mayor Matheson stated that the Public Art Advisory Committee has two LVAC Board members, Carla Penny (term expires 06/01/25) and Al Turner (term expires 06/01/24) who are no longer serving on the LVAC Board. These appointments were advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The only applicants to apply were as follows: (1) Vickie Everitte - Graduate Assistant, History Department (Valdosta State University), and (2) Beverly Richardson-Blake - Retired Administrator (Valdosta State University). Mayor Matheson stated that if there was no objection from Council, Ms. Everitte would be appointed by acclamation to fill the unexpired term of Al Turner and Ms. Richardson-Blake would be appointed by acclamation fill the unexpired term of Carla Penny on the Public Art Advisory Committee. There was no objection from Council.

Consideration of an appointment to the Valdosta Housing Authority.

Mayor Matheson stated that the Valdosta Housing Authority has a member, Frank Morman, whose term will expire on December 31, 2023. Mr. Morman has not expressed an interest in being reappointed. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants are as follows: (1) Dr. William Todd Cason - Program Specialist (Georgia Department of Education), and (2) Deborah White - Retired Administrator Coordinator (City of Valdosta). Mayor Matheson stated that he makes this appointment and he appointed Dr. William Todd Cason to serve a five year term on the Valdosta Housing Authority.

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

Mayor Matheson stated that the Valdosta-Lowndes County Conference Center & Tourism Authority (VLCCTA) has two members, Chris Jones (At Large) and Councilman Tim Carroll (City Council Appointment), whose terms expire on December 31, 2023. Mr. Jones and Councilman Carroll have expressed an interest in being reappointed. The Chairman of the VLCCTA Nominating Committee, Rick Oelkers, has also submitted a letter of recommendation for Mr. Jones and Councilman Carroll. These appointments were advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants are as follows: (1) Chris Jones - Small Business Owner (The Georgia Beer Company), and (2) Councilman Tim Carroll – Retired. Mayor Matheson stated that if there was no objection from Council, Mr. Jones and Councilman Carroll would be reappointed by acclamation to serve a three year term on the Valdosta-Lowndes County Conference Center & Tourism Authority. There was no objection from Council.

Consideration of an appointment to the Valdosta-Lowndes County Construction Board of Adjustments & Appeals.

Mayor Matheson stated that the Valdosta-Lowndes County Construction Board of Adjustments & Appeals has a member, Charles “Chuck” Smith, whose term as the Rotating General Contractor, expired on June 30, 2023. The County made the last Rotating General Contractor appointment in 2020 so it is now the City’s turn to make the Rotating General Contractor appointment. Mr. Smith has expressed an interest in being reappointed. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The only applicant to apply was Charles “Chuck” Smith. Mayor Matheson stated that if there was no objection from Council, Mr. Smith would be reappointed by acclamation to serve a three year term on the Valdosta-Lowndes County Construction Board of Adjustments & Appeals. There was no objection from Council.

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

The Valdosta-Lowndes County Development Authority has a member, John D. Crawford, whose term is a joint appointment between the City of Valdosta and the Lowndes County Board of Commissioners. Mr. Crawford's term will expire on January 1, 2024. Mr. Crawford has expressed an interest in being reappointed. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The only applicant to apply was John D. Crawford. Mayor Matheson stated that if there was no objection from Council, Mr. Crawford would be reappointed by acclamation to serve a five year term on the Valdosta-Lowndes County Construction Board of Adjustments & Appeals. There was no objection from Council.

Consideration of appointments to the Valdosta Tree Commission.

The Valdosta Tree Commission has a member, Monica Haynes, whose term expired on September 6, 2023. There is also another member, Amy Hall, who resigned due to personal reasons. Her term will expire on September 6, 2024. Ms. Haynes has expressed an interest in being reappointed. These appointments were advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants are as follows: (1) Monica Haynes - Grounds Superintendent (Valdosta State University), and (2) Justin E. Jacobs - Regional GIS Coordinator (Southern Georgia Regional Commission). Mayor Matheson stated that if there was no objection from Council, Ms. Haynes would be reappointed by acclamation to serve a four year term and Justin E. Jacobs would fill the unexpired term of Amy Hall on the Valdosta Tree Commission. There was no objection from Council.

CITIZENS TO BE HEARD

Phyllis Jackson, 703 East Cummings Street, stated that she has a great concern in that community (the Dasher Subdivision) and would like to request speed bumps for Fry Street coming from Statenville Road. There is speeding traffic that comes down Statenville Road and turns onto Fry Street, which is two blocks from Lake Park Road where they are doing the construction, speeds. The speed limit is 30 miles per hour. They have school children coming from Donald Street and Smith Street with or without a parent and there is no sidewalk where they turn off of Statenville Road onto Fry Street going to Lake Park Road. They have to walk close to the curb or walk on the dirt and they are worried about the children. They asked for speed bumps several years ago but it never happened. They said that the houses did not face the street. The traffic is awful coming from Statenville Road to Lake Park Road. Something needs to be done before someone gets seriously hurt. They are just asking for one or two speed bumps because it is only two blocks when they turn off of Statenville Road to get to Lake Park Road.

CITY MANAGER'S REPORT

Richard Hardy, City Manager, stated that Veterans Day celebrations will begin on November 10, 2023 at 10:00 a.m. with the annual Veterans Day Program at Valdosta High School. Also, the Amvets Post 607 will have a Veterans Day Program at 3:00 p.m. The Makers Market will be held on Saturday, November 11, 2023 from 9:00 a.m. to 1:00 p.m. at the Historic Courthouse Square. The City's Employees and Family Day celebration will be held at 7:00 p.m. at Unity Park. The City will be supporting the Valdosta State University (VSU) Blazers as they play West Georgia on Saturday. The City will have its on section as they celebrate and recognize our Veterans. On Friday, November 17, 2023 at 5:00 p.m., there will be a Main Street, Veterans, and Military Appreciation night held at Unity Park. There will also be a store crawl from 5:00 p.m. to 7:15 p.m. in the Downtown area.

COUNCIL COMMENTS

Mayor Matheson stated that West Georgia Wolves are in town on Saturday, November 11, 2023 at 7:00 p.m. and the game will be for everything including the Peach Basket, the Gulf South Conference Title, seating in the Playoffs, and if VSU wins, the Wolves will not make the Playoffs.

Councilman McIntyre thanked the residents of District 3 for his election. It seems like he has been running for office for a year and a half. He is grateful and is looking forward to serving the people in District 3 and across Valdosta over the next four years.

Councilwoman Tooley stated that she would like to say something to the Valdosta Fire Chief and the Valdosta Police Chief. She knows that their employees are very busy and they have a lot going on, but she wanted to commend them on their timing today when they came to a resident's home. There was a Fireman who calmed down a girl and he did a real good job. They thought the resident was having a heart attack. She wanted to thank them because they came out there so quickly and did such a good job.

ADJOURNMENT

Mayor Matheson entertained a motion for adjournment.

A MOTION by Councilman Carroll, seconded by Councilman Howard, was unanimously adopted (5-0) to adjourn the November 9, 2023 Regular Meeting of the Valdosta City Council at 6:23 p.m. to meet again in Regular Session on Thursday, December 7, 2023.

City Clerk, City of Valdosta

Mayor, City of Valdosta