

MINUTES
MEETING OF THE VALDOSTA CITY COUNCIL
5:37 P.M., THURSDAY, APRIL 25, 2024
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

Mayor Scott James Matheson called the Regular Meeting of the Valdosta City Council to order at 5:37 p.m. Council members present were: Eric Howard, Tim Carroll, and Vivian Miller-Cody. Councilman Andy Gibbs arrived late at 5:37 p.m. Councilman Thomas McIntyre, Councilwoman Sandra Tooley, and Councilman Nick Harden were absent. The invocation was given by Councilman Tim Carroll, followed by the Pledge of Allegiance to the American Flag.

APPROVAL OF MINUTES

The minutes of the Regular Meeting held on April 11, 2024 were approved by unanimous consent (4-0) of the Council.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of bids for the Fire Hydrant Valve Insertion Equipment for the Utilities Department (Bid No. 29-23-24).

Jason Barnes, Assistant Utilities Director, stated that the Utilities Department needs to purchase a new Fire Hydrant Valve Insertion Equipment to be used around the City where Staff is not able to shut water off to the main line or fire hydrants. This equipment allows for shut off valves to be installed on lines without interrupting customer service. Once the new valves are installed, it will allow for the water to be shut off in case of an emergencies where the pipe is leaking or ruptured. One sealed bid was received on April 4, 2024 and was submitted by Southland Contractors, Inc. in the amount of \$301,650. Jason Barnes, Assistant Utilities Director, recommended that Council approve the bid that was submitted by Southland Contractors, Inc. in the amount of \$301,650 for the Fire Hydrant Valve Insertion Equipment and allow the Utilities Department to proceed with the purchase.

A MOTION by Councilman Carroll, seconded by Councilman Howard, was unanimously adopted (4-0) to approve the bid that was submitted by Southland Contractors, Inc. in the amount of \$301,650 for the Fire Hydrant Valve Insertion Equipment and allow the Utilities Department to proceed with the purchase.

Consideration of bids for the purchase of one Crew Cab 1500 Series Truck for the Public Works Department (Bid No. 22-23-24).

Larry Ogden, Public Works Administrator, stated that the Public Works Department needs to purchase a new Crew Cab 1500 Series Truck due to the age and serviceability of their existing vehicle. The vehicle is used with completing daily work responsibilities of the Department. The new vehicle will replace Line Item #1600 which is a 2002 Ford Expedition. This purchase is in the Council-approved Budget for the current Fiscal Year. Three sealed bids were received on March 5, 2024 with the option to buy additional 2024 model trucks at the same price. The low bid was submitted by Cass Burch in the amount of \$42,387 each. Larry Ogden, Public Works Administrator, recommended that Council approve the low bid was submitted by Cass Burch in the amount of \$42,387 each and allow the Public Works Department to proceed with the purchase.

A MOTION was made by Councilwoman Miller-Cody to approve the low bid was submitted by Cass Burch in the amount of \$42,387 each for one Crew Cab 1500 Series and allow the Public Works Department to proceed with the purchase. Councilman Carroll seconded the motion. The motion was adopted (3-1) with Councilman Howard voting in opposition.

Consideration of a modified Intergovernmental Agreement with the Valdosta-Lowndes County Industrial Authority for Infrastructure Improvements in support of a new Walmart Manufacturing Project.

Ben O'Dowd, City Engineer, stated that the Valdosta-Lowndes County Industrial Authority has been working with the City to provide water sewer infrastructure in support of regional industrial growth within the Inner Perimeter Road corridor south of U.S. Hwy. 84. The multi-national retailer Walmart is in the process of constructing a new food processing (dairy) facility on the property at the southwest corner of the intersection of U.S. Hwy. 84 and Inner Perimeter Road (the "Project"). This dairy facility will create almost 400 new jobs and \$350 million in investment within the region. They will make a large investment in the community and bring many well-paying jobs. In order to support the Project as well as other growth opportunities nearby the Project area, there are needed infrastructure improvements that will have to be made in the way of water and sewer improvements and new infrastructure. The Valdosta-Lowndes County Industrial Authority is coordinating the construction of the water, wastewater, and elevated tank improvements (the "Improvements") in support of the Project schedule. The Improvements, together with the engineering and other general condition costs associated with the installation of the Improvements, is the "Improvement Costs." The Industrial Authority applied for, but unfortunately did not receive, funding from the EDA. In an effort to deliver the scope of the Project as originally desired by the Industry, the City, and the Authority, the City's proposed contribution to the cost of the Project needs to be increased from \$6,000,000 to \$10,007,000. The complete scope of the Project has been bid and the total bid cost for the Project has been received by the Industrial Authority in the amount of \$10,007,000. The total survey, design, and inspection costs for the infrastructure improvements are estimated to be \$1,100,000. There are two blanks in the Intergovernmental Agreement on Page 3 where it details the Scope of Work Elimination, Reduction, or Modification. One of the blanks is a percentage and the other blank details who is to certify the completion of that percentage. Those blanks are 70% and the Authority's Engineer will be the text that is inserted into that blank. In an effort to remain within budget, we have identified a portion of the Scope which can be delayed and implemented later. If we run into cost over-runs or issues with the delivery of Scope in order to remain within the budget as stipulated in the Agreement, the City has the Authority to modify the Scope and reduce the Scope in order to remain within budget.

Mayor Matheson inquired as to when we can absorb that money that was identified back into the Project. Ben O'Dowd stated 70%. There are portions of it which are essential to provide water to the Industry initially, and then there is a secondary line which interconnects the water system on Inner Perimeter Road with the water system that ends at Blanchard Street on Highway 84. That interconnection is important because it provides the tertiary support for the Industry but we already have primary and secondary support for the Industry's water use on the water main on Inner Perimeter Road. We are planning to deliver the Project as originally understood with the two water mains, the gravity sewer, and the elevated storage tank; however, we are holding that portion of Scope for the water main that goes down Highway 84 in reserve in case we hit some unforeseen field circumstance.

Councilwoman Miller-Cody inquired as to why the other facility backed out. Ben O'Dowd, City Engineer, stated that the Development Authority had applied to an Economic Development Authority (EDA) Grant which is a State Authority which can support industrial development within municipalities, specifically those industrial developments which are similar to this one and generates a number of jobs. The Development Authority did not receive that Grant as anticipated so in an effort to deliver the Project as originally understood, we proposed that the IGA be modified to supplement the Project budget. Mayor Matheson stated that the Grant has never been denied before at least in some amount so it was a kick in the teeth. Councilwoman Miller-Cody stated that the City will now be funding everything. Ben O'Dowd stated that everything we are funding the construction of will be owned by the City which includes the elevated water tank, the water mains, and the gravity sewer main. The intent of this was to deliver the Project as originally scoped because the original Scope of the Project is in alignment with our long term plan for Utilities. Councilwoman Miller-Cody stated that she was looking at the 400 jobs that will be generated and that is why she would like to approve it and make it happen. She inquired as to whether we were bonded or had guarantees with this. Ben O'Dowd stated that the work as performed will be required to have a warranty by the installer. In association with this modified Utility Service Availability Letter has been supplied to Walmart which details the original minimum Purchase Agreement and the 70% of their permit amount and the revised minimum Purchase Agreement which details a minimum purchase of 85% of their permit. They tried to match the supplement and revenues to be commensurate with the increase in capital expense.

A MOTION by Councilman Carroll, seconded by Councilman Gibbs, was unanimously adopted (4-0) to approve the modified Intergovernmental Agreement between the City of Valdosta and the Valdosta-Lowndes County Industrial Authority for Infrastructure Improvements in support of the new Walmart Manufacturing Project.

Laurene Carter, 602 Ledge Dale Circle, stated that she has lived at that address for 39 years and is the spokesperson concerning 618 Ledge Dale Circle and the restrictive covenants. This poor neighborhood has 22 homeowners and is zoned R-15 Single-Family dwelling only with restrictive covenants which have been self-renewing since 1954. Thirteen of the twenty seniors have lived in their homes for over 30 years. The property at 618 Ledge Dale is owned by Dr. Michael E. Anigbogu and the Investment Company Grofex. Legacy Realty Property Manager verbally conveyed to the property line neighbors at 620 and others that it is an Airbnb short term rental which occupied 412 through 414. No building permits for the primary home or a dwelling accessory guest house under construction were obtained when work began in February. A Stop Order was issued on April 18, 2024 and Dr. Anigbogu paid fines and the building permit issued on April 19, 2024 registered it as a garage storage building. Circle Watch has found it to be a storage building for people. It is approximately 90% complete with high end quality finishes. This allows additional space for short term rental Airbnb and an unspecified number of sleeping and entertainment quarters. An enterprise business is a direct violation of the restrictive covenants along with six other violations. A third building totally out of street view could be renovated for another people storage building. The half-acre lot could potentially become a compound of transit nomads. The entire operation is out of control and needs to be stopped. The Tax Assessor's records show a two car garage only and no third building. The main thing to resolve is who is going to enforce the R-15 Zoning and the restrictive covenants for Ledge Dale Circle. Zoning did back the covenants 20 years ago in another situation and they prevailed. Today, all the Authorities and Departments that she has been to offering the restrictive covenants to will have nothing to do with them due to the lack of understanding. Only one Authority was interested in copying the covenants and offered her help which they greatly appreciate. Zoning should lead the guidance with the Marshals back. They should not be forced to hire legal representation in order to force the City to do their job. They are asking the City, the City Attorney, the City Council, and the City Marshals to do the right thing. Ledge Dale Circle has to be kept to the Valdosta Land Development Regulations and the Comprehensive Plan and the residential character outlined in the self-renewing 1954 covenants for which there is no statute of limitation. Ms. Carter asked the properties owners of Ledge Dale Circle to stand.

Citizen, 612 Ledge Dale Circle, stated that he was a homeowner and he was concerned about the flooding of his yard and his neighbor's yard. They have contacted the City to come out and do something about it. If you come in from the north side on Ledge Dale off of Bemiss Road, there is no drainage to be found. There is drainage on the other side of 612 Ledge Dale Circle. When the water comes down it floods his yard. It is a nuisance and a hazard because they have to clean all of that up. It starts at 612, 614, and 615 Ledge Dale Circle. Also, as you come in, there is a curve and they need speed bumps because vehicles come through there at a high rate of speed.

Carlos Hundley, 909 McAfina Trail, stated that he is a local educator and the Executive Director of Advancing Valdosta formerly Weed and Seed. He would like to ask for support for the upcoming summer program, Bridging the Gap. They do this on an annual basis to help prevent the summer slide where students have a lack of exposure to academics. They work with the students to bridge that gap so the students are ready when they go back to school in the fall. Mr. Hundley asked for Council's consideration in providing support for the Program.

Alvin Baldwin, 2522 Lonesome Dove, stated that he is having a hard time getting things accomplished with Scintilla Charter School. He cannot get out to go to work in the morning and he cannot even come home because the traffic is backed up so bad. Yesterday, Councilwoman Miller-Cody and the Police Department came out there to see exactly what they see. Sheriff Paulk had actually said to start giving out tickets. They park in the turning lane and they stay there. Now the traffic is backed up almost all the way to J. L. Newbern Middle School. If you go the other way, you cannot come down from Inner Perimeter Road to Park Avenue to get to your house because they are parked on the shoulder of the road to a certain point. Then they have to park in the street. Somebody needs to do something about this situation because if there is an accident or emergency and no one can get around it will be a major problem.

Michael Maurice, a citizen of Madison County, Florida, stated that he just retired after 31 years with the Madison County Sheriff's Office. He is currently a candidate for the District 5 County Commission seat. He has spent several hours going over data and reports provided by the Health Department, the Department of Environmental Protection, and several other entities about the latest and the previous sewage spills into the Withlacoochee River. Last night, the Madison County Commission held a meeting and it was a packed house.

There were representatives there from the Department of Health, a Florida Representative, and the Suwannee River Keepers. They all provided the Commissioners with data and information pertaining to the most current spill. He vowed in his campaign that if he got elected, he would do everything he could to help figure out some way that we could alleviate the problem. After hearing everything last night and spending hours going over the data, he realized that November was too long to wait. He decided to come speak to the Council tonight. He was not here to complain. He understands that there have already been millions of dollars spent to fix the problem but obviously it has not been completely fixed. He also understands that it is not an easy fix and it is going to take some time; however, after going over all the data and reports and hearing all the information that was provided last night, he felt that there are a couple of questions that need to be answered that could not be answered last night. One of those is that there is supposed to be a meeting on Tuesday between the City Manager and the Wastewater Engineer to come up with a plan to expand the capacity so there would be less spills. He poses the question to the Council or anyone who could answer as to what the outcome of that meeting was and what options were being considered. Also, time of the essence in notifying people who may potentially have contaminated wells so that they do not drink the water and get sick. According to the City's own Press Release, the City workers were aware of the most recent spill on Friday, April 12, 2024 but no advisory was put out until Monday, April 15, 2024 which was three days later. He asked that the Council provide him with some information as to why there was such a long delay in getting that pertinent information out to the citizens of Madison County.

Renee Council, 1202 Lakeland Avenue, stated her house sits behind the Senior Citizens Center and on April 18, 2024, we had a lot of rain. Her house and yard were like a pond. She had to get out at 3:00 a.m. because the water was coming inside her house. She has been dealing with this for a while and cannot get help from anyone. Her house is the only one that gets like that.

Hazel Edgecomb, 2100 Pin Oak Circle, stated that they have had three houses flood at 2100 Pin Oak, 2101 Pin Oak, and 1202 Lakeland Avenue. It does not make sense for their houses to flood out on December 2, 2023 and April 18, 2024. The sewer did not overflow this time, but they need help. They are not renters but own their houses. The City has got to do better than what they are doing about this situation. They met with the City Engineer and nothing has been done since December 2, 2023. She has another issue. It took her 30 minutes to get from Pin Oak Circle to Valdosta High School because the traffic was backed up all the way to Park Avenue. That does not make sense. The people will not let you go because they are busy talking on their cell phones. It should not have taken 30 minutes for her to get to Valdosta High School. You cannot even go to J. L. Newbern Middle School because it is packed out. Something has got to be done. It seems like no one cares what is going on.

Citizen, Ledge Dale Circle, stated that he came here in 1985 and was stationed at Moody Air Force Base and retired in 1989. He was fortunate to get his property on Ledge Dale Circle in 1994. They have been having repairs done on the road. There is a north and an east Ledge Dale Circle and the north side is just beat all up. It is like someone does not know how to patch the street. They had a water line that got broken and it was repaired but then it falls in. Every time you go down the street you beat yourself to death if you hit the marks so everybody travels down the south side because it is halfway smooth. There needs to be repairs done to the road. Also, Ms. Carter handed out some information and it has some pictures that he took of the house in question at 618 Ledge Dale Circle. He walked over there to meet the gentleman who had it but no one was there. It is not a storage room and it is being built up for an Airbnb household. It has three separate buildings when there is only supposed to be one proper building. The other buildings are supposed to be for storage; however, the second one is going in with bathrooms, a kitchen, drains, and utilities. They had to stop and decrease work and he took pictures of that. Right beside that was the permits that the guy went to get. He had it all bulldozed up with about 60 feet of plumbing out of the ground that they were putting in. Now they have that all closed up. There are three different buildings and everyone here needs to pay attention.

Mark Cain, 614 Ledge Dale Circle, stated his property is the start of the drainage problem. He has lived there almost 23 years. He has a lake as big as your desk every time it rains. He has told them to do whatever they need to do to fix it. He does not want a massive culvert out there but they need to do what they need to do because there are other yards that get flooded too. The main thing is that the road is terrible and he has been driving the roads in Valdosta for 43 years while working in the lawn care business. There are many more streets worse than their street but it is bad. He does not want an Airbnb because there is no telling how many people could come in there and stay for a week or a month. That is just something that you do not want in your neighborhood. It is

something that should be stopped by the City and not the residents who would have to hire lawyers to do that. That should not be their responsibility. That is something for the City Council, the City Marshals, and others to take care of.

John Quarterman, 3338 Country Club Road, Suite L, stated that when the City had the Ribbon Cutting Event for the Testing Lab, he got interviewed by the TV Reporter and he complimented the acting Utilities Director by name. He stands by the opinion that since he has been running things there have been fewer sewage spills and they have been stopped more quickly. The Press Releases about them have been more informative and closer to the time that it happened. Last night in Madison County, he was asked by several people about all of the new people in City positions. He also said that the City Engineer, in his opinion, is an improvement over his predecessor and the City Manager, and even the Mayor. He thinks all of you, including the Council, are working hard to solve this sewer system problem; however, there is room for improvement. As you already heard the opinion from Madison County, knowing about a huge spill on Friday and not telling the public until Monday is kind of a problem. When he did post about it after the Press Release came out, the Facebook version of that got shared 487 times. For reference, our average post gets shared two times. If you read through all the comments on all of those shares, most of those people have no idea what Valdosta has already done to address the sewer system problem. Right now, they really do not have any idea of what you are going to do to make sure there is no repeat of what happened this time in the big spill. He does not know and people in this room do not know. It has already been more than a week after the Press Release and you have not told the public anything. He understands that it takes a little time to work out some options but there is a lot of people who would really like to know and it sure would help. At the Testing Lab Ribbon Cutting, he had already found out that the City was not testing downstream and then he discovered that we were only testing once a week in two places. That sends a signal that was followed up by this late Press Release which is not an image you want of being slow and unresponsive.

CITY MANAGER'S REPORT

Richard Hardy, City Manager, stated that this week was Georgia Cities Week and we are finishing it up with a Touch a Truck Event at the Public Works Department on Friday, April 26, 2024 from 10:00 a.m. to 12:00 p.m. On April 27, 2024, there will be a community road cleanup at 9:00 a.m. to 11:00 a.m. on Marion Street from East Park Avenue to East College Street. The meeting location will be 607 East Park Avenue. On Friday, May 3, 2024, at 5:00 p.m. there will be the First Friday After Five in the Downtown area. On May 18, 2024 from 8:00 a.m. to 11:00 a.m. there will be a Headstone Cleaning Event at Sunset Cemetery. On May 6-10, 2024, the Brown Bag Lunch Concerts will take place at Unity Park from 11:00 a.m. to 2:00 p.m.

COUNCIL COMMENTS

Councilwoman Miller-Cody stated that former City Councilman Willie Rayford's wife passed away and her funeral will be Saturday, April 27, 2024 at 11:00 a.m. at Morningstar Baptist Church. She asked that we send flowers on behalf of the City Council. Harrington Funeral Home is in charge of the arrangements. Tomorrow night, Mr. Rayford will be hosting a fish fry at his home on Lake Park Road.

Councilman Gibbs stated that he wanted to apologize for running behind tonight.

Councilman Howard stated that there will be a Mental Health Clarity Event on Saturday, April 27, 2024 from 10:30 a.m. to 11:30 a.m. at Valdosta State University. Council is invited to attend.

ADJOURNMENT

Mayor Matheson entertained a motion for adjournment.

A MOTION by Councilman Carroll, seconded by Councilman Gibbs, was unanimously adopted (4-0) to adjourn the April 25, 2024 Regular Meeting of the Valdosta City Council at 6:18 p.m. to meet again in Regular Session on Thursday, May 9, 2024.