

**MINUTES**  
**REGULAR MEETING OF THE VALDOSTA CITY COUNCIL**  
**5:30 P.M., TUESDAY, OCTOBER 7, 2014**  
**COUNCIL CHAMBERS, CITY HALL**

**OPENING CEREMONIES**

Mayor John Gayle called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Joseph "Sonny" Vickers, Tim Carroll, Ben Norton, Alvin Payton, Jr., Sandra Tooley, Robert Yost, and James Wright. The invocation was given by Pastor Wayne Hughes, Abundant Life Church of God, followed by the Pledge of Allegiance to the American Flag.

**AWARDS AND PRESENTATIONS**

Consideration of the October, 2014 Employee of the Month Award (Patrol Officer Carl Dudley, Police Department).

Police Chief Brian Childress stated that Officer Carl Dudley began his employment with the Police Department in September, 2005 as a Patrol Officer which is the position he currently holds. Officer Dudley responds to calls relayed by dispatch, conducts field interviews, and conducts follow-up investigations which include gathering information and evidence, protecting crime scenes, and processing the scene in the absence of an Investigator. Officer Dudley also testifies in judicial proceedings, completes all required reports, and serves as a Field Training Officer when needed. On August 17, 2014, an armed robbery occurred at the Family Dollar Store located on East Central Avenue. The subject entered the store, showed the clerk what appeared to be a gun wrapped in a shirt, demanded cash, took the money, and fled on foot. A vehicle was seen leaving the scene at a high rate of speed and picked up the subject. Officer Dudley was returning to his residence and saw a vehicle that matched the description of the vehicle involved in the robbery which was reported stolen, contacted the dispatcher, and provided the tag number. Using his personal cell phone, he maintained constant contact with dispatch throughout the incident while following the vehicle into Lanier County. Officer Dudley assisted the Deputy with conducting a felony stop of the vehicle and found the suspect lying in the seat next to the driver. The money and other evidence pertaining to the robbery were recovered and both individuals were taken into custody. Due to Officer Dudley's alertness and quick thinking, he was able to bring this case to a successful conclusion in a short period of time without anyone injured. Without Officer Dudley's involvement, the suspects may have gotten away and been free to commit other crimes. For these reasons and many others, the Employee Relations Committee nominated Officer Carl Dudley as Employee of the Month.

**APPROVAL OF MINUTES**

The minutes of the September 25, 2014 Regular Meeting were approved by unanimous consent (7-0) of the Council.

**PUBLIC HEARINGS**

Consideration of an Ordinance for two Conditional Use Permits to allow a Flea Market and an Event Center in a Highway-Commercial (C-H) Zoning District as requested by Mike Gung (File No. CU-2014-07). The property is located at 1409 North Ashley Street. The Greater Lowndes Planning Commission reviewed this request at their September Regular Meeting and recommended denial of both requests (7-2 vote). This request was tabled for one month at the September 11, 2014 Regular Council Meeting to allow for re-advertisement.

Matt Martin, Planning and Zoning Administrator, stated that the applicant has withdrawn this request and no action will need to be taken.

**ORDINANCE FOR A CONDITIONAL USE PERMIT FOR AN ELEMENTARY SCHOOL IN A SINGLE-FAMILY RESIDENTIAL (R-10) ZONING DISTRICT TABLED**

Consideration of an Ordinance for a Conditional Use Permit for an elementary school in a Single-Family Residential (R-10) Zoning District as requested by Scintilla Charter Academy Inc. (File No. CU-2014-08). The property is located at 2171 East Park Avenue. The Greater Lowndes Planning Commission reviewed this request at their September Regular Meeting and recommended approval with four conditions (9-0 vote).

**ORDINANCE FOR A CONDITIONAL USE PERMIT FOR AN  
ELEMENTARY SCHOOL IN A SINGLE-FAMILY RESIDENTIAL  
(R-10) ZONING DISTRICT TABLED (CON'T)**

**10/07/14 CONTINUED**

Matt Martin, Planning and Zoning Administrator, stated that Scintilla Charter Academy Inc. is requesting a Conditional Use Permit (CUP) for an elementary school in a Single-Family Residential (R-10) Zoning District. The property is L-shaped and consists of 66.95 acres located at 2171 East Park Avenue. This is along the north side of the road and is on both sides of the J. L. Newbern Middle School; however, the proposed school site (about 15 acres) is in the eastern leg of the "L" which is toward Lonesome Dove Road. The property is currently vacant and the applicant is proposing to construct a public Charter School for grades K-5. The property is located within both a Neighborhood Activity Center (NAC) and a Parks/Recreation/Conservation (PRC) Character Area on the Future Development Map of the Comprehensive Plan. The applicant is proposing to construct the school in phases with the first phase being grades K-3, and then adding grades 4 and 5 in the next two to three years. The first phase of construction will consist of an administration/support building (17,700 square feet) plus two classroom buildings (8,000 square feet each). Future phases are anticipated to add a gymnasium (6,000 square feet) as well as expand the classroom buildings (to approximately 14,000 square feet each). With the future expansions, total building area will be approximately 52,000 square feet. The total enrollment is anticipated to be approximately 500 students and will be open to residents in all of Lowndes County. The property is very large with much of the area (western portion) being consumed by Knights Creek and its associated floodplain and wetlands. A little more than half of the developable area (eastern portion) is planned for the actual school site. Most of the remainder is set aside as right-of-way for the extension of Northside Drive which will run along the school's southern border. This road extension is featured in our Long-Range Transportation Master Plan and will serve as the means for vehicular access to the school. Most of the surrounding land use pattern is still largely undeveloped; however, it is dominated by J. L. Newbern Middle School which borders the site to the southwest as well as the rural single-family neighborhood along Lonesome Dove Road to the northeast. The proposed school is smaller than the existing adjacent Middle School. The proposed campus design is spread out with more than sufficient space for onsite parking and student drop-off, as well as future expansions. It is well-buffered from the adjacent neighborhood to the north and it is compliant with all of the City's supplemental standards for grade schools. This proposed use of the property as a school is very compatible with the surrounding land use pattern and it will help serve as a catalyst for future development in the area. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to the following conditions: (1) Conditional Use approval shall be granted for an elementary school (grades Pre-K to 5), including school recreational facilities, based on the general layout of the submitted site plan and with a total building area not to exceed 65,000 square feet. Site design shall comply with all applicable LDR standards for such schools. Outdoor activities shall be limited to daytime and early evening hours not exceeding 9:00 p.m. (2) Connect to City of Valdosta water and sewer services, and reserve sufficient right-of-way for the extension of Northside Drive (minimum 80' wide). (3) A minimum 50' wide landscaped buffer shall remain as undisturbed along the northern property line. Additional native trees and shrubs shall be planted to fill in the "bare patches" of this existing buffer area, as approved by the City Arborist in accordance with the site's approved Landscape Plan. (4) Conditional Use approval shall expire after three years if the school is not operating onsite by that date. The Planning Commission reviewed this at their September 29, 2014 meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to the four conditions above as recommended by Staff (9-0 vote). The applicants have indicated that they are planning to begin construction right away and will open for school next fall.

Julie Hiers, 23 Crestwood West, spoke in favor of the request. Ms. Hiers stated that she was the founding Principal of Scintilla Charter Academy. She was employed by Valdosta City Schools for 17 years as a Teacher, Academic Coach, and Assistant Principal at S. L. Mason, J. L. Lomax, and Sallas-Mahone schools. Ms. Hiers stated that based on the discussion that occurred during the Work Session, they would like to table the request for two weeks.

No one spoke in opposition to the request.

**A MOTION** by Councilman Carroll, seconded by Councilman Yost, was unanimously adopted (7-0) to table the request for two weeks until the October 23, 2014 Regular Council Meeting for a Conditional Use Permit for an elementary school in a Single-Family Residential (R-10) Zoning District as requested by Scintilla Charter Academy Inc.

Consideration of an Ordinance to rezone 0.29 acres from Single-Family Residential (R-10) to Single-Family Residential (R-6) as requested by M & T Land Holdings, LLC (File No. VA-2014-09). The property is located at 1021 Cherokee Street. The Greater Lowndes Planning Commission reviewed this request at their September Regular Meeting and recommended approval with one condition (7-2 vote).

Matt Martin, Planning and Zoning Administrator, stated that M & T Land Holdings, LLC is requesting to rezone 0.29 acres from Single-Family Residential (R-10) to Single-Family Residential (R-6). The property is located at 1021 Cherokee Street. This is along the south side of the street, approximately 375 feet east of Jerry Jones Drive. The property currently contains an existing dilapidated single-family residence. The applicant is proposing to demolish the existing building and construct a new residential duplex dwelling with a parking area in the front yard. The property is located within a Transitional Neighborhood (TN) Character Area on the Future Development Map of the Comprehensive Plan. The property is also located within the Residential Parking Overlay District of the LDR. The property is located along the edges of the Baytree Road corridor in a transitional area between commercial type uses to the south and west, and residential uses to the north and east. The applicant is proposing a type of "infill" redevelopment that fits within this transitional area. R-6 zoning is similar to R-10 zoning in that they are both Single-Family Residential zones, but R-6 allows a duplex if it is on a little larger lot (minimum 9,000 square feet). The property measures approximately 12,763 square feet, which is large enough for a duplex; however, it does not have enough road frontage to allow subdividing into two single-family lots. Duplex development on this lot would be slightly more intensive than the single-family homes to the north and east, but much less intensive than the existing commercial development to the south and the vacant R-P property to the west. Because the property is located within the Residential Parking Overlay District, parking in the front yard is intended to be limited. No more than 25% of a house's front yard area may be used for parking, and all remaining parking must be in the side or rear yard instead. This portion of the LDR does not sufficiently address new duplex development as clearly distinguished between single-family and multi-family development. Therefore, if the rezoning is approved, an appropriate condition should be added to help ensure compliance with the intent of the Residential Parking Overlay District and thereby help preserve a low density residential character of the neighborhood. There is no other R-6 zoning in the immediate area. Staff acknowledges this could be viewed as a form of spot zoning which is often contrary to good land use policy; however, other than minor increase in residential density, R-10 and R-6 are very compatible zoning designations when situated within a mixed land use and zoning pattern such as the surroundings. As a possible alternative to the R-10 zoning, R-6 is much more compatible with single-family neighborhood environment than the existing R-M zoning up the street to the east, and the R-P zoning to the immediate west. Staff found the request consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommended approval subject to the following condition: (1) In addition to a single shared driveway, there shall not be approved parking for more than four cars in the front yard of the building. The Planning Commission reviewed this at their September 29, 2014 meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval subject to the following condition (7-2 vote): (1) In addition to a single shared driveway, there shall not be approved parking for more than four cars in the front yard of the building.

Councilman Yost inquired as to why this was Cherokee Street and Miramar Street and not just one or the other. Matt Martin, Planning and Zoning Administrator, stated that this goes back to platting activities many years ago. This area was re-subdivided years ago and it got separated. Councilman Carroll stated that there appears to be a lot of asphalt on the site plan and not a lot of green and inquired as to whether it would meet the development codes. Matt Martin stated that duplexes are treated the same as a single-family residence. It is not required to be all parking like it would for an apartment complex and there is no minimum standard for it. The applicant wanted to create enough parking for up to eight vehicles. That was a concern of Staff and the Planning Commission so that is why they recommended a condition. The applicant's desire would be to locate the majority of the parking in the rear yard in order to keep the front of the property looking like a two-unit apartment complex. There would be some parking in the front with one or two driveways. The property is wide enough to hold the building and still have plenty of room. There is more pavement shown on the drawing than is actually needed. Councilman Vickers inquired as to the number of units and bedrooms in each unit. Matt Martin stated that it would be two units with three or four bedrooms each. Councilman Vickers inquired as to whether this was more for college students. Matt Martin stated that was correct.

No one spoke in favor of this request.

No one spoke in opposition to the request.

A **MOTION** was made by Councilman Yost to approve the request to rezone 0.29 acres from Single-Family Residential (R-10) to Single-Family Residential (R-6) as requested by M & T Land Holdings, LLC with the following condition: (1) In addition to a single shared driveway, there shall not be approved parking for more than four cars in the front yard of the building. Councilman Wright seconded the motion. The motion was unanimously adopted (7-0) to enact Ordinance No. 2014-23, the complete text of which will be found in Ordinance Book XIII.

**BOARDS, COMMISSIONS, AUTHORITIES, AND ADVISORY COMMITTEES**

Consideration of an appointment to the Deep South Regional Municipal Solid Waste Management Authority.

Larry Hanson, City Manager, stated that an appointment will need to be made to the Deep South Regional Municipal Solid Waste Management Authority which is made up of three cities and four counties to assist each other with solid waste and landfill issues. The member governments consist of Valdosta, Lowndes County, Lakeland, Lanier County, Nashville, Berrien County, and Echols County. Each of the seven members has an appointee to the Authority and there is one an At-Large member that comes from among the seven governments. Larry Hanson stated that he was the At-Large member and has been the Chairman for approximately ten years. John Whitehead, III, former Deputy City Manager of Operations, served as Valdosta's appointee and will need to be replaced by Richard Hardy, the new Director of Public Works.

A **MOTION** by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (7-0) to appoint Richard Hardy, Director of Public Works, to the Deep South Regional Municipal Solid Waste Management Authority.

**CITY MANAGER'S REPORT**

Larry Hanson, City Manager, stated yesterday was the kickoff day for National Fire Prevention Week and the Fire Department will be hosting events throughout the week which will include educational events, station tours, puppet shows, and school visits to teach and re-enforce the lessons of fire prevention. This is also Week 5 of the Fire Academy and it has been well received.

Larry Hanson, City Manager, stated that tomorrow morning is the annual Walk Your Child to School Day which will begin at 7:30 a.m. at the Mildred Hunter Center. Participants will walk their child from the Mildred Hunter Center to Pinevale Elementary School. Council members are encouraged to attend. Also, the Safe Routes to School Project has started and the sidewalk around Jaycee Shack Road on East Park Avenue will be extended out to the J. L. Newbern Middle School. The completion date is scheduled for March 31, 2014.

Larry Hanson, City Manager, stated that other upcoming events in the City include the Police Academy which is in Week 3, a Ribbon Cutting Ceremony for the West Hill Avenue Overpass Project which is scheduled for October 21, 2014 at 10:00 a.m., the last Farm Days which is scheduled for October 18, 2014, and Shop with a Cop and Firefighter Programs which are coming up in December.

Larry Hanson, City Manager, stated that we are currently advertising for 12 vacant positions on the Boards, Commissions, Authorities, and Advisory Committees. The deadline to apply is October 29, 2014 at 5:00 p.m.

Larry Hanson, City Manager, stated that the Great Promise Partnership Program was conceived by Mike Beatty, former Commissioner of the Georgia Department of Community Affairs (DCA). He left DCA to do this full time. The Program was started in Carrollton, Georgia at a company called Southwire. They take at risk high school students and help them get employment. The students learn a skill and trade and are assigned a mentor within their employer. They are guaranteed a job if they graduate from high school. Valdosta will be one of the first five communities in Georgia that will implement the Program. There will be a kickoff event on October 28, 2014 at 3:00 p.m. in the City Hall Annex Building. It will be sponsored by the Valdosta-Lowndes Development Authority, Valdosta City Schools system, Valdosta State University, Wiregrass Technical College, and the City of

Valdosta. There are approximately 30 Valdosta High School students who have been selected to be the first participants in this Program. The goal is to ultimately have 100 participants. Council is encouraged to attend the event.

Larry Hanson, City Manager, stated that Georgia Power is rolling out a pilot program to test LED street lights in cities. The LED light is much more advanced and has better quality and durability. The life expectancy of the LED light is 15 years so we would have less street lights out and better lighting. Georgia Power has asked that the City of Valdosta be one of the pilot cities. Beginning early next year, Georgia Power will change out all of our street lights in the City to LED lighting at no charge. If a city discontinues the Lighting Program they have to give a six-month notice under a Public Service Commission (PSC) requirement. Larry Hanson asked Council’s authorization for him to execute a document stating that the City of Valdosta is discontinuing the existing Lighting Program so that they can order the lights. The LED lights also have a chip in them so if the light goes out or malfunctions it will notify Georgia Power electronically which will eliminate the need to call them. Councilman Payton inquired as to the amount of savings Georgia Power projected that we will have. Larry Hanson stated that at this point they cannot start out with savings because they are absorbing all of the capital costs.

Larry Hanson, City Manager, stated that there will be Blood Drive at the City Hall Annex Building from 10:00 a.m. to 3:00 p.m. on October 21, 2014. Council is encouraged to attend and give blood.

**COUNCIL COMMENTS**

Councilman Wright stated that the Great Promise Partnership Program is an excellent opportunity for at-risk students and he was excited about the Program.

Councilman Yost stated that he want Council to think hard about the Charter School that is coming to Valdosta and Lowndes County. This is another great opportunity for the Valdosta City School System and it is not a matter of whether they are coming or not but whether this is a good piece of property for them to have the school placed on. Schools should be in neighborhoods and there is a neighborhood that backs up to this piece of property and next to another school. Councilman Yost stated that he would like to see them in the City of Valdosta.

**CITIZENS TO BE HEARD**

There were no citizens to be heard.

**ADJOURNMENT**

Mayor Gayle entertained a motion for adjournment.

**A MOTION** by Councilman Payton, seconded by Councilman Carroll, was unanimously adopted (7-0) to adjourn the October 7, 2014 Meeting of the Valdosta City Council at 6:08 p.m. to meet again in Regular Session on Thursday, October 23, 2014.

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City Clerk, City of Valdosta

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Mayor, City of Valdosta