

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, FEBRUARY 5, 2015
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, and James Wright. Councilman Robert Yost was absent. The invocation was given by Pastor Curtis Jenkins, New Life Bible Church, followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

Consideration of the February, 2015 Employee of the Month Award (Officer Donald Richmond and Officer Eric Wagner, Police Department).

Police Chief Brian Childress stated that Officer Donald Richmond began his employment with the City of Valdosta Police Department in January, 2013 as a Patrol Officer which is the position he currently holds. Officer Eric Wagner began his employment with the City of Valdosta Police in September, 2011 as a Patrol Officer which is the position he currently holds. Officer Richmond's and Officer Wagner's job duties include complying with all policies as outlined in the Standard Operating Procedures manual, maintaining a working knowledge of the most common enforcement laws, presenting oral testimony in court, and completing all necessary paperwork. Recently, Officers Richmond and Wagner were dispatched to a residence in reference to a subject with suicidal thoughts and who had a gun in his mouth. Officers Richmond and Wagner found the subject inside the house with a gunshot wound to the upper chest. Officer Wagner, having recently received training for care of chest wounds, quickly realized the injury was a "sucking chest wound." Officer Richmond, a military veteran, assisted Officer Wagner using his own personal supplies of first aid equipment and applied a quick clot gauze and a chest seal to the subject. The hospital reports showed the subject lost four pints of blood moments after the injury which is over half of his body's volume. The emergency evaluation and team work of Officers Richmond and Wagner saved the citizen. An Officer's effectiveness is at times judged by the number of tickets he writes or the amount of arrests made. Often in this job, Officers are unable to tell if they made a positive impact. In this case, the evaluation is easy. A family still has their loved one and the opportunity to get him the help he needs all because Officers Richmond and Wagner cared enough and had the confidence to try. For these reasons and many others, the Employee Relations Committee nominated Officer Donald Richmond and Officer Eric Wagner as Employees of the Month.

APPROVAL OF MINUTES

The minutes of the January 22, 2015 Regular Meeting were approved by unanimous consent (6-0) of the Council.

PUBLIC HEARINGS

ORDINANCE NO. 2015-3, AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS

Consideration of an Ordinance to rezone 5.6 acres from Residential-Professional (R-P) to Downtown-Commercial (C-D) as requested by Central Avenue Church of Christ (File No. VA-2015-01). The property is located at 304 E Central Avenue. The Greater Lowndes Planning Commission reviewed this request at their January regular meeting and recommended approval with one condition (9-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Central Avenue Church of Christ is requesting to rezone a series of recently-combined parcels totaling 5.6 acres from Residential Professional (R-P) to Downtown Commercial (C-D). The properties are generally located at 304 East Central Avenue which is along the east side of North Lee Street, north of East Central Avenue, and includes land on both sides of Smithland Place. The property contains an existing church with related accessory buildings. The applicant is proposing to renovate and expand

some of the church facilities in the coming years and is seeking C-D zoning in order to develop the property in a consistent manner with the rest of the central Downtown area. This request is very similar to the rezoning request by First Baptist Church which was approved in Spring, 2013 (File No. VA-2013-02) for property on the west side of Downtown. The property is located within a Downtown Activity Center (DAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of C-D zoning. The property is also located within the local Historic District and the applicant will be seeking approval from the Historic Preservation Commission (HPC) for their future development plans. Downtown-Commercial (C-D) zoning is only allowed for properties within the Central Valdosta Development Authority (CVDA) area, as it was originally created in 1974. With the combining of the various church parcels into two larger parcels that face the CVDA boundary along North Lee Street, these properties are now automatically considered part of the CVDA and are therefore eligible for C-D zoning. The site sketch of the main parcel between East Central Avenue and Smithland Place shows the existing church and its related buildings. The first phase of the renovations will involve the existing youth building. The second phase will involve renovations to bathrooms and the main Vestibule area, as well as some minor building additions and a new Prayer Garden. The parcel of land to the north of Smithland Place is mostly vacant with a small parking lot. It is planned to remain as existing, but with the long-term possibility of either additional parking and/or additional buildings. Central Avenue Church of Christ has long been a prominent feature in the eastern part of Downtown Valdosta and it has always been considered part of the Downtown environment. The proposed rezoning to C-D is consistent with both the Comprehensive Plan and the surrounding development pattern, and is very logical for approval. It should be pointed out that the northern parcel of the property borders a historic Single-Family Residential neighborhood (along Virginia Avenue) further to the north. This is the only location in all of Downtown where C-D zoning would directly abut lands that are zoned for single-family. Under R-P zoning, development of this parcel would require a minimum 10' wide buffer yard while C-D zoning does not require any buffer. Other commercial zonings would require a 20' buffer; therefore, in this particular case, it would seem logical to carryover this minimal buffer requirement to help protect this neighborhood from possible adverse effects of redevelopment with this property. Staff found the request consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power and recommended approval of C-D zoning for the southern parcel, and conditional C-D(c) zoning for the northern parcel with the following condition: (1) For the northern parcel only, any redevelopment that includes new parking or buildings within 50' of the current northern property line, shall require a minimum 10' wide landscaped buffer yard and minimum 6' high solid opaque fence along this northern boundary where the property line abuts land zoned for Single-Family Residential. The Planning Commission reviewed this at their January 26, 2015 Regular Meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval of C-D zoning for the southern parcel, and conditional C-D(c) zoning for the northern parcel with the following condition (9-0 vote): (1) For the northern parcel only, any redevelopment that includes new parking or buildings within 50' of the current northern property line, shall require a minimum 10' wide landscaped buffer yard and minimum 6' high solid opaque fence along this northern boundary where the property line abuts land zoned for Single-Family Residential.

G. R. Holton, 3543 Raintree Drive, spoke in favor of the request. Mr. Holton stated that he represented the Elders of the Central Avenue Church of Christ. The Church is over 100 years old and over the years they have received property through gifting and purchasing. They have rezoned the property in order to do a \$1 million refurbishing project of the interior and a portion of the exterior. They want to be a good neighbor and have no interest in leaving the Downtown area. In the 1990's, they conducted a year-long self-study and determined that the best thing to do would be to stay in the Downtown area. Mr. Holton asked Council's consideration in approving the request.

No one spoke in opposition to the request.

A MOTION by Councilwoman Tooley, seconded by Councilman Norton, was unanimously adopted (6-0) to enact Ordinance No. 2015-3, an Ordinance to rezone 5.6 acres from Residential-Professional (R-P) to Downtown-Commercial (C-D) as requested by Central Avenue Church of Christ, the complete text of which will be found in Ordinance Book XIII.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 2015-4, AN ORDINANCE TO AMEND THE ALCOHOL ORDINANCE

Consideration of an Ordinance to amend the Alcohol Ordinance.

Larry Hanson, City Manager, stated that over time trends in the alcohol industry have changed and the craft brew industry has become more popular. This is beer which is generally more local or regional in nature and it has become a bonafide segment of the beer industry. Many cities have amended their Alcohol Ordinances to allow the sale of these craft brews by container, which are called growlers, but not by consumption on premises. The growler is a bottle made of glass or other material that is capable of being sealed with a cap and is then sealed with a plastic collar for the purpose of complying with open container laws. These particular bottles cannot exceed 68 ounces and must be filled by a license holder. They can only be filled from kegs that are procured from a duly licensed wholesaler and they must be professionally sanitized and sealed. They are made available for retail sale and consumption on the premises is not allowed; however, samples can be made available that are no more than three ounces and no more than four samples within a 24 hour period. These cannot be sold in any establishment that has a sale of distilled spirits (liquor by the drink). There is an annual license fee of \$250. It is a very limited and narrow field but it is something new and we have had a request to amend the Alcohol Ordinance. Larry Hanson, City Manager, recommended that Council approve the request to amend the Alcohol Ordinance.

A **MOTION** by Councilman Payton, seconded by Councilman Carroll, was unanimously adopted (6-0) to enact Ordinance No. 2015-4, an Ordinance to amend the Alcohol Ordinance, of the City of Valdosta's Municipal Code, the complete text of which will be found in Ordinance Book XIII.

RESOLUTION NO. 2015-2, A RESOLUTION TO AUTHORIZE THE FILING OF AN APPLICATION WITH FIREHOUSE SUBS PUBLIC SAFETY FOUNDATION TO PURCHASE SEVEN AUTOMATED EXTERNAL DEFIBRILLATORS (AED)

Consideration of a Resolution authorizing the filing of an Application with Firehouse Subs Public Safety Foundation to purchase seven Automated External Defibrillators (AED).

Fire Chief Freddie Broome stated that the Firehouse Subs Public Safety Foundation has a program to assist emergency service entities obtain life-saving equipment as well as fire prevention, safety, and disaster preparedness educational tools. The mission of the Foundation is to improve the life-saving capabilities of emergency service entities in communities served by the Firehouse Subs chain of restaurants. Program goals include: (1) Provision of emergency service entities with life-saving equipment, (2) Provision of prevention and educational tools to the public about the importance of fire safety, emergency services, and natural disaster preparedness, (3) Provision of financial resources to individuals pursuing a career in the public safety sector through scholarship programs, and (4) Provision of ground assistance during disasters by feeding victims and medical workers on the scene. Firehouse Subs has granted \$12 million to hometown heroes that has impacted 1000(+) communities benefitting over 938 organizations. The Valdosta Fire Department currently responds to assist South Georgia Medical Center (SGMC) Emergency Medical Services on all cardiac arrest incidents within the City Limits. Early defibrillation has proven to save the lives of patients in cardiac arrest. The need for Valdosta Fire Department to respond and assist South Georgia Medical Center (SGMC) Emergency Medical Services on emergency medical calls has continued to increase each year. The number of calls answered by South Georgia Medical Center (SGMC) Emergency Medical Service has proved to be taxing on their available resources. As a result, the Valdosta Fire Department is being dispatched on more CPR calls when SGMC EMS is not available to respond immediately. The Valdosta Fire Department has been able to provide the necessary services to the citizens until SGMC arrives; however, the Department currently has different brands of AED's on their apparatus. One brand is outdated and will not update to the latest protocols which means that the instructions prompted by the AED are based on expired protocols. The Department's current AED's are also not compatible with SGMC's cardiac monitors which could result in delayed services. The current AED's have some irreplaceable parts. New AED's on all responding apparatus that are compatible with SGMC's cardiac monitors will allow SGMC personnel to use our pads without disrupting care. The new AED's are also capable of being reprogrammed to new protocols as they are made available. Firehouse Subs Public Safety Foundation will cover 100% of the funding if the request is awarded between \$10,000 and \$20,000. Chief Broome recommended that Council approve the Resolution authorizing the filing of an Application with Firehouse Subs Public Safety Foundation to purchase seven Automated External Defibrillators (AED).

A **MOTION** by Councilman Norton, seconded by Councilman Carroll, was unanimously adopted (6-0) to enact Resolution No. 2015-2, a Resolution authorizing the filing of an Application with Firehouse Subs Public

Safety Foundation to purchase seven Automated External Defibrillators (AED), the complete text of which will be found in Resolution Book V.

RESOLUTION NO. 2015-3, A RESOLUTION OPPOSING THE STATE OF GEORGIA’S PROPOSED PLAN TO DIVERT OVER \$550 MILLION IN LOCAL TAXES FROM LOCAL GOVERNMENTS AND DIVERT IT TO THE STATE GOVERNMENT

Consideration of a Resolution opposing the State of Georgia's proposed plan to divert over \$500 million in local taxes from local governments and divert it to the State Government.

Larry Hanson, City Manager, stated that this is a Resolution opposing the initial proposed Plan of the Georgia House for dealing with the transportation issue in the State of Georgia. There is a need to address State transportation but this may not be the best way to do it. The State law would basically take away the local sales tax on motor fuel which includes the SPLOST penny, the LOST penny, and the ESPLOST penny and replace it with an excise tax of \$.29. This excise tax would all go to the State. In our community it would take out approximately \$12.4 million which would be sent to Atlanta to be used at their discretion. That would impact LOST, SPLOST, and ESPLOST in the local community. We need to understand that legislation is often a starting point and is not a finish line. There should always be conversation and constructive ideas about how to make something better or to offer an alternative. There is a lot of discussion and there may be some changes; however, at this point in time this is a real concern to our City and many other cities around the State. The cities are adopting Resolutions in opposition to the Transportation Funding Act and writing letters to the Legislature. Larry Hanson, City Manager, recommended that Council approve the Resolution opposing the State of Georgia's proposed plan to divert over \$500 million in local taxes from local governments and divert it to the State Government.

A MOTION by Councilman Payton, seconded by Councilman Norton, was unanimously adopted (6-0) to enact Resolution No. 2015-3, a Resolution opposing the State of Georgia's proposed plan to divert over \$500 million in local taxes from local governments and divert it to the State Government, the complete text of which will be found in Resolution Book V.

BOARDS, COMMISSIONS, AUTHORITIES, AND ADVISORY COMMITTEES

Consideration of appointments to the Historic Preservation Commission.

Larry Hanson, City Manager, stated that the Valdosta Historic Preservation Commission (HPC) has the following three members whose terms will expire February 13, 2015: (1) Celine Gladwin, (2) Gayle Golden, and (3) Dr. Richard Saeger. Ms. Gladwin has expressed an interest in being reappointed; however, Gayle Golden and Dr. Richard Saeger have not expressed an interested in serving again. These appointments were advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. It was also noted that two of the applicants were no longer available for appointment. Mr. Tim Coombs (Coombs Heating & Air) is not a resident of the City of Valdosta and this is a requirement of the HPC and Councilwoman Tooley withdrew her name. The applicants for Council’s consideration are as follows: (1) Charles “Alex” Alvarez - Education Leadership/Administration (Valdosta City Schools), (2) Sandie Burkett - Kindergarten Teacher (Berrien County Board of Education), and (3) Celine Gladwin - Architect (BFB Gladwin Architects)

Mayor Gayle asked for nominations for all three positions. Councilman Carroll stated that he would like for Council to consider approving all three names in one motion.

A MOTION by Councilman Carroll, seconded by Council Norton, was unanimously adopted (6-0) to approve the names of Charles “Alex” Alvarez, Sandie Burkett, and Celine Gladwin for appointment to the Valdosta Historic Preservation Commission for a term of three years.

Consideration of an appointment to the Hospital Authority of Valdosta and Lowndes County.

Larry Hanson, City Manager, stated that the Hospital Authority of Valdosta and Lowndes County has a member, John W. Langdale, whose term will expire February 1, 2015. Mr. Langdale has expressed an interest in being reappointed. The Hospital Authority submitted the following three names for consideration: (1) Johnny

Langdale - Forester (The Langdale Company), (2) Ben Copeland - President (Patten Seed Company), and (3) Tim Dame - CPA (Dame, Walker, Hughes & Company, LLC. The Hospital Authority is recommending that Mr. Langdale be reappointed. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council.

Mayor Gayle asked for nominations. Councilman Vickers placed in consideration the name of John W. Langdale. There being no other nominations, Mayor Gayle closed nominations. Mayor Gayle entertained a motion to appoint John W. Langdale. The motion was unanimous (6-0) to appoint John W. Langdale to serve a term of five years on the Hospital Authority of Valdosta and Lowndes County.

Consideration of an appointment to the Metropolitan Planning Organization (MPO) Citizens Advisory Committee.

Larry Hanson, City Manager, stated that the Metropolitan Planning Organization (MPO) Citizens Advisory Committee has a member, Bryan Almand, who resigned in 2014 due to business obligations. This position will serve at will. The appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants for consideration are as follows: (1) Stacy Bush - Wealth Advisor (Bush Wealth), (2) Dr. Dacia Charlesworth - University Ambassador (Valdosta State University) - Second Choice, and (3) Quiana Martinez - Full time student and community volunteer

Mayor Gayle asked for nominations. Councilman Payton placed in consideration the name of Stacy Bush. There being no other nominations, Mayor Gayle closed nominations. Mayor Gayle entertained a motion to appoint Stacy Bush. The motion was unanimous (6-0) to appoint Stacy Bush to serve at will on the Metropolitan Planning Organization (MPO) Citizens Advisory Committee.

Consideration of an appointment to the Public Art Advisory Committee.

Larry Hanson, City Manager, stated that the Public Art Advisory Committee has a member, Raymont Burke, who resigned in 2014 due to personal reasons. This position is for the Community at Large slot and the term will expire on June 1, 2017. The 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. Dacia Charlesworth - University Ambassador (Valdosta State University) - First Choice, and (2) Miranda Moore - Member Services Coordinator (Valdosta-Lowndes County Chamber of Commerce).

Mayor Gayle asked for nominations. Councilman Carroll placed in consideration the name of Dr. Dacia Charlesworth. There being no other nominations, Mayor Gayle closed nominations. Mayor Gayle entertained a motion to appoint Dr. Dacia Charlesworth. The motion was unanimous (6-0) to appoint Dr. Dacia Charlesworth to fill the unexpired term of Raymont Burke on the Public Art Advisory Committee.

CITY MANAGER'S REPORT

Larry Hanson, City Manager, stated that the City of Valdosta's Seventh Annual People's Choice Photo Contest is coming up and the deadline to enter photographs is May 29, 2015. The five categories are: (1) Colorful Camellia's, (2) Inspired by Nature, (3) Patriotic Valdosta, (4) Spirit of TitleTown, and (5) Downtown Valdosta. Citizens and Council members are encouraged to participate.

Larry Hanson, City Manager, stated that the American Society of Crime Lab Directors (ASCLD) Accreditation for the Crime Lab is coming up and the Assessment Team will arrive on Tuesday, February 10, 2015. They have already reviewed some of the policies and they will now be touring the Crime Lab and interviewing the Staff. This will be a substantial accomplishment and is something that is very special. There is not a local Crime Lab in the State of Georgia that has ever received ASCLD accreditation. The only ASCLD certified Crime Labs in the State of Georgia are the State Crime Labs.

Larry Hanson, City Manager, stated that Sementha Mathews, Public Information Officer, has been doing some new things with our public relations and the City is now on Twitter. She has been sending out things very

frequently and this week she will be sending out stories on the Great Promise Partnership and an interview with Andrea Schruijer, Executive Director of the Development Authority. We are trying to reach out to the community to keep them better informed. Also, the Fire Department was in need of having in-car computers in the fire trucks which is something that has not been provided before. The Police Department had confiscated some stolen equipment which included some iPads. The crime was later solved and the owner of the iPads did not want them returned. Chief Childress got a Court Order to allow us to use the iPads for a public purpose. The Fire Department now has an iPad in every one of the fire trucks. It is great to see the things we are doing with technology and the ways it benefits the community.

Larry Hanson, City Manager, stated that the Annual Rotary Law Enforcement Appreciation Dinner will be held on February 19, 2015 at the James H. Rainwater Conference. This event is not only to honor law enforcement in our community but the funds raised are also used to help law enforcement professionals who may have a need in their life whether it is a family medical need or something else. Council members are encouraged to attend this event.

COUNCIL COMMENTS

Councilman Carroll stated that he has had a few phone calls regarding HB170 (Transportation Funding Act) and would like for the Resolution and the supporting documents that are in the Council Packet to be placed on the City’s website. Also, Dr. Richard Saeger was replaced on the Historic Preservation Commission (HPC) tonight and he has served faithfully and well on the HPC for approximately 25 years. He has been a great volunteer and we are very thankful for his service.

Councilman Payton thanked Larry Hanson, City Manager, and his Staff for providing information on the Transportation Funding Act. It is amazing how much Valdosta generates compared to some of the other municipalities around us. Mayor Gayle stated that we are the seventh largest user of fuel in the State of Georgia and the others are located in the Atlanta area with the exception of Chatham County.

Councilman Vickers stated that he wanted to mention to the visitors at the Council Meeting tonight that Council has a Work Session on Tuesday night to discuss the Agenda Items and that is the reason that they are able to go through the Agenda Items so quickly.

CITIZENS TO BE HEARD

There were no citizens to be heard.

ADJOURNMENT

Mayor Gayle entertained a motion for adjournment.

A MOTION by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (6-0) to adjourn the February 5, 2015 Meeting of the Valdosta City Council at 6:12 p.m. to meet again in Regular Session on Thursday, February 19, 2015.

City Clerk, City of Valdosta

Mayor, City of Valdosta