

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, MARCH 8, 2012
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., Robert Yost, Deidra White, and James Wright. The invocation was given by Dr. Ronnie Mathis, Senior Pastor at Crossing Jordan Baptist Church, followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

PRESENTATION OF THE MARCH, 2012 EMPLOYEE OF THE MONTH AWARD POSTPONED

Mayor Gayle stated that the recipient of the March, 2012 Employee of the Month Award (Robert Raymond, Police Department) was out of town and the presentation would be postponed until the March 22, 2012 Council Meeting.

SPECIAL PRESENTATION

Mayor Gayle stated that there would be a Special Presentation by Emily Macheski-Preston. Ms. Macheski-Preston stated that she is the Co-Chair for Metro One which is the Young Professionals initiative of the Chamber of Commerce. Metro One's focus is to attract and retain young professionals in metro Valdosta. For their Advocacy Project this year they were to come up with a list of 100 fun things to do in metro Valdosta. These opportunities included things from the arts, cultural, educational, sports, outdoors, hunting, and many others. These are things that young professionals, visitors, tourists, and others could do to utilize and take advantage of what Valdosta has to offer. To publicize this list, they came up with an event called "100 Days of Valdosta" which will start on April 9, 2012. They will go through and highlight each of these 100 opportunities in Valdosta and encourage the citizens to go out take advantage of what Valdosta has to offer. As a kickoff, the Mayor and the City of Valdosta has agreed to declare April 9th as Explore Metro Valdosta Day. Ms. Macheski-Preston thanked Mayor Gayle for his support and encouraged citizens to go out and do the 100 things that there are to do in the City of Valdosta.

APPROVAL OF MINUTES

The minutes of the February 23, 2012 Regular Meeting were approved by unanimous consent (7-0) of the Council.

PUBLIC HEARINGS

AN ORDINANCE TO AMEND THE LAND DEVELOPMENT REGULATIONS POSTPONED

Consideration of an Ordinance to rezone 0.90 acres from Residential-Professional (R-P) to Neighborhood-Commercial (C-N) as requested by Vineyard Valdosta, LLC (File No. VA-2011-25). The property is located at 2004 Baytree Road. The applicant previously asked for the rezoning request to be tabled. The Greater Lowndes Planning Commission reviewed this request at their February 2012 Regular Meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommends approval (7-0-1 vote).

Matt Martin, Planning and Zoning Administrator, stated that this Agenda Item was tabled in December, 2011 and again at the February 9, 2012 Council Meeting. The applicant is requesting that the rezoning request be postponed for two weeks until the March 22, 2012 Council Meeting. Unlike before, the postponement for two weeks will not trigger re-advertisement. The rezoning request affects 0.9 acres and it is currently zoned R-P. The applicant is requesting C-N zoning and has a potential buyer of the property who wants to develop it as a veterinary clinic. Under C-N zoning, a veterinary clinic would require a Conditional Use which is the second request on the Agenda. If the C-N zoning is approved they would become eligible for the Conditional Use. They are proposing a

6,800 square foot building with the parking around it which does meet Code. They have done their best to comply with all the supplemental standards for veterinary clinics in keeping the kennel operations away from residences. This request went to the Planning Commission in February, 2012 and they found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval.

No one spoke in favor of the request.

No one spoke in opposition to the request.

Mayor Gayle stated that Council would need to make a motion to postpone this request until March 22, 2012 and Council would not accept another tabling after that date.

A MOTION by Councilman Norton, seconded by Councilman Carroll, was unanimously adopted (7-0) to postpone the request to rezone .90 acres from Residential-Professional (R-P) to Neighborhood-Commercial (C-N) as requested by Vineyard Valdosta, LLC until the March 22, 2012 Council Meeting.

ORDINANCE FOR A CONDITIONAL USE PERMIT TABLED

Consideration of an Ordinance for a Conditional Use Permit to allow a Veterinary Clinic if the rezoning to C-N is approved as requested by Vineyard Valdosta, LLC (File No. CU-2011-07). The property is located at 2004 Baytree Road. The applicant previously asked for the Conditional Use Permit request to be tabled. The Greater Lowndes Planning Commission reviewed this request at their February 2012 Regular Meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval of the Conditional Use (7-0-1 vote) subject to one condition.

Matt Martin, Planning and Zoning Administrator, stated that the applicant is requesting that the request for a Conditional Use Permit be postponed for two weeks until the March 22, 2012 Council Meeting. This request went to the Planning Commission in February, 2012 and they found it consistent with the Conditional Use Review Criteria and recommended approval with the condition that the development is tied to the conceptual site plan.

No one spoke in favor of the request.

No one spoke in opposition to the request.

A MOTION by Councilman Norton, seconded by Councilman Carroll, was unanimously adopted (7-0) to postpone the request for a Conditional Use Permit to allow a Veterinary Clinic if the rezoning to C-N is approved as requested by Vineyard Valdosta, LLC until the March 22, 2012 Council Meeting.

ORDINANCES AND RESOLUTIONS

RESOLUTION NO. 2012-2, A RESOLUTION FOR THE VALDOSTA BOARD OF EDUCATION TO ISSUE BONDS

Consideration of a Resolution for the Valdosta Board of Education to issue bonds.

Larry Hanson, City Manager, stated that on March 15, 2011, an Education or E-SPLOST Referendum was held in Lowndes County at which time a 1% sales tax was passed by the voters of this community for a period of five years. The Referendum also had a provision to allow the Valdosta City School Board of Education to issue bonds for school construction. The Valdosta City School Board of Education has complied with all necessary preparation to issue \$25 million in bonds, including validation by Superior Court. They adopted a Bond Resolution to that effect on March 1, 2012. The Valdosta City School Board and the City of Valdosta have reviewed the information and determined that there must be sufficient revenues generated by the E-SPLOST to adequately retire the principal and the interest on those bonds. They will be paid by the Education Sales Tax first and in the event there is a shortage they would be paid by additional millage from the City School Board of Education. The bonds

were confirmed and validated by the Lowndes County Superior Court on August 3, 2011. Since the City of Valdosta is required to set the millage for the School Board and would have an obligation to do that in the event the tax did not pass, it is necessary for Council to adopt a Resolution in order for the School Board to proceed with the sale of these bonds. Gary Moser is the Attorney for the Valdosta City School Board and can answer any questions. The City of Valdosta has no financial obligation whatsoever and all the necessary and legal steps have been taken so that these bonds can be secured. Bond rates are historically low and it makes good business sense to accelerate building at a time they can borrow money and spare any inflationary costs in construction. There projects are ready to go and the bonds are ready to be sold. Larry Hanson recommended that Council approve the Resolution for the Valdosta Board of Education to issue bonds.

Gary Moser, Attorney for the Valdosta City School Board of Education, stated that the effective rate of this bond issue is .97% and it will allow the Valdosta City School Board of Education to proceed with building a new school. The people who voted for the E-SPLOST will actually get to utilize the school because they are passing the bonds and will build it before the funds are received. Mr. Moser asked for Council's consideration in approving the Resolution in order to issue the bonds. Councilman Vickers inquired as to what school they are planning to build. Mr. Moser stated that they will build a new Southeast Elementary School as well as make some other improvements.

A MOTION by Councilman Carroll, seconded by Councilman Yost, was unanimously adopted (7-0) to enact Resolution No. 2012-2, a Resolution for the Valdosta City School Board of Education to issue bonds, the complete text of which will be found in Resolution Book V.

LOCAL FUNDING AND REQUESTS

Consideration of a request to quit claim interest in the old Board of Elections building for one-half of the sale proceeds.

Larry Hanson, City Manager, stated that the City and County have jointly owned the old Board of Elections building for many years. It was formerly a joint City/County Drug Squad building and has been vacant since the Board of Elections relocated. Several years ago, the City and County each agreed to give their one-half interest in the building to the Industrial Authority. The Industrial Authority intended to acquire the lot and building next door and build an office facility and parking on both lots; however, this development never materialized. Neither the City nor the County has a use for the building and it has some issues which include removal of asbestos and other upgrades which will be expensive to bring it up to Code. The decision was made to auction the building and try to get the appraised value for it. Lowndes County, representing both the City and County, advertised the property for sale several times without receiving an offer of the appraised value. In the most recent advertisement for bids, they did receive a bid in excess of the appraised value. The appraised value of the property is \$128,000 and the sale price is \$128,250. The simplest manner in which to expedite the transaction is for the City to quit claim deed its one-half interest in the property to the County and for the County to in turn close on the property and remit one-half of the sale proceeds to the City. Larry Hanson recommended that Council approve the request to quit claim interest in the old Board of Elections building for one-half of the sale proceeds.

A MOTION by Councilman Payton, seconded by Councilman Vickers, was unanimously adopted (7-0) to approve the request to deed one-half of the City's ownership (\$64,125) in the old Board of Elections building to the County.

Consideration of a request to approve the Community Development Block Grant (CDBG) Fiscal Year 2012 Annual Action Plan.

Mara Register, Assistant to the City Manager, stated that the City of Valdosta was designated as an Entitlement Community in December, 2003 by the U. S. Department of Housing and Urban Development (HUD). HUD requires the City to adopt an Annual Action Plan which outlines the City's proposed use of funds allocated under the CDBG Program. Under the Community Block Grant Program, which was established in 1974 through the Housing and Community Development Act, the use of these funds must meet one of the following three national objectives: (1) Provide a benefit to low and moderate income persons, (2) Prevent or eliminate slum and

blight, or (3) Meet an urgent community need that threatens the health or welfare of the residents. The City's current CDBG allocation was cut 16% from the prior fiscal year and will be facing another 7.9% for the proposed fiscal year. The proposed Annual Action Plan puts the bulk of the funds in the ongoing Housing and Homeowner Rehabilitation Repair Program in the amount of \$418,560 with Program Administration of \$104,639 for total expenditures of \$523,199. This amount is the City's HUD mandated allocation for fiscal year 2012. Upon approval they will hold a mandatory public hearing and go into the mandatory 30-day comment period where the Plan will be available at the public library or in the Neighborhood Development Office prior to submission to HUD on May 15, 2012. Also, James Gilleylen, the City of Valdosta's Consultant from Texas will be at the Work Session in April to present the Analysis of Impediments. Councilman Payton inquired as to how many houses remain for repair or demolition. Mara Register stated that Council's goal was to eliminate all substandard housing by the year 2020 and we will be every close. Councilman Yost stated that in 2011, the number of homes demolished dropped from 2010 and inquired as to whether this was good news. Mara Register stated that was very good news because the City Marshals are actually having more houses brought up to Code through Code Enforcement than tearing them down.

A **MOTION** by Councilman Yost, seconded by Councilman Payton, was unanimously adopted (7-0) to approve the Community Development Block Grant (CDBG) Fiscal Year 2012 Annual Action Plan.

CITY MANAGER'S REPORT

Larry Hanson, City Manager, stated that the accelerated effort to eliminate substandard housing in Valdosta is a significant accomplishment and it is more than just demolition. The goal is to bring homes up to Code and not just demolish them. Over a decade, 600 homes have been demolished, which is 60 a year or 1 a week for 10 years, and almost 500 homes have been brought up to Code through enforcement. There have also been 115 homeowners helped by the City's CDBG Small Cities Program, 26 homeowners helped by the CDBG Entitlement Funding, 238 homes renovated through the Group Workcamp, and another 245 homes have been rehabbed and reconstructed.

The Azalea Festival will be held on March 10-11, 2012 from 10:00 a.m. to 6:00 p.m. in Drexel Park. This has been a very popular event and well attended event over the years. The City is one of the sponsors and Sementa Mathews, Public Information Officer, will have a booth to distribute information to citizens about the services the City offers.

There was a major weather event last weekend and we had over five inches of rain in the City. The drainage system did very well but there were a couple of problem areas. There was a problem with the Withlacoochee Wastewater Treatment Plant which was mainly due to the flood we experienced three years and our inability to make repairs until FEMA finally acts on our claim. There was also a lift station on Bemiss Road that had an overflow of primarily stormwater but that has been corrected with a new motor which was already in process. All the other lift station upgrades that were made, including Ponderosa, Big Country Club, and Eastwind, worked well and held up during the storm. A manhole was just discovered today that had an overflow on Blanchard Street and that is the only remaining issue.

The City of Valdosta received a call from the City of Lakeland asking for our assistance in helping them clean up the damage done by the recent tornado. They asked for some claw trucks which is the one area they could not find assistance in. John Whitehead, Deputy City Manager of Operations, went to Lakeland today and toured the community with their Public Works Director. They will have a community cleanup day tomorrow and we will provide our claw trucks to them next week beginning on Monday to help them load up the debris.

Downtown Valdosta Farm Days will begin on April 21, 2012 and will run through October 20, 2012 on the first and third Saturday of each month. This was very successful last year and because of that the City of Valdosta received a \$30,000 grant which will be used to expand the program. The City will also be partnering with the Lowndes County Partnership for Health and the South Georgia Health District on the Healthy Living Task Force.

The City's semi-annual Electronic Recycling Event will be held on March 31, 2012 at Mathis Auditorium from 9:00 a.m. to 1:00 p.m. This has become a very popular event and last year, through the efforts of our citizens bringing electronic materials, we were able to keep 65,000 pounds of electronic equipment out of the landfill.

The Government 101 Citizen Orientation Program will begin on April 2, 2012 and there are still have a few slots remaining so citizens are encouraged to apply.

The resurfacing of City streets will continue next week with Englewood Drive, East Moore Street, and Rosedale Place.

The Baytree Bridge Repairs are ongoing and nearing completion. The work is being done within the amount that was approved by Mayor and Council. Also, a six inch void underneath the apron of the spillway was found at the Millpond. It was pumped today with concrete to fill the void and they were able to do it without closing the road or disrupting traffic.

COUNCIL COMMENTS

Councilman Wright stated that he had a Retreat issue that has been on his mind for a while and it is his opinion that this process is flawed. The only Agenda Item that he has on the Retreat has been on there for six or seven years. They go to Retreat and talk about it and then they come back and nothing is done. When they get to the projects on the Southside of town, there are a lot of delays and problems either with cash or unforeseen circumstances. Councilman Wright stated that they talk about SPLOST and the funding of these projects and what they are going to do with these communities but if you look at where the development is at, there is very little to none happening outside of the capital improvement projects. He has gone to Retreats every year since he has been on Council but for him to continue this process would not be beneficial. Councilman Wright stated that he has serious reservations about attending the Retreat because of the process and not getting any results. This works for a lot of people but it does not work for him.

CITIZENS TO BE HEARD

Roy Taylor, 2209 Bridlewood Drive, stated that he read in the newspaper about how wrong our Police Officers have been and he has heard a lot of lies and innuendos that are not true because he checked them out. The City hires good Police Officers who are asked to protect us and we should support them 100%. He has seen the demoralization of the Police Force and they should not have to go through this. Mr. Taylor stated that he spoke with a person who was considering the march and asked him to go and speak with the Chief of Police; however, this was not done before the march. They had 21 people that he could count even though the newspaper said there were 50 people. Mr. Taylor stated that he had an incident on Saturday night at Jungle Jym's which he had purchased recently. They have birthday parties for families and charge \$10 per person for admission. For that amount they can play golf, bounce balls, and do other things as well as receive \$5.00 in tokens so that they can play the machines to win prizes. They had approximately 200 people there and a young lady come in with four children and no father to get their tokens. She walked away without paying. Mr. Taylor stated that he told the woman in a nice way that she owed them \$50 and she told him that she had already paid. They argued and the woman cursed at him so he asked her to leave the building. There were several children around who were listening and then her little brother who was 11 or 12 years old came up and offered to beat him up. Mr. Taylor stated that he then called the Police and after they arrived they had to call in some black Police Officers to back up the white Police Officers. He did not understand that because in America we are all one color. After an hour of asking the woman to leave, he asked the Police Officer to get her to leave because he did not want to press charges. If he had talked to anyone above his age at any time in his life like that he would not have been able to sit down because he would have been disciplined by his parents.

William Roberson, 2609 U. S. Highway 84 East, stated that he heard about the private prison a while back and even signed a petition; however, it was not until recently that he discovered it was practically at his front door. Mr. Roberson stated that he is against any humiliation, degradation, or anything that would debase a person, whether it was deserved or not, for profit. Recently, he asked some people to join him in a protest against the private prison and they drove by City Hall blowing their car horns. Mr. Roberson pleaded with Council to think about the citizens in Valdosta and what they stand for. The City purchased the property and then sold it for a profit and now someone else is planning to sell it for a profit. They will then build a facility to incarcerate people for a profit and the bottom line is always going to be profit. This will open up a multitude of things that can go wrong. Mr. Roberson stated that he understood prisons are necessary but not for profit. Valdosta can do better than this.

Councilman Vickers inquired about the prison. Larry Hanson stated that there is a private correctional facility that is being considered by the Industrial Authority and has been for some years. The site that is being considered is not in the City Limits of Valdosta.

Horace Mitchell, 3100 Southwest 143rd Avenue, Miramar, Florida, and 712 Monroe Street in Valdosta, stated that he had an issue with a speeding ticket that he received while driving in the 1800 block of Clay Road. There are two different speed signs and right before the overpass on Clay Road the speed limit changes to 35 miles per hour. Further back south it was 45 miles per hour. When he got to the bridge, there was a Police Officer sitting there waiting to give him a ticket. Mr. Mitchell stated that was a speed trap to him and the speed limit should be either 35 miles per hour or 45 miles per hour. There is not enough time to reduce the speed before the limit changes and the Police Officer is right there clocking cars with radar. Mr. Mitchell stated that he has a Court date on March 15, 2012 and it is unfair the way it is set up.

George Boston Rhynes, 5004 Oak Drive, stated that several people from the community have called the NAACP about the speed limit on Clay Road and that is why he brought it before Council and then he met with Larry Hanson, City Manager. They feel that this is a speed trap. When Leigh Touchton referred Mr. Mitchell to him, they drove that stretch of road and from just before the bridge it is exactly 0.3 of a mile wherein the speed limit is 45. It would be hard for anyone to justify why 0.3 miles is 45 miles per hour and then right over the bridge the Police Officer is there to give you a ticket. Mr. Rhynes stated that this is not criticism of the law enforcement but it may be something that they need to take a look at sooner rather than later because there are a lot of people with low incomes and that money could be used to feed their families. It would also make the City look better as well. Mr. Rhynes asked Council to just imagine how many people have traveled that same road and got a ticket but did not say anything. We can either face up to the things that need to be changed or we can ignore them but eventually they will be changed because we have more ideas and people who are not afraid. There are a lot of people in our community living in fear. The Professors at Valdosta State University have identified that we do have a lot of fear in this community; however as people like him step up and address the issues things will be changed because we have more progressive ideas. This will be better not only for us but for the coming generations. Our children will look back at us one day and they will be proud of us because we moved on like the rest of the metropolitan cities in the State of Georgia and the United States.

ADJOURNMENT

Mayor Gayle entertained a motion for adjournment.

A **MOTION** by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (7-0) to adjourn the March 8, 2012 meeting of the Valdosta City Council at 6:20 p.m. to meet again in regular session on Thursday, March 22, 2012.

City Clerk, City of Valdosta

Mayor, City of Valdosta