

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, SEPTEMBER 11, 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, Robert Yost, Sandra Tooley, and James Wright. Councilman Alvin Payton, Jr. arrived at 5:52 p.m. The invocation was given by Dr. Chuck Owens, Pastor of First Baptist Church, followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

Consideration of the September, 2014 Employee of the Month Award (Stephanie Blanton, Community Development Department).

Stephanie Blanton began her employment with the Inspections Department in August, 2000 as a Landscape Inspector and she served in that capacity for several years. After working in the Customer Service Department for a short time, Stephanie was assigned to the Community Protection Division where she assisted in all administrative aspects, organizing case files, and tracking citizen complaints. She also reviewed plans for construction, modification, and renovation of commercial buildings and advised contractors of changes required for tree and landscape compliance, displaying that her background and education in this field was a great asset to the Department. The Planning and Zoning Division was recently understaffed for approximately ten weeks. Knowing that there was office support needed, Stephanie stepped up and took on the duties of the Technician while completing her daily tasks in the City Marshal’s office and the Arborist Division. Not only did Stephanie give her support to that Department, she took it upon herself to receive training with the New World Permitting Computer System in order to be able to fill in when the Permit Office was in need of additional support. To further show what a dedicated employee and team player Stephanie is and why she is deserving of this award, the Department recently lost a tenured employee in the Permitting Division. A major shift in job responsibilities had to be made among the employees. Stephanie had the skills and knowledge to be able to complete the vacated responsibilities. She was reassigned a new title and relocated to the Permitting Department to be the Plans Coordinator Technician. Thomas Edison once said, “There is no substitute for hard work.” No matter what Stephanie has been asked to do or what Department has needed assistance, she lends a helping hand and is more than willing and capable to do whatever it takes to get the job done. For these reasons and many others, the Employee Relations Committee nominated Stephanie Blanton as Employee of the Month.

APPROVAL OF MINUTES

The minutes of the August 21, 2014 Regular Meeting were approved by unanimous consent (6-0) of the Council.

PUBLIC HEARINGS

ORDINANCE NO. 2014-20, AN ORDINANCE FOR A CONDITIONAL USE PERMIT FOR AN ACCESSORY DWELLING UNIT IN A SINGLE-FAMILY (R-15) RESIDENTIAL ZONING DISTRICT

Consideration of an Ordinance for a Conditional Use Permit (CUP) for an accessory dwelling unit in a Single-Family Residential (R-15) Zoning District as requested by Alex and Deborah Martin (File No. CU-2014-06). The property is located at 602 Pine Point Circle. The Greater Lowndes Planning Commission reviewed this request at their August Regular Meeting and recommended approval with two conditions (7-0 vote).

Matt Martin, Planning and Zoning Administrator, stated that Alex and Deborah Martin are requesting a Conditional Use Permit (CUP) for an Accessory Dwelling Unit in a Single-Family Residential (R-15) Zoning District. The property consists of 0.83 acres and is located 602 Pine Point Circle which is along the east side of the road about 180 feet north of its eastern intersection with Smithbriar Drive. The property contains an existing single-family residence (2,108 square feet) and the applicant is proposing to add an attached accessory dwelling unit (1,037 square feet) for two family members. The property is located within an Established Residential (ER)

Character Area on the Future Development Map of the Comprehensive Plan. Accessory dwelling units are defined in the Land Development Regulations (LDR) as a secondary dwelling established in conjunction with, and clearly subordinate to, a primary dwelling unit on the same lot whether a part of the same structure as the primary dwelling unit or in a detached structure. In the past, these have sometimes been referred to as a “garage apartment” or a “mother-in-law suite.” These are differentiated from a simple building addition in that they have the ability to function as their own complete dwelling unit by virtue of having a full kitchen, bathroom, sleeping/living area, and their own door to the outside. These units are allowed in each of the City’s Single-Family Residential Zoning Districts with CUP approval, and they must follow certain supplemental standards. The main purpose of these standards is to maintain the “single-family” character of the property and to prevent a backdoor method of creating a “duplex” in disguise or dual rental units where such are not allowed. In this case, the property is owner-occupied and the applicants have already received the necessary building permits to add on to the back of their house in the form of two bedrooms, a bathroom, and a living room; however, they would like this addition to also include a full kitchen and its own outside entrance door thus giving it the ability to function as its own full dwelling unit while still maintaining an interior walk-thru connection to the main dwelling. The proposed occupants are two adult family members who desire to have their own kitchen and a greater sense of independence. The proposed dwelling unit is located on the rear wall of the existing house adjacent to the existing carport and is completely non-visible from the front yard and street. It fully complies with all the required standards for Accessory Dwelling Units, and it certainly maintains the existing single-family character of the property. This is an ideal example of exactly what an attached Accessory Dwelling Unit should be. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria and recommended approval with the following conditions: (1) Conditional Use approval shall be granted for an attached Accessory Dwelling Unit as depicted on the submitted site sketch and floor plan. The dwelling unit shall maintain compliance with all applicable Code requirements for such dwelling units. (2) Conditional Use approval shall expire after two years if the dwelling unit is not completed and occupied by that date. The Planning Commission reviewed this at their August 25, 2014 meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to the following conditions (7-0 vote): (1) Conditional Use approval shall be granted for an attached Accessory Dwelling Unit as depicted on the submitted site sketch and floor plan. The dwelling unit shall maintain compliance with all applicable code requirements for such dwelling units. The dwelling unit shall only be occupied by family members of the primary dwelling. (2) Conditional Use approval shall expire after two years if the dwelling unit is not completed and occupied by that date.

Alex Martin, 602 Pine Point Circle, spoke in favor of the request. Mr. Martin stated that he was not trying to put a duplex in the area and all he was asking for was an exception so that he could take care of his mother-in-law and brother-in-law. They are both handicapped and have special needs. Mr. Martin stated that they have agreed to everything that they have been asked to do.

Charles and Connie Henke, 604 Smithbriar Drive, spoke in favor of the request. Mr. Henke stated that they resided in the same neighborhood as Alex and Debbie Martin and he was in favor of their request. He has been friends with them for a long time and he has lived in the neighborhood on and off since 1989. It is a very nice addition that they have built out back and you cannot tell that it has been added on. The new roof covers the entire house and they have matching siding. He has been in the addition and it is very up-to-date and modern. It is a noble thing that they are doing in taking care of the mother-in-law and her son. He did the same thing for his mother in the house right next door at 604 Pine Point many years ago in the 1990’s. As adults, if we have the chance to take care of our parents and give them independent living in the home it is a very positive thing for the children and grandchildren to see. Ms. Henke stated that even though the mother-in-law is elderly she is very independent and loves to cook and that is the reason for wanting the kitchen. She wants to feel like this is her home and to be independent for as long as she can be. Ms. Henke stated that she has worked with Debbie Martin for 18 years and she and her husband are wonderful people. They are doing a lovely thing and she is in favor of their request.

Nathan Brown, 604 Pine Point Circle, spoke in opposition to the request. Mr. Brown stated that his concern is not this second, this month, or next month, but it is after the mother-in-law dies or has to leave. Having what is a duplex is a blow on a very strong single-family neighborhood. He could understand having a kitchenette, but having a full blown kitchen is worse. When the Planning Commission reviewed this a lot was made about such large lots. The lots are large but it is only 60 feet from the Martin’s entrance door to his entrance door. The last thing he wants to see is a lot of people living there that are mobile coming and going. The mother-in-law does not

bother him but once the addition is there it is there. In his neighborhood on the far side there are two dwellings that had mother-in-law suites added when the neighborhood was in the County. If you ride by and look you can tell which ones they are. It is degraded the property. One reason he lives in that neighborhood is to have protection and a better neighborhood. It is a concern because there are a lot of cars there now as it is and it is very tight and close proximity. His concern is what happens in the future. Mr. Brown asked Council's consideration in not approving the request; however, if it is approved he would like to see some restrictions.

Walter Clary, 1 Castle Creek Place, spoke in opposition to the request. Mr. Clary stated that he has been a resident of the neighborhood for approximately 30 years. It is a very nice, old established neighborhood and not much has changed in the 30 years he has been there. His only concern is that things could change four or five years from now. If Council grants this request it would compromise the integrity of the neighborhood. Mr. Clary asked Council's consideration in rejecting the request.

Councilman Carroll stated that this is not a precedent setting decision because it does already exist in the neighborhood. He initially had concerns about creating a potential future duplex but the conditions as stated by Staff and those recommended by the Planning Commission really address the long-term concern by limiting it to where only the family members of the primary dwelling unit can live in the addition.

A MOTION by Councilman Carroll, seconded by Councilman Vickers, was unanimously adopted (7-0) to follow the Planning Commission's recommendation and enact Ordinance No. 2014-20, an Ordinance for a Conditional Use Permit (CUP) for an accessory dwelling unit in a Single-Family Residential (R-15) Zoning District as requested by Alex and Deborah Martin with the following conditions: (1) Conditional Use approval shall be granted for an attached Accessory Dwelling Unit as depicted on the submitted site sketch and floor plan. The dwelling unit shall maintain compliance with all applicable code requirements for such dwelling units. The dwelling unit shall only be occupied by family members of the primary dwelling, and (2) Conditional Use approval shall expire after two years if the dwelling unit is not completed and occupied by that date, the complete text of which will be found in Ordinance Book XIII.

ORDINANCE FOR TWO CONDITIONAL USE PERMITS (CUP) FOR A FLEA MARKET AND AN EVENT CENTER TABLED

Consideration of an Ordinance for two Conditional Use Permits (CUP) for a flea market and an event center as requested by Mike Gung (File No. CU-2014-07). The property is located at 1409 North Ashley Street. This case is recommended to be tabled for one month.

Matt Martin, Planning and Zoning Administrator, stated that this item was advertised for a City Council Public Hearing on September 11, 2014; however, the request needs to be tabled for one month to allow re-advertisement and review of a possible revised site plan being submitted by the applicant as well as some updates to the legal description of the property. Staff recommended that the request be tabled for one month to allow for proper re-advertisement. The Planning Commission reviewed this at their August 25, 2014 Regular Meeting and recommended tabling the request for one month to allow for re-advertisement (7-0 vote).

A MOTION by Councilman Vickers, seconded by Councilman Norton, was unanimously adopted (7-0) to table the request for one month for two Conditional Use Permits (CUP) for a flea market and an event center as requested by Mike Gung in order to allow for proper re-advertisement.

ORDINANCE NO. 2014-21, AN ORDINANCE TO AMEND THE LAND DEVELOPMENT REGULATIONS

Consideration of an Ordinance to rezone 1.24 acres from Single-Family Residential (R-15) to Office-Professional (O-P) as requested by the City of Valdosta (File No. VA-2014-08). The properties are located at 2413 and 2415 North Oak Street. The Greater Lowndes Planning Commission reviewed this request at their August Regular Meeting and recommended approval (7-0 vote).

Matt Martin, Planning and Zoning Administrator, stated that the City of Valdosta is requesting to rezone two parcels totaling approximately 1.24 acres from Single-Family Residential (R-15) to Office-Professional (O-P). The

property is located at 2413 and 2415 North Oak Street which is at both the northeast and southeast corners of the intersection of Gornto Road and North Oak Street. These are both remnant parcels from the City's recently completed extension of Gornto Road connecting eastward to Woodrow Wilson Drive. The northern parcel (0.71 acres) is currently vacant and owned by the City, and is proposed to be marketed for sale as future development. The southern parcel (0.53 acres) is privately owned by Ms. Sue Wise, and currently contains an existing single family residence with an active home occupation (beauty shop). The property is located within a Transitional Neighborhood (TN) Character Area on the Future Development Map of the Comprehensive Plan. Both parcels are deemed developable for small office usage; however, their unusual shape and configuration would make development somewhat challenging and would severely limit the amount office building they could hold due to the required parking, building setbacks, and buffer yards that would consume much of these properties. Nonetheless, the new road extension was not constructed to be a residential street and these residual properties are no longer well-suited for residential development. There are other properties in the area that are already zoned O-P and developed with professional offices. The Transitional Neighborhood Character Area designation allows a possible Zoning District range of E-R through C-N zoning. Given the recent completion of the new roadway and nature of these remnant parcels, the surrounding mixed pattern of both R-15 and O-P zoning, and the recent development trends in the immediate area for new professional offices, the proposed O-P zoning seems to be the most logical for both of these properties; however, it should be noted that outside the subject properties, the land in the area between North Oak Street and North Toombs Street still constitutes a well-established single-family neighborhood. For the future, it is Staff's belief that these surrounding properties to the north and south should retain their residential zoning and development pattern. Staff found the request consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval to the City Council. The Planning Commission reviewed this at their August 25, 2014 meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (7-0 vote).

No one spoke in favor of this request.

No one spoke in opposition to the request.

A MOTION by Councilman Yost, seconded by Councilman Norton, was unanimously adopted (7-0) to enact Ordinance No. 2014-21, an Ordinance to rezone 1.24 acres from Single-Family Residential (R-15) to Office-Professional (O-P) as requested by the City of Valdosta (File No. VA-2014-08), the complete text of which will be found in Ordinance Book XIII.

ORDINANCE NO. 2014-22, AN ORDINANCE TO AMEND THE LAND DEVELOPMENT REGULATIONS

Consideration of an Ordinance to rezone 3.89 acres from Single-Family Residential (R-10) and Office-Professional (O-P) to Multi-Family Residential (R-M) as requested by Turner Brooks, LLC (File No. VA-2014-07). The properties are located across the street from the Valdosta State University PE Complex at the northwest corner of Baytree Road and Azalea Drive. The Greater Lowndes Planning Commission reviewed this request at their August regular meeting and recommended tabling for two months (5-2 vote).

Matt Martin, Planning and Zoning Administrator, stated that Turner Brooks, LLC is requesting to rezone eight parcels totaling 3.89 acres to Multi-Family Residential (R-M) Zoning. Currently, three of the parcels (1.99 acres) are zoned O-P, and five of the parcels (1.90 acres) are zoned R-10. The property is located across the street from the Valdosta State University (VSU) PE Complex at the northwest corner of Baytree Road and Azalea Drive. The property also has frontage along Pine Tree Road to the rear. The properties fronting Pine Tree Road and Azalea Drive contain single-family homes, and the properties fronting Baytree Road contain fraternal organizations with the building on the corner parcel now being vacant. The applicant is proposing to demolish all of the existing buildings and re-develop the property as a 45-unit apartment complex with all units being four bedroom. The property is located within both the Neighborhood Activity Center (NAC) and the Established Residential (ER) Character Areas on the Future Development Map of the Comprehensive Plan. The property is also located within the Baytree-University Corridor Overlay District, as well as the Residential Parking Overlay District. As a point of reference, three and then four of these eight parcels were previously proposed by Elan Development in June, 2010 and January, 2011 for rezoning to R-M but were withdrawn both times by the applicant prior to reaching the final Public Hearing (File No. VA-2010-10 had 18 dwelling units and was 1.04 acres and File No. VA-2011-03 had 31

dwelling units and was 1.73 acres). The Greater Lowndes Planning Commission recommended denial of File No. VA-2010-10 by a vote of 6-1-1. As comparison, the current proposal has less unit density but covers more land. It also represents a westward expansion with 80' more frontage along Pine Tree Road but 250' more frontage along Baytree Road. The property is located in the boundary area between an existing single-family neighborhood to the north and west and more intensive uses to the south and east. These include the VSU campus (PE Complex), an existing apartment complex (formerly Little Jo Court), and the Valdosta Early College Academy (VECA). The proposed multi-family development is relatively small (less than 50 units) which in many ways could be viewed as a transitional use between these two different development patterns. Buffering requirements and other development standards of the LDR are designed to mitigate any negative impacts the multi-family development may have on the nearby single-family development. The applicant is proposing a site layout plan that keeps the buildings closer to the southern end of the property toward Baytree Road, and there is no proposed driveway access onto Pine Tree Road. The only points of access are onto Baytree Road and Azalea Drive, which are each an Arterial and Collector road respectively (intended to carry larger amounts of traffic). The LDR requires buffering along the property's entire western border. It also requires perimeter and street yard landscaping including a solid evergreen hedge or fence between the parking lot and adjacent streets. The property is located within the University Zone of the Baytree-University Corridor Overlay District which contains special requirements for land usage, front yard setbacks, and also special architectural standards. The proposed building elevations do not meet all of these architectural requirements; however, Staff believes the design can be amended to meet these requirements without adversely affecting the site layout. The question then remains, "In this situation, are the LDR requirements sufficient to mitigate any potential negative impacts from this proposed development?" As was recommended on past requests, placing certain conditions on the rezoning approval may be prudent in this case. The applicant has indicated that they are preparing a revised conceptual drawing depicting building elevation design in an effort to better comply with Overlay District architectural standards; however, this has not yet been formally submitted to Staff. This rezoning request has generated a tremendous amount of interest and concern from nearby property owners who have submitted numerous letters and petitions to both Staff and the GLPC. Staff found the request consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval with the following three conditions: (1) For multi-family development, combine all parcels of land into one lot, (2) From Pine Tree Road, minimum setbacks shall be at least 30' for buildings greater than one-story, and 100' for buildings greater than two-story, and (3) Buffer yard landscaping shall include a minimum of 3 canopy trees, 4 understory trees, and 30 shrubs per 100 linear feet. Buffer yards shall maintain a minimum width of 20'. There shall be an unbroken 6' tall opaque solid fence or wall along the entire western boundary as well as the entire frontage area of Pine Tree Road. There shall be no vehicular or pedestrian access to Pine Tree Road. The Planning Commission reviewed this at their August 25, 2014 meeting and recommended tabling for two months (5-2 vote) in order to gather more information in terms of the outcome of the Nichols House request.

Matt Martin, Planning and Zoning Administrator, stated that four years ago Staff did a quick inventory of the neighborhood to the north which is called Alden Park. They counted the number of homes that had a matching address. They used GIS and the Lowndes County Tax Assessor's database and looked at each individual property and compared the sight address of where the house is physically located and where their tax bill is sent. Using the 2014 Tax Assessor's database, within the 106 dwellings, there were four or five that had Post Office Boxes and with those it is difficult to guess as to whether it is owner occupied or not. Within the R-10 zoned area of the neighborhood, there were 23 (21.7%) green dots and 83 (78.3%) red dots which means there is a high percentage of property owners in the neighborhood who get their tax bill at a different address. There have been many letters and other items turned to the Zoning Department which are included in the Council packet. The applicant is not the owner of these properties but has them under contract. By our laws, we have to have notarized permission from the owners which we have from all either property owners. There are also petitions with over 300 signatures. The Nichols House, which is located at the corner of Azalea Drive and Baytree Road, used to have a fraternal organization that occupied it. It is now vacant and the neighborhood organization has submitted that particular piece of property to the Historic Preservation Commission (HPC) as a nomination to be historic property. If it is approved, it would be treated the same as any other property in the local Historic District. It would go through a review process by the HPC just like any other property. This is scheduled for a Public Hearing with the HPC on October 6, 2014 and if it is approved, it will come before the City Council on October 23, 2014 as the final decision makers. There are notification requirements that are attached to this including notifications to the State which dictates the schedule. It is entirely possible to approve one and not the other or vice versa. This rezoning request comes down to two thought processes. The first one is the Zoning change which generally drives the Zoning Map

and Character Area Map in terms of simple land use decision, and the second aspect is that from a development point of view. A Rezoning approval does not approve a site plan. They still have to go through the full Plan Review process and meet all of the criteria. If R-M Zoning is approved for this property, it means that they would be allowed to submit plans for anything that R-M Zoning allows which would be single-family, duplexes, multi-family, or other items allowed in R-M. They would only be bound by the provisions of our Development Code for R-M Zoning and by any conditions that might be placed on the rezoning change.

Councilman Carroll stated that as far as any designation of the Nichols House being historic as it pertains to the case before Council tonight it is a totally separate decision and issue. Matt Martin stated that was correct and one decision does not bind another. We have historic properties throughout the Historic District, both commercial and residential, which are zoned all kinds of different things and have all types of uses. Many of the former residential homes from 100 years ago were residential then and are now offices or commercial use. Land use and historic designation does not necessarily dictate the other. This is two different sets of consideration and two different processes. Councilman Carroll stated that whether the Nichols House is designated as historic or not has nothing to do with the decision that we are making tonight and should not factor into any decision they make. Matt Martin stated that it was there for background information and it has been nominated as historic property for various reasons so Council would look at the character and the land use that is there. If it gets rezoned or not it still may be historic property.

Councilman Payton inquired as to the definition of architectural modulation. Matt Martin, Planning and Zoning Administrator, stated that it was a fancy term for not having a flat wall. Councilman Payton stated that another site plan was presented at the Work Session and inquired as to what was different from that one and the one they received tonight. Matt Martin stated that the site plan in the Council Agenda Packet was dated September 3, 2014 and that site plan that was given to Staff after the Planning Commission Meeting to show a few changes. On Tuesday, September 9, 2014, Staff received an E-mail of a revised site plan with very minor revisions. The two buildings that were located at the eastern end of the property that are closer to Baytree Road appear to face the parking lot on the September 3rd site plan. They are now proposing that the smaller building to the west will now face west and the other parking lot. The issue is that there is precisely the same number of parking spaces as the number of bedrooms. That is the minimum standard for parking. One of the requirements for multi-family is that each parking space must be within 200 feet of the ground floor entrance of the apartment that it intends to serve. Staff would review this as part of the Plan Review process and allocate these parking spaces to the various buildings based on the number of dwelling units or bedrooms. If you look at the building farthest to the east and the number of bedrooms that are there, it needs every parking space in that parking lot in-between to accommodate it. The applicant has done a quick fix which is to re-orient the entrances the other way. The large building to the north that faces Pine Tree Road has been changed the same way. They have also added a few more sidewalks. This is a conceptual site plan and is subject to change. With the Baytree Overlay District, one of the other standards is to connect the parcel to the outside world for both vehicle and pedestrians and sidewalk connections to the outside are a requirement.

Tom Call, 1108 Gornto Road, spoke in favor of the request. Mr. Call stated that he represents the eight property owners as well as the applicant, Turner Brooks. He was approached well over a year ago by one or two of the property owners in this area and they asked him to do a market analysis of what he thought they could do with their property. After looking at the Alden Park neighborhood from Azalea Drive to McLeod Road, Alden Avenue, and Baytree Road, he came back and told them it was suited for multi-family development which is the highest and best used for the property. If you paid an appraiser he would tell them the same thing. They placed the property on the market and a few more owners joined in and they wound up with an assemblage of eight parcels. These owners have a right to sell their property just like the owners who oppose it have a right to do so. Staff took the application and after they had the First Step Meeting, it was their recommendation to approve the request. On the application there is a question that asks whether the proposed rezoning will permit a use that is suitable in view of the use and development of adjacent and nearby property. Staff's answer to that question was yes and that the property is located in the boundary area between single-family neighborhood and more intensive uses to the east and south of Valdosta State University. Multi-family development here could be viewed as a transitional use between two different development patterns. Another question was whether the proposed rezoning will adversely affect the existing use or usability of adjacent or nearby property. Staff's answer to that question was no. Buffering requirements and other development standards of the LDR are designed to mitigate any negative impacts that multi-family development may have on nearby single-family developments. Another question was whether the proposed

rezoning is in conformity with the policy intent of the Comprehensive Plan. Staff's answer to that question was yes. R-M zoning is eligible in both designated Character Areas for the property and is compatible with the existing residential and institutional development patterns. They also site the Baytree/University Corridor Overlay District. The purpose of this District is to promote the general health and safety of the welfare of the community, to implement the Comprehensive Plan, establish an appropriate architectural scale of harmonious design standards and distinguish between types of Character Areas along the Corridor, promote development patterns that encourage walking, biking, and use of public transportation, create an attractive streetscape that is aesthetically appealing and environmentally responsible, provide for appropriate infield development and land use transitions between commercial corridor, University-based activities, and adjacent residential neighborhoods. Mr. Call stated that this Project meets those standards. This rezoning really comes down to one simple question and that is whether the property and the eight parcels are suitable and qualified for multi-family development. That is the question that Council will have to answer. There are a lot of details on the Project that were given by the applicant to be totally transparent. Some of the information is required and some of it is not; however, the applicant has put the information on the table for Council to review. It is not a Planned Development so Council is not here to vote on the site plan but on the rezoning of the land. A lot of what the opponents have put out there is speculative opposition with no facts. There has been a strong argument that the property values will decrease in the area if this is built. Mr. Call stated that he owns property on Beauford Place which is directly behind the proposed development and he did a study. Little Jo Court is adjacent to the parcels and it was built in 1997. The average house value in 1997 according to the Lowndes County Tax Assessor's Office was \$36,945. Two years later after Little Jo was completed, the property value averaged \$47,270 which is a 34% increase in property values in two years. The only significant difference was that an apartment complex was put at the entrance to the neighborhood. Now the average house value on Beauford is \$103,000 which is a 130% increase in 18 years after a multi-family development was put in. Mr. Call stated that he strongly feels that this will not negatively affect the values in the area but will enhance them. Another argument made was that student enrollment is low and there are vacancy problems in town which may be true but that is today. Valdosta State is going to continue to grow and this is a long-term Project and it is not going to open today for business. The process of review, going through the permitting process, construction, and leasing takes a long time. The vision for VSU is still to grow and become stronger than ever. The Board of Regents just approved a measure to allow students from the northern counties in Florida that border Georgia to have a discounted enrollment tuition fee at VSU to encourage them to come here. They are being proactive about getting students to attend VSU and that will enhance VSU's strength in our community and their enrollment as well. Mr. Call stated that he found it consistent with development patterns in the neighborhood, Staff found it consistent with development patterns in the neighborhood, and he asked Council's consideration in finding it consistent with development patterns in the neighborhood as well. Councilman Vickers inquired as to the timeframe for the development to be completed. Mr. Call stated that it would be within two years. Councilman Payton inquired as to the projected cost of the Project. Mr. Call stated that early estimates are \$8 million to \$10 million.

Ed Barr, 2609 Green Meadow, spoke in favor of the request. Mr. Barr stated that he is not in any way involved in this development. He is a property owner and he and his wife invest in property. They are currently interested in divesting property. He had never met the realtor or the developer prior to their calling him about the development. In the interest of full disclosure and honesty, he did know the developer's father, brother, and sister quite well but they only met at this time. The first thing that he and his wife did when they were approached about selling their property was to look into the people who would be developing it. They called people and looked at property and found only positive responses from everyone they spoke with. They viewed property that the developer had developed and saw that it was all property that enhanced the neighbor and that is when they made the decision that this would be a good person to sell their property to. Mr. Barr stated that in 1949 his parents completed a house and he grew up in the neighborhood approximately 150 feet north of Alden Park but on Azalea Drive. That is the neighborhood that his friends lived in and he delivered newspapers in. At one time he could tell you every person who lived in that neighborhood. If you have been in that neighborhood recently, you will see houses that are beautiful and yards that are immaculate. If he thought in any way that this development, which will face Baytree Road with a portion of it backing up to Pine Tree Road with a fence and landscaping, would in any way negatively impact the houses there he would not be part of it. He would have been on the team of his former distinguished colleague Professor Walter Hobbs and he would have been opposing it; however, he believes with every fiber in his being that this is going to enhance that neighborhood. He would be happy to debate any person because there are all kinds of people opposed to it. He remembers this neighborhood through 1965 when he lived there and it had dirt roads; however, progress has occurred and the City has moved forward. There has been growth

and development and they do not want a dirt road on Baytree Road today. The City of Valdosta needs progress, growth, and development with control. Mr. Barr stated that the issue is whether the property will be developed in the future. He felt certain that it would be and everyone would agree that development will eventually come to this area. They have a chance to have a person who is a native of Valdosta who will build a development that we all will be proud of. We have a local person who is willing to invest this sum of money and his reputation and we should consider not letting this opportunity pass.

Hoke Hampton, 607, 609, and 511 Sustella Avenue, spoke in favor of the request. Mr. Hampton stated that he could tell Council all about the land and all about the man. In 1945 he moved from Gornto Road to Sustella Avenue. Sustella Avenue came into Baytree Road and from Baytree Road down to Oak Street there were only two houses on the right hand side. That is where C. C. Varnadoe lived and his brother worked for the Varnadoe's. Mr. Hampton asked Council's consideration in approving the request.

Sarah Bartholomew, 1622 Boone Drive spoke in opposition to the request. Ms. Bartholomew stated that her back door is within a block of this proposed development and she was speaking on behalf of her neighbors and all the citizens of Valdosta who are concerned about this issue. When a proposed development is this large and in a prominent location, there is more at stake than simply the concerns of the neighbors. Ms. Bartholomew stated that she brought petitions with her tonight. Because the Planning Commission has recommended postponing this decision and until the Historic Preservation Commission makes its recommendation and there is more complete information available from the developer regarding his plans, they were asking that Council postpone the request until they have the advice of their other two Commissions. If Council moves forward with their vote tonight, they ask that you carefully consider the eight standards that are in front of you governing the Exercise of Zoning Power for the City of Valdosta in making your decision. The Planner's responsibility and Council's is to build a solid foundation for future generations through physically, environmentally, and socially conscious development. Perhaps the strongest argument against the rezoning of this property at this time and in this manner is that there is no demonstrable need for more student housing. VSU's enrollment shows a decline of an average of 5% for the last three years. There are currently 270 empty beds in the dorms at VSU. The VSU budget shortfalls has already required cutting 11 staff positions and it appears that faculty positions may soon face that same fate. The developers say they want to give students choice within walking distance of campus. There are many housing choices already including VSU's dorms, apartment complexes, duplexes, and houses. Within four blocks of the main campus, there are currently 67 "For Rent" signs which conservatively represent 167 beds. This does not take into account The Grove, Remerton, or Blanton Commons. Competing head on with VSU does not support it but hurts it. Adding more supply to an already shrinking market will result in more vacant property which leads to the degradation of neighborhoods. This encroachment into an established neighborhood is unwarranted, the scale and density are indefensible, and this plan is not compatible with the 2030 Comprehensive Plan which calls for Baytree Road and Azalea Drive to remain established neighborhoods. This development calls for 180 separately keyed, individually leased premises that are not leased to families or households. The buildings as proposed will be among the largest in Valdosta with a parking lot the size of the one in front of Publix on Gornto Road and there is no consideration for guests. The addition of traffic at an already congested corner and the safety concerns of the students at the school across the street should be considered. None of the conceptual plans, elevations, or photo shopped images that they saw at the Planning Commission Meeting met the University Overlay requirements nor have they been complete. The 25 words on that application in response to 12 questions seem insufficient on which to base such an important decision. The answer that has repeatedly been given is that applying for a variance can fix all of those problems. If variances are required then the plan does not fit the site. This morning an Ante Litem Notice was filed indicating that they intend to pursue all legal remedies in the event of Council's approval of the application. In conclusion, it would appear that special privilege is being granted to this developer. Numerous facts and conclusions would have to be ignored by Council if they chose to approve. There is no need for student housing, it is overly dense, out of scale, and it intrudes into an established neighborhood. It threatens the viability of their neighborhood and it is not compatible with the 2030 Comprehensive Plan which includes Neighborhood Activity Center and Established Neighborhood Character Areas. It will damage the environment by clear cutting more than 70 old growth trees and create more stormwater issues than what we currently have in our community. Protection of our in-town neighborhoods is not accomplished by rolling available properties into one package, requesting a zoning change, and then over-developing that package. Approval places the interests of a single developer above the interests of all the citizens of Valdosta. Ms. Bartholomew asked, as the leaders of this City, for Council to consider the welfare of our community and not the potential profit margins of a few in making their decision. The Planning Commission and the Historic Preservation Commission should also be considered. Ms.

Bartholomew stated that she respectfully requested that when Council speaks they identify themselves so that their Court Reporter can actually record their comments.

Effie Lee Barrett, 1603 Beauford Place, spoke in opposition to the request. Ms. Barrett stated that she purchased her home from Albert Saunders and moved there on April 7, 1950. She lived there before they even started cutting the street. All of these real estate people who have bought property there are just like any other politician. They are in it for what they can get and they do not think about the people who have lived there for many years. Ms. Barrett asked Council's consideration in helping to keep their property safe because she knows what happens when they rent these places. She lives right by college students and even though they are good people they do not keep up anything.

Alfred Willis, 4153 Stonehall Boulevard, Hermitage, Tennessee, spoke in opposition to the request. Mr. Willis stated that he was a Consultant in architectural history and he was speaking on behalf of the Alden Park Homeowners Association who hired him to look into the historical significance of the eight houses affected by the applicant's proposal. Their goal was to be able to generate information helpful to Council in considering the proposal. All eight houses form an integral part of the most intact assemblage of evidence of Valdosta's northwestern expansion from the 1940's through the 1960's. Six of the houses were included in the 2003 Historic Resource Survey of Lowndes County and the results of which are made freely available by the State of Georgia. The Survey put property owners as well as local authorities on notice regarding the added value that included properties may possess as a function of their historic significance. Lloyd Greer or one of the notable Valdosta architects who succeeded him in his practice after his death in 1952 designed all five of the affected houses facing Azalea Drive or Baytree Road. Four of the seven significant houses can be connected with six other historical figures. All seven have at least local significance as a group. Five have at least local significance individually. One, the Nichols house located at 400 Baytree Road, is exceptional and has at least State-wide significance. The Nichols house is a major work of Greer. It has unique value for documenting the last phase of his practice. It is long been common knowledge in Valdosta that Greer designed it and it was documented as a Greer project in the early 1970's. The Planning Commission has been aware of its historic significance since the late 1980's. It was Valdosta's first ultra-modern house. It is one of America's best examples of a bi-nuclear house which is a rare but influential house form of which very few ever existed in Georgia. It seems to be the earliest and best preserved bi-nuclear house in the south. It is one of the finest houses ever built in south Georgia and in that respect it is on par with The Crescent. Mr. Willis stated that he has shared all of his findings with Emily Foster, City of Valdosta's Historic Preservation Specialist. She sent him an E-mail yesterday stating that she has not come across any information that would dispute them. The proposal submitted in connection with the application before you labeled conceptual layout for Baytree Gardens calls for destroying a large uniquely significant and therefore, irreplaceable part of Valdosta's heritage including an important piece of Georgia's heritage. Demolishing the Nichols house would have a negative impact on the architectural heritage of the United States by compromising the ability of future scholars to understand the dissemination of the bi-nuclear house type beyond its points of origin in California and Massachusetts. It would deprive the people of Georgia of crucial evidence showing the influence of Californian design on Georgia's domestic architecture during the post war decade. It would stimulate undesirable publicity and it would desecrate the memory of George Nichols who played a key role in bringing the plywood industry to Valdosta in the 1940's and around 1970 became the only white Valdostan to make substantial investments in redressing the disparities in rental housing that were Jim Crow's legacy to black Valdostans. Preserving the Nichols house would enhance Valdosta's attractiveness as a destination for heritage tourism. It would uphold the architectural quality of the neighborhoods bordering VSU and it would bring a claim to the City for showing leadership in protecting and adaptively reusing a modern masterpiece.

Babacar Mboup, 1620 Boone Drive, spoke in opposition to the request. Mr. Mboup stated that his neighbors have provided some facts that would justify the rejection of the request. He wanted to plea to Council not to destroy this area of peace and seclusion by letting this proposal happen there. It has nothing to do for the University or the neighbors. The Little Jo Apartment complex was very different and was built in conformity of the University structure. It merged into the University and fit well; however, this proposal would destroy their neighborhood. On a personal level, this house is the only investment he has. Many people have spent their entire life working their way to this country where they found opportunities to be who they are today. He asked Council's consideration in not allowing this proposal to destroy what he has invested in.

Walter Hobbs, 800 Cherokee Avenue, spoke in opposition to the request. Mr. Hobbs stated that Little Jo Court is not in their neighborhood. This is an R-10 neighborhood and even though they are working on another side of the City or down from them on Baytree Road, their neighborhood has risen in value all these years. He bought his house for \$22,500. His house is currently worth \$145,000 to \$150,000. It has risen in value because of the neighborhood. It has been protected and sheltered. In their neighborhood, Robert Soper purchased a house for his son and now his daughter lives in it. Judge Arthur McLane bought a house for his son and he lives there. There is a farmer in Coffee County who bought the McLeod house. His son, who is a Business Major at VSU, lives in it. These homes are not rental property. The Superior Court Judge in Coffee County owns a house behind Robert Soper's house on Beauford Place and his son lives there. There is an Atlanta banker who bought a house there for his grandsons to live in and now his granddaughters live in it.

Councilman Carroll stated that the rationale that leads to a motion is important for everyone to hear because they have invested a lot of time in this and he has a tremendous amount of respect for people on both sides of this case. In trying to bring this all together and the facts that apply, the first questions that they will have to answer is whether the property qualifies for the zoning that is being requested. In looking through all the standards, the Comprehensive Plan shows it in a Neighborhood Activity Center and for higher density developments. When you look at established residential, part of the requirements is that there is relatively well maintained housing and there is a higher rate of home ownership. You try to balance those out as you formulate an opinion on a case. It is true that Council has a responsibility to protect well established neighborhoods from incompatible uses, but multi-family residential is residential. With that background, he thought about other areas in our City where there is an old, established residential area that is mixed with multi-family. The first house he purchased in Valdosta was on Brookwood Circle and the Brookwood North neighborhood area has had four to five large apartment complexes inside the perimeter and in the heart of that neighborhood. He has seen the entire neighborhood thrive for decades now. He tried to weigh out and balance the decision making process of whether this property is eligible for multi-family or not and how it might impact it so he has to look at other neighborhoods. He did not see a negative impact and believes with that rationale the property does meet all the qualifications for multi-family residential zoning. Councilman Carroll stated that he also looked at the development of the site and recognized that they do have a certain demarcation between those properties that affront Baytree Road versus those that back up to Pine Tree Drive. You do have to consider what kind of impact the development would have on those sites. He has listened to those in opposition to the rezoning and he tended to agree a little in that there are no three-story structures on that end. One could argue the fact that on the Pine Tree Road side a three-story structure might be a little excessive and intrusive and he tended to agree with that personally. If you take the front and rear portions of this property, you see how the development can be done to be viable and maybe different from the current conceptual site plan. The Nichols house may be deemed historic at a future meeting, it does not matter if it is sitting on residentially zoned property or office and it is really not part of the decision making process. Councilman Carroll stated that this was his rationale for a motion for approval.

A MOTION was made by Councilman Carroll to approve the request with the conditions that Staff has supplied and one additional condition which is that the structures on this development that abut the Pine Tree Road side would be no more than two stories tall. Councilman Vickers seconded the motion. Councilman Yost stated that he had asked Staff to look at the traffic on Azalea Drive and Baytree Road as well as some of the current traffic problems they have in that area, especially when VSU is in session. They asked Staff to conduct a traffic study which was discussed when they met with the Neighborhood Association and to adjust the traffic light. Larry Hanson, City Manager, stated that the Engineering Department has not conducted the traffic study yet because the meeting was prior to the opening of the University and you would typically wait a period of days upon a major event like that so traffic becomes somewhat normal and it is not skewed by new people getting acclimated. They did make adjustments to the traffic signal at Azalea Drive and Baytree Road. Historically, there was a timing pattern that started around the Mall area to encourage traffic to go east on Baytree Road and turn left on Oak Street and catch all green lights. That was keeping the red light longer on Azalea Drive so that has been adjusted and it appears to be operating in a better fashion. Councilman Payton stated that he would have liked to have a recommendation from the Planning Commission where they could make wise and decisions but he did realize that was not always possible. Councilman Payton called for the question. The motion was adopted (5-2) with Councilwoman Tooley and Councilman Yost voting in opposition to enact Ordinance No. 2014-22, an Ordinance to rezone 3.89 acres from Single-Family Residential (R-10) and Office-Professional (O-P) to Multi-Family Residential (R-M) as requested by Turner Brooks, LLC, the complete text of which will be found in Ordinance Book XIII.

Consideration of a request to upgrade the Public Safety Radio System and amend the Public Safety Radio System Intergovernmental Agreement with Lowndes County.

Police Chief Brian Childress stated that the City of Valdosta teamed with Lowndes County in 1999 to purchase an 800 MHz radio system from Motorola Corporation which included county-wide interoperability with all public safety agencies. Since then, the radio system has performed well; however, the system now needs to be updated to the new state-of-the-art P25 digital 800 MHz radio system. As part of that purchase, an Intergovernmental Agreement was signed by the City and County outlining that ownership of the entire system would be joint and equal which means 50% ownership by each government entity for the entire system. The P-25 digital 800 MHz public safety radio system upgrade, if approved, will include but is not limited to software upgrades for the entire system and would include software for radios and computers, new hardware at tower sites, new hardware and radio consoles at the 911 Center, alarm monitoring equipment at all four radio tower sites, point-to-point radio transmissions which will allow multiple paths for radio transmissions in case of system failures, and moving the system from a Frequency Division Multiple Access (FDMA) format to a Time Division Multiple Access (TDMA) format, and allowing radio users to utilize the same frequency by dividing the signal into different time slots. Because the system would be upgraded, the current Intergovernmental Agreement, which is still in effect, would be amended reflecting continued joint and equal ownership of the old and new system upgrade between the City of Valdosta and Lowndes County. Per our Purchasing Ordinance, State contracts are authorized to be utilized for City purchases and Motorola is listed on State contract as an authorized vendor. Since Motorola was the vendor used for the previous system install and this is a system upgrade from Motorola, it is recommended that the request be approved to amend the Intergovernmental Agreement between the City of Valdosta and Lowndes County and approve the request to proceed with the radio system upgrade. The funding source for this upgrade is SPLOST VII and they have budgeted \$8 million between the City and County; however, the overall project for this upgrade came in at \$6,567,000 which was well under the estimated cost from SPLOST. Motorola has agreed to split the cost over three years between the City and County at 0% interest for a lease package. The first payment would begin in 2016 and continue through 2017 and 2018. This will allow us to generate revenue through SPLOST VII. Chief Childress recommended that Council approve the request to upgrade the Public Safety Radio System and amend the Public Safety Radio System Intergovernmental Agreement with Lowndes County. Larry Hanson, City Manager, stated that he received an E-mail today at 3:02 p.m. from the County Manager with a proposed Amendment to the Intergovernmental Agreement. He responded that he was in a meeting and this was a significant Amendment so there was no way that Council could take action on that today. Chairman Bill Slaughter was at the same meeting and he understood that we would not be able to act on that tonight and would save it for a conversation at a later date. Council will be acting on the Intergovernmental Agreement tonight and the decision to go with Motorola. Councilman Yost inquired as to whether the Amendment that will be brought back before Council would cost us any more money. Larry Hanson stated that it was not about the cost, operation, or ownership of the system.

A MOTION by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (7-0) to upgrade the Public Safety Radio System and amend the Public Safety Radio System Intergovernmental Agreement with Lowndes County.

Consideration of a request to execute a Transportation Enhancement Agreement (TEA) with the Georgia Department of Transportation (GDOT) for Phase 1 of the Martin Luther King (MLK), Jr. Drive Streetscape Project.

Emily Davenport, Assistant Director of Engineering, stated that several years ago, the City of Valdosta succeeded in securing \$500,000 in Transportation Enhancement (TE) funds, \$159,373 in Community Development Block Grant (CDBG) funds, and \$245,000 in Housing and Urban Development (HUD) funds for construction of the MLK, Jr. Drive Corridor and Streetscape Project. The overall project extends from South Oak Street to South Lee Street. Phase 1A, which extends from South Ashley Street to South Lee Street, was broken out in 2010 to secure funding from HUD and to advance the improvements while ongoing design and property purchases for the remaining portion of the Project (South Ashley Street to South Oak Street) continued. In 2011, Phase 1A of the Project was constructed using portions of the aforementioned funding sources; however, to date, the \$500,000 TE funding has remained in place with the Georgia Department of Transportation (GDOT) for the exclusive use of the City of Valdosta to expend once the final design and property acquisition was complete. Final design and property acquisition are now complete. On July 14, 2014, the GDOT sent a TE Agreement package and cover letter. The

package consists of the following: (1) Signature Page, (2) Resolution/Certification, (3) Opinion of Counsel Letter, (4) Certification of Sponsor, (5) Certification of Compliance, and (6) an E-verify Affidavit to execute. The Georgia Public Works and Contractor Act requires contractors working for public employers to provide a signed, notarized affidavit attesting that the affiant has registered with, is authorized to use, and uses the Federal authorization program. The GDOT has determined that this requirement applies to all non-procurement contracts. TE Agreements are non-procurement contracts where the sponsor (the City) is considered the contractor; therefore, the City must complete an E-verify Affidavit. The Project completion date is December 31, 2016 and we have been approved for up to \$625,000. This is an 80/20 Agreement which means that \$500,000 will be provided back to us if we spend the full amount and we will have to match \$125,000. Once all the items in the package are approved by City Council and executed in triplicate, the documents will be sent to and reviewed by the GDOT for execution. Bids for Construction are not anticipated until sometime in November, 2014; however, after the bid results are evaluated, GDOT will send a copy of the fully executed Agreement and the Notice to Proceed with Construction. Emily Davenport stated that in response to Councilman Wright's question at the Work Session regarding the portion from Lee Street to Fry Street and why it is not being included in this Agreement, the files that she found went back to 2003. There was a Steering Committee who had done a master plan and survey of the entire area and there was a request for qualifications to look at the entire Corridor. In 2004, they had a conceptual design and Phase 1 included the Park only. Phase 2 was from Oak Street to Lee Street, and Phase 3 was Lee Street to Fry Street. Some of the funding that was received, specifically the HUD funding did have some limitations in terms of time so they had to move forward with a portion which is where the Ashley Street and Lee Street came in. There was also some CDBG funding used. The TEA funding was never used and that is why it is the only funding source for this section from Oak Street to Ashley Street. There was a letter from the GDOT where the City had requested \$1 million originally for that application but we were only approved for \$500,000. As part of the letter, it did state that the City had to reduce the scope and size to ensure that we would be able to fulfill those Agreements and not have any type of violation. It appears that at that point the Project was minimized. Larry Hanson, City Manager, had previously mentioned about the Downtown Project being extended to that area. Emily Davenport stated that she did speak with the Main Street Office and they clarified that the Downtown area boundaries include Toombs, MLK, and Lee Streets. Since there was a little portion was between Toombs Street and Oak Street, they went ahead and placed it into that particular phase because there was less funding and it seemed to make sense going with the Downtown area. She was not saying they could not complete the Lee Street to Fry Street portion, but they would need to secure funding if it exceeds current budget requirements at a later date. Larry Hanson, City Manager, stated that he viewed the area today and the primary purpose of this Project was to add sidewalks, new streets, and curbs. The section from Lee Street to Fry Street does have sidewalks and curbs on both sides. None of the other sections did. This section of road is in very poor shape and that is why they were staged in the priority that it was. The sidewalks on the new section of MLK actually match up with the existing sidewalks from Lee Street to Fry Street. Emily Davenport stated that some of the sidewalks had average rankings in terms of the classification so if there were some minor improvements made to cracked sidewalks they could do that in-house. Larry Hanson, City Manager, stated that he hoped it would go to bid in November, 2014.

Councilman Vickers stated that he was disappointed because everyone who was involved in the Project had the understanding that they were going from Oak Street to Fry Street. It was obviously changed and they did not know anything about it being changed. This is a case where Staff made the decision to reduce it. He was part of the Advisory Committee and that is what they thought. He was not trying to hold up where they are at but when he looks at MLK from Toombs Street to Oak Street it is in good shape. It has drainage and curb and the houses are right up on the street. The area from Toombs Street back to Patterson Street needed some work and he was disappointed. We do not need to do the same thing from Lee Street to Fry Street as what was needed for Lee Street to Oak Street and Toombs Street. They were looking to enhance the entire street. Maybe on the next SPLOST they could look at what they can do with the other end. Emily Davenport stated that they could also continue to look for funding. With the TEA funding, when they had to present the concept reports in 2007 and 2008, they had to identify that specific area and show that they had funding to complete the Project. As part of that, they also have to do the historic and environmental and that portion has been completed. Councilman Vickers stated that they did not need to go look for funds but the next time SPLOST funds come up we need to look at that because there is a lot more latitude. Larry Hanson, City Manager, stated that it is possible that this Project could come in less than expected and we could look at any excess proceeds to see what could be done.

Councilwoman Tooley inquired as to whether we received any funds from the Downtown Improvement for working in that area. Emily Davenport stated that they did not receive any of those funds. When you look back at

the 2004 initial idea of how the Corridor would be broken out, some things have changed over time and that was prior to funding. Larry Hanson, City Manager, stated that the Downtown Tax is not used for capital projects but is used for services such as funding of Staff, programs, advertising, etc.

A MOTION by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (7-0) to enact Resolution No. 2014-17, a Resolution authorizing the City of Valdosta to execute a Transportation Enhancement Agreement (TEA) with the Georgia Department of Transportation (GDOT) for Phase 1 of the Martin Luther King (MLK), Jr. Drive Streetscape Project, the complete text of which will be found in Resolution Book V.

LOCAL FUNDING AND REQUESTS

Consideration of a request to approve an invoice for emergency sewer repairs at Dukes Bay Canal.

Henry Hicks, Utilities Director, stated that on April 9, 2014 at approximately 5:00 p.m., the Utilities Department Staff investigated a report of an active sewer spill behind the 1800 block of South Patterson Street entering Dukes Bay Canal. This portion of Dukes Bay Canal is bordered by Tucker Road on the north and Gil Harbin Industrial Boulevard on the south. Due to the location and equipment needed for the repairs, the Utilities Department contacted a local contractor, Standard Contractors, to undertake the necessary emergency repairs. The contractor set up a bypass pumping system to begin replacing several manholes and the sewer main on the north side of Gil Harbin. During preparation for the bypass work, the contractor discovered that there was another very large blockage further downstream which was preventing sewage from getting to the main sewer interceptor. Because of repeated blockages in this part of the sewer system, the Utilities Department, upon recommendation of the contractor, agreed that the sewer line through the problem area needed to be re-routed versus an attempt to make the repairs in a very swampy and continuously flooded area. In order to undertake this re-routing, three new sewer easements were sought and granted by the individual property owners. Upon receipt of the easement agreements, construction of the new gravity main and associated manholes began. Due to the location and equipment needed for repair, the Utilities Department was not able to undertake this work. As a result, Standard Contractors was contacted to perform the emergency repairs which were completed shortly after easements were acquired. Approximately 2,500 feet of new 15 and 18-inch sewer main with 10 new manholes were installed in the newly acquired easements. In addition, 500 feet of old 15-inch sewer main and the tops of 5 manholes were removed from within the old abandoned easement. Because of the emergency nature of this work, it was not feasible to advertise this work for bids. Henry Hicks, Utilities Director, recommended that Council approve the final invoice from Standard Contractors in the amount of \$789,246.00 for re-routing the sewer main for the completion of this phase of emergency repair work at Dukes Bay Canal. Councilman Payton inquired as to the total cost of this Project to date. Henry Hicks stated that he did not have the total amount but thought it would be close to \$1 million.

A MOTION by Councilman Payton, seconded by Councilman Norton, was unanimously adopted (7-0) to approve an invoice from Standard Contractors in the amount of \$789,246.00 for re-routing the sewer main for the completion of this phase of emergency repairs at Dukes Bay Canal.

Consideration of a request to conduct a Classification and Compensation Study for the City of Valdosta.

Renassa Small, Human Resources Director, stated that the City Manager initiated a review of the Classification and Compensation Plan Study in 1995 following his appointment. Dr. Stephen Condrey was the author of the original Classification and Compensation Study which prompted the current pay plan and pay grade schedules. Over the years, the City of Valdosta has experienced a decrease in the number of approved positions; however, the duties and responsibilities associated with those positions remained. In reducing positions and maintaining their associated duties and responsibilities, many classifications had to absorb additional functions for the City to maintain its high level of customer service. This change in duties and responsibilities has prompted the need for a new Classification and Compensation Plan Study. In addition, it is necessary to have an outside independent party compare the City's compensation to similar sized cities and take into account both market competition as well as peer government evaluation to remain competitive in the recruitment and retention of a highly qualified and skilled workforce. The purpose of the Classification and Pay Study is to review duties and responsibilities of positions across the City and prepare a Classification and Compensation Plan Presentation for the Mayor and City Council for recommendations during the next budget year. Dr. Condrey and his team will review

the following in creating a new Classification and Compensation System: (1) Job duties and responsibilities, (2) Drafting of updated job descriptions, (3) Fair Labor Standards Act designations, (4) Pay Plan updates, and (5) Pay Grade updates, and (6) Salary comparisons (with the current market and cities of comparable size). Dr. Condrey and his Staff will start out by meeting with the City Manager and Department Heads to discuss the scope of the Study and what they will be looking for. After that, there will be extensive interviews with each employee who will receive a questionnaire identifying the duties and responsibilities they have to assist in the job description building project. The cost for the Classification and Compensation Study is \$57,000. If approved, the Classification and Compensation Plan Study project will commence with the following schedule: Condrey and Associates will begin work on the project October 9, 2014, a preliminary report will be submitted for review in January, 2015, and a final report submitted before February 28, 2015. Renassa Small recommended that Council approve the proposal from Condrey and Associates, Inc. to conduct a Classification and Compensation Study for the City of Valdosta at a cost of \$57,000.

A MOTION by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (7-0) to approve a request for Condrey and Associates to conduct a Classification and Compensation Study for the City of Valdosta in the amount of \$57,000.

BOARDS, COMMISSIONS, AUTHORITIES, AND ADVISORY COMMITTEES

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, Gregory Powell, whose term will expire on October 1, 2014. Mr. Powell has expressed an interest in being reappointed. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants applying for this position are as follows: (1) Charlie E. Godfrey- Retired and Part-time Employment (Lowndes County Board of Health), (2) Dr. Brian Griner - Doctor (Brian C. Griner, M. D.), and (3) Gregory Powell - Workforce Development (Langdale Industries). There was another application submitted for appointment to the Hospital Authority by Aubrey R. Fowler, III, Associate Professor, Department Head of Marketing & International Business at Valdosta State University; however, his name was not submitted for consideration by the Hospital Authority of Valdosta and Lowndes County. Mr. Fowler did note that he would also like to be considered for the Valdosta Tree Commission as his second choice. Larry Hanson, City Manager, stated that the Chairman of the Hospital Authority, Bill Cowart, has sent a letter stating that they are recommending the reappointment of Greg Powell.

Mayor Gayle asked for nominations. Councilwoman Tooley placed in consideration the name of Greg Powell. Councilman Yost placed in consideration the name of Dr. Brian Griner. There being no other nominations, Mayor Gayle closed nominations. Greg Powell received four votes and Dr. Brian Griner received three votes. Greg Powell was reappointed to serve a term of five years on the Hospital Authority of Valdosta & Lowndes County.

Councilman Payton stated that he noted in the letter from Bill Cowart, Chairman of the Hospital Authority of Valdosta and Lowndes County that Greg Powell has served on that Authority since 1994 which means that would have 20 years of serving. He was not certain what the Mayor and Council could do as it relates to the term of appointments and inquired as to whether the Mayor and Council could implement any type of term limits on the various Boards, Commissions, and Authorities. Larry Hanson, City Manager, stated that approximately eight years ago there was a lengthy debate and there were term limits in the first draft of the Boards, Commissions, and Authorities Policy; however, Council chose at that time not to approve the term limits. There were reasons for that because you have some with five year terms and some with two, three, and four year terms. In the end, the Council chose not to do that but if the current Council would like to reconsider that then we can bring some information back to them. Mayor Gayle stated that we are the only City and County in the State that selects Hospital Authority members in this manner so it is possible that we could make some changes. Councilman Wright inquired as to how the others are selected. Mayor Gayle stated that we would take applications like we currently do with other Boards and Commissions and then we would submit three names to the Hospital Authority instead of them submitting names to us. Councilman Vickers stated that it was in their Charter and we cannot make changes. Larry Hanson, City Manager, stated that there is now a State law that governs how Hospital Authority members are appointed State-wide. Mayor Gayle stated that we would have to have our local Legislators introduce legislation to change it.

Councilwoman Tooley stated that she has been asked by several people about the term limits and how long are people allowed to serve on the different Boards and Commissions. Mayor Gayle stated that they all have a certain term length but there is no limit as to how many terms they can serve. Larry Hanson, City Manager, stated that Council would need to change the Boards and Commissions Policy with the exception of the Hospital Authority.

Consideration of appointments to the Valdosta Tree Commission.

Larry Hanson, City Manager, stated that the Valdosta Tree Commission has two members, Kevin Conrad and Robert H. Harrison, whose terms will expire on September 6, 2014. Both Mr. Conrad and Mr. Harrison have expressed an interest in being reappointed. The Valdosta Tree Commission also had another member, Bessie Evans, who resigned on March 5, 2014. Ms. Evans' term will expire on September 6, 2016. These appointments were advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants applying for these positions are as follows: (1) Kevin Conrad - Retired from Commercial Banking Company, (2) Aubrey R. Fowler, III - Associate Professor, Department Head of Marketing & International Business (Valdosta State University) - Second Choice, (3) Robert H. Harrison - Retired from Valdosta State University, and (4) William G. Williamson - Retired.

Mayor Gayle asked for nominations for Position #1 (Kevin Conrad). Councilman Carroll placed in consideration the name of Kevin Conrad. There being no other nominations, Mayor Gayle closed nominations. Kevin Conrad was reappointed by acclamation to serve a term of four years on the Valdosta Tree Commission.

Mayor Gayle asked for nominations for Position #2 (Robert Harrison). Councilwoman Tooley placed in consideration the name of Robert Harrison. There being no other nominations, Mayor Gayle closed nominations. Robert Harrison was reappointed by acclamation to serve a term of four years on the Valdosta Tree Commission.

Mayor Gayle asked for nominations for Position #3 (Bessie Evans). Councilman Norton placed in consideration the name of William Williamson. There being no other nominations, Mayor Gayle closed nominations. William Williamson was appointed by acclamation to fill the unexpired term of Bessie Evans on the Valdosta Tree Commission.

CITY MANAGER'S REPORT

Larry Hanson, City Manager, stated that the Fire Department held their first Career Expo on September 9, 2014 and they had over 50 attendees. They had people picking up 37 job applications and 15 vendors were also there. The participation was good and it was a great success.

Larry Hanson, City Manager, stated that the Fire Department kicked off the new Citizens Fire Academy on September 9, 2014. There were 18 participants in the class and they were off to a good start. Some of the comments sent to Fire Chief Broome were: "Chief, I do not know where to begin to tell you how much I enjoyed our first class last night. The information was amazing and very interesting. I tried to absorb every detail. The one thing that rang true throughout the evening was the enthusiasm and commitment of every member of your team. Their love for the Valdosta Fire Department and respect for you and each other was so refreshing." Another comment was: "Chief, Wow! What a great experience last night! I want to thank you and your Department so much for hosting this awesome Fire Academy. I learned so much in one night and I am super excited for next week already."

Larry Hanson, City Manager, stated that they held a 9-11 Remembrance Ceremony this morning at Fire Station No. 1. It was a very moving Ceremony and we need to always continue to remember and honor those who lost their lives.

Larry Hanson, City Manager, stated that the Valdosta Police Department is currently taking applications for their Police Academy that has been going on for many years. This will start on Thursday, September 25, 2014 and will continue for eight consecutive Thursdays. This is a great opportunity for citizens to get involved and learn

more about public safety. Also, the Valdosta Police Department is doing a great job in solving major crimes as they are occurring and we appreciate all of their efforts.

Larry Hanson, City Manager, stated that Georgia Power has submitted a Plan to us for some additional lighting on the Overpass Project. This has been sent to the Georgia Department of Transportation and we are awaiting their approval.

Larry Hanson, City Manager, stated the Mayor and Council would need to have an Executive Session tonight to discuss litigation, real estate, and personnel.

COUNCIL COMMENTS

Councilman Payton stated that having the hard copy of the Council Packet tonight brings back some pleasant and unpleasant memories.

Councilman Carroll thanked Matt Martin, Planning and Zoning Administrator, for his assistance on the rezoning request on Baytree Road. He went way above and beyond in working with both those in opposition and those in favor of the request as well as some of the Council members. Also, Councilman Carroll stated that he met today with Corey Hull, Transportation Planner/MPO Coordinator with the Southern Georgia Regional Commission, regarding the 2030 Master Transportation Plan update. Council members Payton, Tooley, and Wright have already met with him in an open forum and he encouraged all members of Council and the citizens of Valdosta to meet with him to discuss transportation issues.

Councilman Yost thanked all of the citizens who worked very hard for many weeks and months regarding the rezoning request on Baytree Road. This will spur them to meet more often in order to deal with situations as they arise. That is a positive thing and it is a very good Neighborhood Association which will only get better.

CITIZENS TO BE HEARD

Alyce Tolson, 3357 Wesley Road, stated that she came to Valdosta 14 years and purchased a lovely home in a small and well cared for subdivision. Homes, lawns, bushes, and trees were all cared for. Today her subdivision is sliding down the road and has become a slum. There are dead trees everywhere as well as trees that are not suited for that area. There is dry rot on the houses and lawns are not maintained and never edged. There are many rentals in the subdivision and the landlord has not put a plan into place where the renter will do the yard work or pay a higher rent and have someone else maintain the lawn. This is a problem more about the landlord than the renter since the property is owned by them and not the renter. Apparently the City of Valdosta has not written any rules for the landlords. Valdosta is only interested in the tax base; however, when you are faced with an area that is going down the tax base will go down also. If rules were put into effect so that the yard and appearance of the unit would not look like they do. The value of her home has depreciated at least \$10,000 since when she purchased it. She has made many phone calls to the City about this matter and the City Marshals told her that they cannot do or say anything because it is not in the rules and they must follow the rules. The only time that they can give notice is when the grass is more than eight inches tall. She has notified the City about a dead tree in Dr. Chiang's rental homes but it is still there. Every time the wind blows and the rain is strong more branches fall. The fence that divides her property is full of trash, dead branches, and is overgrown with weeds. Dr. Chiang had a lovely area with brick homes and nice lawns and flowers. Now it is on the way down with empty houses and the yards are very sad. The developer should have put a Board in place before he turned the housing area over to the City. That way you can establish a Board that will oversee the yards and other things. It does not matter to her what the inside of the home looks like but she would like for the outside to be taken care of and look nice. Council needs to take a more serious look at the community before we become another Detroit.

Pat Scoby, 3012 Academy Drive, stated that she sat in the back of the Council Chambers since there was a large crowd tonight and once they left she moved to the front. She still had problems hearing the Council members and wondered if it was because they sat so far back from the microphones. A lot of the discussion was scabbled and not clear and Council may want to look into that.

Mayor Gayle entertained a motion to enter into Execution Session for the purpose of discussing litigation, real estate, and personnel.

A MOTION by Councilman Carroll, seconded by Councilman Vickers, was unanimously adopted (7-0) to adjourn the September 11, 2014 Regular Meeting of the Valdosta City Council at 7:43 p.m. and enter into Executive Session to discuss litigation, real estate, and personnel.

Mayor Gayle reconvened the September 11, 2014 Regular Meeting of the Valdosta City Council at 8:28 p.m. and stated that action would need to be taken on a real estate matter.

A MOTION by Councilman Carroll, seconded by Councilman Wright, was unanimously adopted (7-0) to purchase property located at Melrose Drive and Lakeland Avenue in the amount of \$40,000.

Mayor Gayle entertained a motion for adjournment.

A MOTION by Councilman Yost, seconded by Councilman Wright, was unanimously adopted (7-0) to adjourn the September 11, 2014 Meeting of the Valdosta City Council at 8:29 p.m. to meet again in Regular Session on Thursday, September 25, 2014.

City Clerk, City of Valdosta

Mayor, City of Valdosta