

**MINUTES  
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL  
5:30 P.M., THURSDAY, DECEMBER 6, 2007  
COUNCIL CHAMBERS, CITY HALL**

**OPENING CEREMONIES**

Mayor John J. Fretti called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Sonny Vickers, Alvin Payton, Jr., John Eunice, Robert Yost, and James Wright. Councilman Willie Head, Jr. arrived at 5:41 p.m. and Councilman David Sumner was absent. The invocation was given by Pastor Wayne Robertson of Morningside Baptist Church, followed by the Pledge of Allegiance to the American Flag let by Cub Scout Dustin Hart of Pack 440 and Boy Scouts Dalton Hart and Charles Cutshaw of Troop 440.

**AWARDS AND PRESENTATIONS**

**PRESENTATION OF THE DECEMBER EMPLOYEE OF THE MONTH POSTPONED**

Mayor Fretti stated that the nominee for the December Employee of the Month was unable to attend the Council meeting and entertained a motion to postpone the December, 2007 Employee of the Month Award presentation until the January 10, 2008 regular Council meeting.

A **MOTION** by Councilman Vickers, seconded by Councilman Eunice, was unanimously adopted (5-0) to postpone the December, 2007 Employee of the Month Award until the January 10, 2008 regular Council meeting.

**SPECIAL PRESENTATION BY MATT HART, BOY SCOUTS OF AMERICA, AND BOBBY YARBROUGH, UNITED WAY**

Special presentation by Matt Hart, Boy Scouts of America, and Bobby Yarbrough, United Way.

Matt Hart, Boy Scouts of America, stated that he wanted to recognize the following City employees for their participation in the United Way Day of Caring and for helping the Boy Scouts at Camp Patton: John Whitehead, III, Afsaneh Jabbar, Anthony Musgrove, Keith Martin, Lori Bedene and her son, John Bedene, Jr., Monica Nelson, Feretz Berrian, and Emily Davenport. Though the job was not completed, the Public Works and Water and Sewer employees returned to Camp Patton on their own time to continue the spirit of service and giving back to the community. Matt Hart presented a plaque to Mayor Fretti on behalf of the Boy Scouts of America and thanked the City employees for their assistance.

Presentation of the 2007 Greater Valdosta Community Christmas Parade Award Winners.

Mayor Fretti stated that the 2007 Greater Valdosta Community Christmas Parade was sponsored by Ossipe Temple #65, the City of Valdosta, Valdosta Main Street, and Coca Cola. Demarcus Marshall and Bob Cosby, members of the Ossipe Temple #65, presented the following Shriner's Christmas Parade Awards: Third Place – Girl Scout Troop 514, Second Place – Georgia Power, and First Place – Knights of Columbus.

**APPROVAL OF MINUTES**

The minutes of the November 19, 2007 Regular Meeting of the Valdosta City Council were approved by unanimous consent (6-0) of the Council.

**CITIZENS TO BE HEARD**

Joe Prater, 3216 Wildwood Plantation Circle, stated that he wanted to speak on behalf of the residents of Wildwood North, Wildwood Place, and Bellemeadow regarding the access issue of The Gardens condominium complex. Mr. Prater stated that they realize that the decision on the zoning request has been postponed until

January, 2008, but he wanted to make sure that Council knew their concern was not about access to Country Club Road and they would not comment on that issue now or at the January, 2008 Council meeting. Their three streets are to the east of Wild Meadow, which is a narrow residential street that parallels North Valdosta Road and runs north and south. Wild Meadow is to the south of The Gardens and north of Country Club Drive. Mr. Prater stated that regardless of the decision made on the access issue, when the new road connecting The Gardens to North Valdosta Road is constructed, Wild Meadow should be closed at the point where it currently enters The Gardens. A thorough examination by City Traffic Planners and Engineers will substantiate their predictions of the dire consequences that will result from an intersection of Wild Meadow to the new access road. With the gate of The Gardens not directly on Wild Meadow or the new access road, traffic flow would be allowed unimpeded from North Valdosta Road to Wild Wood Plantation Road to Wild Meadow to North Valdosta Road. The residential driveway street into their neighborhoods would then become a back door to the increasing commercial uses of North Valdosta Road, which is a situation that neither the residents or the Planners or Engineers want. Mr. Prater asked for Council's consideration of his request. Mayor Fretti stated that there has been no postponement of The Gardens zoning case but there was discussion about a postponement at the Work Session. There was no objection at the Work Session to the postponement but no official vote has been taken. Also, anyone who is contiguous to a street requesting closure must submit an application to Von Shipman, City Engineer. Mayor Fretti recommended that Mr. Prater attend the Council meeting in January if the request is postponed or remain at the Council meeting tonight if there is a Public Hearing on the issue so that his comments could become a part of the record.

Floyd Rose, President of the Valdosta-Lowndes County Chapter of the Southern Christian Leadership Conference, 411 Orange Street, stated that he wanted to read the following letter for the record: "Dear Mayor Fretti, This letter comes to respectfully request of you information regarding claims made in your 2007 campaign radio ads – claims directed specifically at the black community to wit. Who's the man who brought over \$11 million dollars to our community." Mayor Fretti stated that the Citizens to Be Heard portion is for citizens to discuss issues concerning government and the Policies and Procedures state that there will be no personal attacks allowed. Mr. Rose stated that there would be no personal attacks. Mayor Fretti stated that there already were personal attacks and if he deemed there was a personal attack, because Mr. Rose was perhaps out of order for 19 minutes at the last Council meeting, then he would give him one warning that he was out of order. Mr. Rose stated that the Mayor could do whatever he had to do but he would do whatever he had to do. Mayor Fretti stated that he would then have to ask Mr. Rose to cease on the comments of Citizens to Be Heard. Mr. Rose asked that he respectfully be allowed to continue and that he would omit some things. Mayor Fretti stated that Mr. Rose was talking about politics and campaigning. Mr. Rose stated that he was talking about lying. Mayor Fretti stated that he sent Mr. Rose a letter today from the campaign addressing all of his questions. Mr. Rose stated that he had not received the letter. Mayor Fretti stated that it had been mailed today. Mr. Rose stated that his request was sent to Mayor Fretti two weeks ago. Mayor Fretti stated that it was sent to the Mayor's office and he had asked Mr. Rose to send it to him personally at his home address and to contact him at his home or business address and not at the Mayor's office. Mr. Rose stated that Mayor Fretti did not and to check the record. Mr. Rose stated that Mayor Fretti had said to call him and Mr. Rose told the Mayor to call him. Mr. Rose asked that he be allowed to finish and stated that he wrote the Mayor the following letter the day after the City Council meeting: "During the City Council meeting last night, you suggested that was not the place for this discussion. We would be delighted to have you come to our meeting Sunday night, November 25, 2007 at the Church of Pine Hill and answer our questions. Our meetings are from 7:00 p.m. to 8:30 p.m. and we certainly do not want to believe that you deliberately misled black voters and that lying during a campaign is an acceptable campaign strategy. We respectfully ask you again, what is the source of the more than \$11 million dollars that your campaign ad said you had brought into our community and where are the 4,000 new jobs that the ad claimed you were responsible for bringing to our community?" Mayor Fretti stated that the campaign mailed a response to Mr. Rose today even though he did not ask the campaign. If Mr. Rose could wait for the mail then he would have all of the answers. Mr. Rose inquired as to whether Mayor Fretti would tell him where the new 4,000 jobs are. Mayor Fretti stated that the letter sent to Mr. Rose does allude to that and it also mentions the grants. Mr. Rose stated that he wanted to be clear that the Mayor had told him in a letter that was mailed today where the more than 4,000 new jobs are in our community. Mayor Fretti stated that he told Mr. Rose in the letter how many jobs were created over the last four years and the areas where they were created. Mr. Rose inquired as to whether 4,000 of the jobs were in the black community. Mayor Fretti stated that we create jobs for citizens. Mr. Rose stated that was not what the ad said and that was his problem. Mayor Fretti stated that the same ad with the same words was run all over town. Mr. Rose was not talking about government but was talking about politics and he could come to the Mayor's house or his business

and see him. Mr. Rose stated that the Mayor could come to his office to see him and that he does not work for the Mayor but the Mayor works for him. Mayor Fretti stated that this was a personal attack and warned Mr. Rose for the first time that he was out of order and he would have to ask him to leave if he continued. Mr. Rose addressed Councilman Vickers. Mayor Fretti stated that Mr. Rose was not allowed to engage individual Council members. Mr. Rose inquired as to whether the Mayor was suggesting that because he voted for Councilman Vickers. Mayor Fretti stated he was not allowed to engage individual Council members. Mr. Rose stated that he was in District 3 and he voted for Councilman Vickers and asked Councilman Vickers if he was aware of any 4,000 new jobs in our community. Councilman Vickers stated that he did not know the numbers that Mr. Rose was referring to and he had not seen the numbers. Mayor Fretti stated that Mr. Rose was out of order and asked the Chief of Police to control the room so that the Council meeting could continue. Mr. Rose stated that was fine and asked Councilman Head if he was familiar with the 4,000 new jobs. Mayor Fretti stated that Mr. Rose was out of order. Mr. Rose asked if the Mayor was going to have him arrested again. Mayor Fretti stated that he was asking Mr. Rose to leave the Council Chambers. Mr. Rose stated that he was not going to leave the Council Chambers. Mayor Fretti stated that Mr. Rose was not allowed to speak out and any outbursts would not be tolerated. Mayor Fretti concluded the Citizens to be Heard portion of the meeting. Mayor Fretti also noted that a flyer had been distributed in Valdosta stating that there would be a job fair at City Hall today but there is no job fair. This flyer was misleading and if there were any citizens in attendance at the Council meeting because of the flyer then there were some people in the hallway with applications from the Department of Labor to assist with their concerns.

## **PUBLIC HEARINGS**

### **ORDINANCE NO. 2007-52, AN ORDINANCE TO EXTEND THE CITY LIMITS, VOTING DISTRICT 4**

Consideration of an ordinance to annex and rezone 16.59 acres from Highway-Commercial (C-H) and Planned Development (PD) County to Highway-Commercial (C-H) and Planned Commercial Development (PCD) City as requested by City of Valdosta (File No. VA-2007-52). The property is located at the southeast and northeast quadrants of Bemiss Road and Guest Road. The Planning Commission reviewed this request at their November regular meeting and recommended approval (7-0 vote).

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant is requesting to annex and rezone 16.59 acres from Highway Commercial (C-H) and Planned Development (PD) County to Highway Commercial (C-H) and Planned Commercial Development (PCD) City. The property is currently undeveloped with the exception of one single-family house, and there is an improved site plan on file for the property to the north of Guest Road for a commercial development. The property is located in a Neighborhood Activity Center, and the surrounding properties are a mixture of commercial and residential. The applicant is requesting annexation and rezoning in order to be in compliance with the existing utility service agreement and to connect to City utilities. Two of the properties are currently receiving utility service from the City of Valdosta, and as part of the agreement to receive this service, the properties agreed to annex into the City when legally permitted which is now possible. All zoning classifications will remain the same and are consistent with the surrounding development. Staff found the request consistent with the Comprehensive Plan and recommended approval. Planning Commission reviewed this request at their November regular meeting and recommended approval (7-0 vote).

Charlie Clark, EMC Engineering Services, 707 North Patterson Street, spoke in favor of the request. Mr. Clark stated that EMC Engineering Services was the Engineer of record for the property that is located in the northeastern quadrant of the intersection of Bemiss Road and Guest Road. The owner of the property, the Stoker Group, has a prospective buyer for the property for commercial development.

No one spoke in opposition to the request.

**A MOTION** by Councilman Vickers, seconded by Councilman Payton, was unanimously adopted (6-0) to follow the recommendation of the Planning Commission and enact Ordinance No. 2007-52 to annex and rezone 16.59 acres from Highway-Commercial (C-H) and Planned Development (PD) County to Highway-Commercial (C-H) and Planned Commercial Development (PCD) City as requested by City of Valdosta, the complete text of which will be found in Ordinance Book XI.

Consideration of an ordinance to rezone 2.25 acres from O-P (Office-Professional) to C-C (Community-Commercial) as requested by ASA Engineering for Thomas Newbern (File No. VA-2007-54). The property is located at 2728 North Oak Street. The Planning Commission reviewed this request at their November regular meeting and recommended denial (6-1 vote).

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant is requesting to rezone 2.25 acres from O-P (Office-Professional) to C-C (Community-Commercial). The property is currently used by First Federal Savings and Loan and the applicant is requesting to rezone the property to allow for the construction of a free-standing sign with a variable message board as an extension to the existing sign that they have on Oak Street. The surrounding properties are a mixture of Office-Professional, doctors' offices, Valdosta Middle School, and medical offices although there is some Community-Commercial zoning further to the northeast of the property. This portion of Oak Street serves as the line of demarcation between Community-Commercial oriented uses and Office-Professional uses which buffer the established residential neighborhoods. Staff was concerned about rezoning the land and setting a precedent for future rezonings and about rezoning the land for the sole purpose of putting up a specific type of sign. The Comprehensive Plan depicts this property in a Neighborhood Activity Center; however, this just a guide and the existing development and surrounding zoning classifications must be taken into consideration. The Office-Professional zoning is supported by the other Residential-Professional zonings that are in the area and the western portion of Oak Street serves as a strong buffer to the established residential neighborhoods along Eager Road and Jerry Jones Road. Rezoning this property, whether it is for a sign or a specific use, would set a precedent for future rezonings. Staff found the request inconsistent with the Comprehensive Plan and the surrounding development and recommended denial. The Planning Commission reviewed this request at their November regular meeting and recommended denial of Community-Commercial (C-C) zoning (6-1 vote). Anne-Marie Wolff stated that the City is in the process of rewriting all of the Land Development Regulations, which includes the Sign Regulations, and a draft of that document will be available for review in mid-January, 2008. The final document will be presented to Council for adoption at the end of September, 2008. Councilman Vickers inquired as to whether the zoning in that area would be changed in the Land Development Regulations review. Anne-Marie Wolff stated that it would be a good opportunity to review the Sign Regulations which are the tools that Council uses to create the type of community. If Council should set the policy that variable message boards are appropriate in districts other than Highway-Commercial and Community-Commercial, then that is something that should be looked at through the Land Development Regulations process and not through an individual rezoning. Larry Hanson, City Manager, stated that in the application it states that the purpose of the rezoning request is actually for a sign and the entire Sign Ordinance will be changing. Councilman Vickers stated that if a decision is made by Council tonight then the applicant may not be eligible to bring this back before Council for one year. Larry Hanson stated that was correct if the request was denied. Councilman Vickers stated that it may be in the best interest of Council to table the request for further discussion. Councilman Eunice stated that these types of signs could not be allowed by Special Exception in Office-Professional zoning and that may be something that should be reviewed when revising the Sign Regulations. Anne-Marie Wolff stated that a Special Exception is for a specific use of a property and a sign is not a use of a property but is only an accessory product that the City allows businesses to have. Sign Regulations are in place to establish a certain character and if Council would like to change that character then the Sign Regulations would be the tool to do that and not the zoning. Councilman Wright stated that if the request is done under Sign Regulations then it would not be a rezoning request and inquired as to whether the applicant would have to wait the specified length of time. Anne-Marie Wolff stated that if the request was denied tonight and the Sign Regulations were changed to permit a variable message board under Office-Professional then it would not matter if the rezoning request was denied and the applicant would be allowed to apply for a sign. Councilman Head stated that each time he has heard a variable message board request discussed it seems that an overwhelming number of people and Staff are against the variable message board signs. Anne-Marie Wolff stated that in her professional opinion variable message boards serve a good purpose on certain corridors, but the aesthetics of a variable message board has a lot of impact on the drive through a community and would impact the character of some areas in Valdosta that we would not want impacted.

Thomas Newbern, President of First Federal Savings and Loan, spoke in favor of the request. Mr. Newbern stated that approximately two years ago they spent \$80,000-\$90,000 improving the corner area of the lot and the last improvement to be made would be adding to the current sign. Mr. Newbern stated that they wanted to add a 30-inch strip for public service type announcements and the Planning and Zoning Administrator told him that

they would have to be rezoned to Community-Commercial zoning. First Federal Savings and Loan has been in the community for over 80 years and will always be a good corporate citizen for Valdosta and Lowndes County and they would not be opposed to any restrictions on the rezoning. Mr. Newbern stated that the property across the street was zoned Community-Commercial and asked for Council's consideration in approving the request.

No one spoke in opposition to the request.

**A MOTION** was made by Councilman Eunice to deny the request rezone 2.25 acres from O-P (Office-Professional) to C-C (Community-Commercial) as requested by ASA Engineering for Thomas Newbern and to look at it through the Sign Ordinance modifications. Councilman Payton seconded the motion. Councilman Vickers stated that he was in agreement with Councilman Eunice and they should review the Sign Ordinance and not change the zoning on that side of the street. Councilman Yost inquired as to whether it would be another year before the request could come back before Council if Council voted in favor of the motion. Larry Hanson stated that Council would be denying the applicant the right to ask for it to be rezoned and Councilman Eunice was suggesting that if there was a change made in the Sign Ordinance then the applicant could ask for a variance to the Sign Ordinance which would not require him to wait a year. The motion was adopted 5-1 with Councilman Head voting in opposition.

**ORDINANCE NO. 2007-53, AN ORDINANCE AMENDING THE VALDOSTA ZONING ORDINANCE**

Consideration of an ordinance to rezone 0.386 acres from R-10 (Single-Family Residential) to R-P (Residential-Professional) as requested by Patricia and Nathaniel Burks (File No. VA-2007-55). The property is located at 908 East Park Avenue. The Planning Commission reviewed this request at their November regular meeting and recommended approval (7-0 vote).

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant is requesting to rezone 0.386 acres from R-10 (Single-Family Residential) to R-P (Residential-Professional). There is a single-family house currently located on the property, and the applicants are requesting to rezone the property for marketability purposes. There is currently a mixture of Residential-Professional, Office-Professional, Community-Commercial, and Highway-Commercial zoning in the immediate area. East Park Avenue is an arterial roadway transitioning from a primarily residential corridor to one dominated by mixed uses. The property is located within a Neighborhood Activity Center which supports R-P zoning. Staff found the request consistent with the Comprehensive Plan and recommended approval. The Planning Commission reviewed this request at their November regular meeting and recommended approval of Residential-Professional (R-P) zoning (7-0 vote).

No one spoke in favor of the request.

No one spoke in opposition to the request.

**A MOTION** by Councilman Head, seconded by Councilman Vickers, was unanimously adopted (6-0) to follow the recommendation of the Planning Commission and enact Ordinance No. 2007-53 to rezone 0.386 acres from R-10 (Single-Family Residential) to R-P (Residential-Professional) as requested by Patricia and Nathaniel Burks, the complete text of which will be found in Ordinance Book XI.

**AN ORDINANCE AMENDING THE VALDOSTA ZONING ORDINANCE POSTPONED**

Consideration of an ordinance to rezone 0.32 acres from R-10 (Single-Family Residential) to R-P (Residential-Professional) as requested by Jack Kent (File No. VA-2007-56). The property is located at 1109 West Alden Avenue. The Planning Commission reviewed this request at their November regular meeting and recommended denial (4-3 vote).

Mayor Fretti stated that he had received a letter at 3:00 p.m. today from the applicant requesting postponement.

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant is requesting to rezone 0.32 acres from R-10 (Single-Family Residential) to R-P (Residential-Professional). There is a site built house currently located on the property which would be used to establish a professional office. The site plan includes parking behind the building with an entrance and exit driveway access. The surrounding properties are Single-Family Residential and the property is located in a Neighborhood Activity Center. When reviewing the zoning map, the non-residential uses in the form of R-P zoning are clustered at the intersection of Alden Avenue and Jerry Jones and on the south side of that intersection. The property is four parcels away from that intersection and this would be considered spot zoning. Several of the properties are used for rental property and Staff felt that this was a viable use for residential especially considering the property's proximity to Valdosta State University. Staff was concerned about the precedent set by rezoning and found it inconsistent with the Comprehensive Plan and recommended denial. The Planning Commission reviewed this request at their November regular meeting and recommended denial of Residential-Professional (R-P) zoning (4-3 vote). Mayor Fretti stated that approximately six months ago, Council had discussed a 48-hour notice for postponement of rezoning requests for benefit of the citizens of the area so that they could be notified that they would not need to be present for the rezoning. The City Attorney had previously noted that it could be difficult to withhold a request for withdrawal; however, this is a request for a postponement and Council could approve, deny, or postpone the request. Councilman Vickers inquired as to whether the applicant was provided a copy of the City's policy for postponement or tabling a request at the time that the application was completed. Anne-Marie Wolff stated that the applicant in this request was not informed of the policy but this will be done on all future rezoning requests.

**A MOTION** was made by Councilman Vickers to postpone the request. Councilman Wright seconded the motion. Councilman Yost stated that he did not want to postpone the request and wanted to go through the Public Hearing portion of the request. Councilman Vickers stated that he understood Councilman Yost's position but normally Council honors the request of the applicant and they should at least honor this one time. There was no one present at the Planning Commission meeting speaking in opposition to the request and there is probably no one present tonight so Council should honor the applicant's request. Councilman Yost stated that he agreed with the 48-hour notice for postponement of a request but he was under the assumption that this was being done and he did not like the fact that this was not being done. Councilman Yost asked that the policy be implemented starting tomorrow. Councilman Head inquired as to whether there could be an interim policy letter prepared so that Staff receives the instruction now for decisions made by Council relative to policy and then it could be inserted into the overall policy at a later date. Larry Hanson, City Manager, stated that could certainly be done and when there is a directive that is done; however, sometimes it is suggested for consultants to review policies so it is not quite as affirmative. If it is 100% the position of Mayor and Council that something should be incorporated into an ordinance it will be done. Larry Hanson noted that the 48-hour postponement notice should be reviewed because it may have been discussed that it could not legally be done within 48 hours and then it was decided on 24 hours and the City Attorney had some concerns about whether they could deny someone the right to withdraw their own application. Mayor Fretti called for the vote. The motion was unanimously adopted (6-0) to postpone the request until the first Council meeting in January, 2008.

**ORDINANCE NO. 2007-54, AN ORDINANCE AMENDING THE VALDOSTA ZONING ORDINANCE**

Consideration of an ordinance to rezone 0.50 acres from R-10 (Single-Family Residential) to R-6 (Multi-Family Residential) as requested by Drew Respass for Bobby Jenkins, LLC (File No. VA-2007-57). The property is located at 1011 Cherokee Street. Planning Commission reviewed this request at their November regular meeting and recommended approval (7-0 vote).

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant is requesting to rezone 0.50 acres from R-10 (Single-Family Residential) to R-6 (Multi-Family Residential). The property currently contains one single-family house, which the applicant wishes to remove in order to construct eight condominiums. The property is surrounded by residential uses and is in a Transitional Neighborhood Character area as defined by the Comprehensive Plan. The property is located directly across the street from a Multi-Family Residential (R-6) development which has seven units, and the property across the street is a multi-family development with 12 units although it is zoned R-10 (Single-Family Residential). Further west of the subject property, Residential-Professional (R-P) zoning was approved in August, 2004 to allow for another multi-family development which has

yet to occur. The proposed multi-family residential use should not have any negative impact on the surrounding residential properties. Staff found the rezoning request consistent with the Comprehensive Plan and recommended approval. The Planning Commission reviewed this request at their November regular meeting and recommended approval of Multi-Family Residential (R-6) zoning (7-0 vote).

Drew Respass, part owner of Bobby Jenkins, LLC, 3102 Greenfield Lane, spoke in favor of the request. Mr. Respass stated that they would like to construct multi-family units on the property which would add value to the neighborhood. Councilman Eunice inquired as to whether there would only be one access point into the development and whether there would be any lighting for the development. Mr. Respass stated that was correct and there would be lighting around the development.

No one spoke in opposition to the request.

**A MOTION** by Councilman Eunice, seconded by Councilman Head, was unanimously adopted (6-0) to approve the request and enact Ordinance No. 2007-54 to rezone 0.50 acres from R-10 (Single-Family Residential) to R-6 (Multi-Family Residential) as requested by Drew Respass for Bobby Jenkins, LLC, the complete text of which will be found in Ordinance Book XI.

**ORDINANCE NO. 2007-55, AN ORDINANCE AMENDING THE VALDOSTA ZONING ORDINANCE**

Consideration of an ordinance to rezone 109.7 acres from Planned Residential Development (PRD-10) to Single-Family Residential (R-10) and Single-Family Residential (R-15) as requested by the City of Valdosta (File No. VA-2007-58). The property is located along the north and south side of East Park Avenue just west of Inner Perimeter Road. The Planning Commission reviewed this request at their November regular meeting and recommended approval (7-0 vote).

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant is requesting to rezone 109.7 acres from PRD-10 (Planned-Residential Development) to R-10 (Single-Family Residential) and R-15 (Single-Family Residential). The requested rezoning is to complete administrative map corrections. When Council adopted the new Planned Residential, Planned Commercial, and Planned Mixed Development zoning classifications in May, 2004, some of the former PRD-10, PRD-15, and PRD-6 properties throughout the City were inadvertently omitted from the rezoning. There are approximately 1,500 parcels that have a zoning classification that is not within the Zoning Ordinance. This property is part of the upcoming J. N. Bray land auction and the remaining 1,500 parcels will be brought before Council in a series of packages after January, 2008. Staff found the request consistent with the Comprehensive Plan and recommended approval. The Planning Commission reviewed this request at their November regular meeting and recommended approval of Single-Family Residential (R-10) and Single-Family Residential (R-15) zonings (7-0 vote).

Ken Garren, 4840 Laurie Street, spoke in favor of the request. Mr. Garren stated that he was contacted by the owners and representatives of the J. N. Bray land auction to review the parcels to insure that everything was in order and that was when this was discovered. Mr. Garren asked Council's consideration in approving the request.

No one spoke in opposition to the request.

**A MOTION** by Councilman Payton, seconded by Councilman Vickers, was unanimously adopted (6-0) to follow the recommendation of the Staff and enact Ordinance No. 2007-55 to rezone 109.7 acres from Planned Residential Development (PRD-10) to Single-Family Residential (R-10) and Single-Family Residential (R-15) as requested by the City of Valdosta.

**AN ORDINANCE AMENDING THE VALDOSTA ZONING ORDINANCE POSTPONED**

Consideration of an ordinance to amend the Planned Residential Development (PRD) site plan to remove the condition of no access onto Country Club Road as requested by Tildon Smith for Country Club Villas (File No. VA-2007-53). The property is located at 3531 Country Club Villa. The Planning Commission reviewed this request at their November regular meeting and recommended denial (5-2 vote).

Mayor Fretti stated that several of the parties have requested a postponement until January, 2008.

A **MOTION** by Councilman Vickers, seconded by Councilman Eunice, was unanimously adopted (6-0) to postpone the request to amend the Planned Residential Development (PRD) site plan to remove the condition of no access onto Country Club Road as requested by Tildon Smith for Country Club Villas until the first Council meeting in January, 2008.

**REQUEST TO CLOSE AN ALLEY OFF OF CORBETT STREET**

Consideration of a request to close an alley off of Corbett Street.

Von Shipman, City Engineer, stated that on June 6, 2006, the City Council approved the closure of the section of Sustella Avenue between West Street and Mary Street along with several alleys in the block bound by Lilly Street, Corbett Street, Mary Street, and West Street; however, because the alley was bound on one side by a property owner other than the Valdosta State University (VSU) Foundation it could not be closed. The VSU Foundation has recently acquired the property north of the alley and already owns one of the two lots on the south side of the alley thus making the request to close the alley valid. The advertisement for a Public Hearing on this request has been run in the local newspaper.

No one spoke in favor of the request.

No one spoke in opposition to the request.

A **MOTION** by Councilman Vickers, seconded by Councilman Wright, was unanimously adopted (6-0) to close an alley off of Corbett Street.

**ORDINANCES AND RESOLUTIONS**

**RESOLUTION TO APPROVE A DOWNTOWN DEVELOPMENT REVOLVING LOAN FUND (DDRLF)  
FOR 117-119 NORTH PATTERSON STREET POSTPONED**

Consideration of a request to approve a resolution for Downtown Development Revolving Loan Fund (DDRLF) for 117-119 North Patterson Street (ClientTell, Inc.). Mayor and Council postponed the request at the November 19, 2007 regular meeting until the December 6, 2007 regular meeting.

Mayor Fretti stated that the City Manager has asked for a postponement of the request until the first Council meeting in January, 2008.

A **MOTION** by Councilman Eunice, seconded by Councilman Vickers, was unanimously adopted (6-0) to postpone the request to approve a resolution for Downtown Development Revolving Loan Fund (DDRLF) for 117-119 North Patterson Street (ClientTell, Inc.) until the first Council meeting in January, 2008.

**BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES**

Consideration of bids for vehicle accessories for the Police Department (Bid No. 24-07-08).

Larry Hanson, City Manager, stated that last month Council approved the purchase of additional police cars and this bid contains the items necessary to outfit the police vehicles with light bars, partitions, sirens, siren switch boxes, and rear door and window guards. Sealed bids were received on November 20, 2007 with the low bid submitted by West Chatham in the amount of \$37,334. Larry Hanson recommended that Council approve the low bid submitted by West Chatham in the amount of \$37,334 and allow the Police Department to proceed with the purchase.



A **MOTION** by Councilman Eunice, seconded by Councilman Vickers, was unanimously adopted (6-0) to approve the low bid submitted by West Chatham in the amount of \$37,334 and allow the Police Department to proceed with the purchase of vehicle accessories.

**LOCAL FUNDING AND REQUESTS**

Consideration of a request to approve sponsorship of a table at the Valdosta-Lowndes County Chamber of Commerce's 96<sup>th</sup> Annual Dinner.

Larry Hanson, City Manager, stated that in the past the City of Valdosta has purchased a table for the Valdosta-Lowndes County Chamber of Commerce's Annual Dinner. This year, the Chamber's 96<sup>th</sup> Annual Dinner will be held on January 29, 2008 at the James H. Rainwater Conference Center. Sponsorship of a corporate table for 10 is \$350 and individual tickets are \$40. Larry Hanson asked Council's consideration in purchasing a table for the event and any additional seats as needed.

A **MOTION** by Councilman Vickers, seconded by Councilman Payton, was unanimously adopted (6-0) to approve sponsorship of a table and any additional seats as needed for the Valdosta-Lowndes County Chamber of Commerce's 96<sup>th</sup> Annual Dinner.

Consideration of a request to purchase 25 tickets for the 2008 Martin Luther King, Jr. Commemoration Association Founders' Banquet.

Larry Hanson, City Manager, stated that the City of Valdosta has annually purchased a number of tickets for the Valdosta-Lowndes County Martin Luther King, Jr. Commemoration Association Founders' Banquet event which has been held in the community for many years. This year, the Founders' Banquet will be held on Saturday, January 5, 2008 at the James H. Rainwater Conference Center. Tickets for the event are \$12 and will be provided to Council first with the remaining tickets to be distributed to the Department Heads. Larry Hanson asked Council's consideration in approving the request to purchase 25 tickets for the 2008 Martin Luther King, Jr. Commemoration Association Founders' Banquet.

A **MOTION** by Councilman Vickers, seconded by Councilman Head, was unanimously adopted (6-0) to approve the request to purchase 25 tickets at \$12 each for the 2008 Martin Luther King, Jr. Commemoration Association Founders' Banquet.

Consideration of a request by the City of Remerton to de-annex certain properties currently located in the City of Valdosta and to approve a request from the City of Valdosta to de-annex certain properties currently located in the City of Remerton.

Larry Hanson, City Manager, stated that the request is to authorize the City of Valdosta to proceed with this request and for the City Attorneys of Valdosta and Remerton to draft appropriate legislation asking that the General Assembly redefine the City boundaries of Remerton and Valdosta in January, 2008. Several years ago, Remerton acquired an old sewer treatment plant that Valdosta owned and Remerton now owns a piece of property that is still within the City limits of Valdosta. For many years a portion of Remerton's cemetery has been physically located in the City of Valdosta and there is a third piece of property that Remerton is asking for that would essentially be surrounded if it is not included in the request. Also, a portion of Baytree Road and Melody Lane and Gordon Street are roads owned by the City of Valdosta but a portion of each road is physically located in the City of Remerton so this would be a good time to clean up those lines. For a City to de-annex a piece of property it would immediately become an unincorporated island which is illegal to create since 1990. The City of Valdosta cannot de-annex the property and Remerton cannot de-annex our roads so the way to accomplish this would be through the General Assembly as they are not bound by the annexation and de-annexation laws of the State of Georgia. Larry Hanson asked Council's consideration in allowing the City to petition the Legislature in January, 2008 to redefine City limit boundaries for Valdosta and Remerton to account for the de-annexation and annexation request.

A **MOTION** by Councilman Vickers, seconded by Councilman Eunice, was unanimously adopted (6-0) to follow the recommendation of the City Manager and approve the City of Remerton and the City of Valdosta

approaching the State Representatives to draw up the proper legislation to address the problem of de-annexation of certain properties.

## BOARDS AND COMMISSIONS

Consideration of appointments to the Community Development Block Grant (CDBG) Advisory Committee. Mayor and Council postponed the request at the November 19, 2007 regular meeting until the December 6, 2007 regular meeting.

Larry Hanson, City Manager, stated that the appointments to the Community Development Block Grant (CDBG) Advisory Committee were previously postponed to solicit additional names. Additional names have been received and submitted to Council for consideration. Council also received information on the role of this Committee and the criteria for the appointment. There are six positions for appointment and the following names were submitted for consideration in order of preference: Position #1 being vacated by Cora Moorhead Williams whose term expired February 24, 2007 – Cora Moorhead Williams, Phlebotomist with the Lowndes County Health Department, Deloris Mitchell Brown, Retired Teacher, and Henry Calhoun, Grounds Equipment Operator at Valdosta State University; Position #2 being vacated by Evelyn Mitchell whose term expired February 24, 2007 – Bessie Evans, Retired from PCA, Grace McCray, Juvenile Court Tracker with Southwest Juvenile Tracking, and Betty Rogers, Retired Teacher; Position #3 being vacation by Mary Bryant whose term expired February 24, 2007 – Mary Bryant, Direct Support Staff for Normal Life of Georgia, Johnny Washington, Retired, and Doris Foy, Dietician with Smith Northview Hospital; Position #4 vacated by Melissa Coleman whose unexpired term ends February 24, 2009 – Lisa Hannan, Photographer with Lisa Hannan Fine Art Photography, Dr. Jackson Gates, Pathologist with Doctor's Laboratory, Inc., and Celine Gladwin, Architect with Barnett, Fronczak, Barlowe Architects; Position #5 vacated by Issa Hart whose unexpired term ends February 24, 2009 – Barthaniel Werts, Jr., Retired, Ulysee Williams, Retired from the U. S. Army and Pastor of Grace Tabernacle Apostolic Church, Sherry Jarvis, Retired; Position #6 vacated by Maphelia Odette Hannah whose unexpired term ends February 24, 2009 – G. L. McLendon, Retired Military and Teacher, Deshonda Jenkins, and Dr. Joseph Brown, Retired Educator.

Mayor Fretti asked for nominations for Position #1 that was previously held by Cora Moorhead Williams. Councilman Vickers placed in consideration the name of Henry Calhoun. There being no other nominations, Henry Calhoun was appointed by acclamation to serve a term of four years on the Community Development Block Grant (CDBG) Advisory Committee.

Mayor Fretti asked for nominations for Position #2 that was previously held by Evelyn Mitchell. Councilman Head placed in consideration the name of Bessie Evans. There being no other nominations, Bessie Evans was appointed by acclamation to serve a term of four years on the Community Development Block Grant (CDBG) Advisory Committee.

Mayor Fretti asked for nominations for Position #3 that was previously held by Mary Bryant. Councilman Head placed in consideration the name of Mary Bryant. There being no other nominations, Mary Bryant was reappointed by acclamation to serve a term of four years on the Community Development Block Grant (CDBG) Advisory Committee.

Mayor Fretti asked for nominations for Position #4 for the unexpired term that was previously held by Melissa Coleman. Councilman Eunice placed in consideration the name of Lisa Hannan. There being no other nominations, Lisa Hannan was appointed by acclamation to serve the unexpired term of two years on the Community Development Block Grant (CDBG) Advisory Committee.

Mayor Fretti asked for nominations for Position #5 for the unexpired term that was previously held by Issa Hart. Councilman Wright placed in consideration the name of Barthaniel Werts, Jr.. There being no other nominations, Barthaniel Werts, Jr. was appointed by acclamation to serve the unexpired term of two years on the Community Development Block Grant (CDBG) Advisory Committee.

Mayor Fretti asked for nominations for Position #6 for the unexpired term that was previously held by Maphelia Odette Hannah. Councilman Head placed in consideration the name of Dr. Joseph Brown. There being

no other nominations, Dr. Joseph Brown was appointed by acclamation to serve the unexpired term of two years on the Community Development Block Grant (CDBG) Advisory Committee.

Consideration of appointments to the Central Valdosta Development Authority and the Downtown Development Authority.

Larry Hanson stated that the Central Valdosta Development Authority and the Downtown Development Authority have some overlapping responsibilities and it was suggested several years ago that Council allow the same citizens to hold both slots. There are three positions which are currently held by Sue Cox, Wanda Hunter, and Gene Seago whose terms will expire December 31, 2007. The following names have been submitted in order of preference: Position #1 – Sue Cox (Incumbent), Owner of Covington's Restaurant, Home Butler, Operator of Bett Bailbonds, and Susan Mullis, Owner of the Flower Gallery; Position #2 – Wanda Hunter (Incumbent), Teacher with Valdosta City Schools, Mike Lee, Accountant, Lee & Associates Accountants, and Randy Crews, Structural Engineer with Crews Engineering; Position #3 – Gene Seago (Incumbent), Real Estate Broker with Heritage Realty, Joe Belson, Director of Marketing with Taylor Insurance Services, and Roy E. (Trey) Taylor, III, Chief Executive Office of Taylor Insurance Services.

Mayor Fretti asked for nominations for Position #1 held by Sue Cox. Councilman Vickers placed in consideration the name of Sue Cox. There being no other nominations, Sue Cox was reappointed by acclamation to serve a term of two years on the Central Valdosta Development Authority and the Downtown Development Authority.

Mayor Fretti asked for nominations for Position #2 held by Wanda Hunter. Councilman Head placed in consideration the name of Wanda Hunter. There being no other nominations, Wanda Hunter was reappointed by acclamation to serve a term of two years on the Central Valdosta Development Authority and the Downtown Development Authority.

Mayor Fretti asked for nominations for Position #3 held by Gene Seago. Councilman Eunice placed in consideration the name of Gene Seago. There being no other nominations, Gene Seago was reappointed by acclamation to serve a term of two years on the Central Valdosta Development Authority and the Downtown Development Authority.

### **CITY MANAGER'S REPORT**

Larry Hanson, City Manager, stated that the Chinese delegation visit is going very well and Council is invited to attend a dinner tonight at 7:30 p.m.

The orientation for Councilmember Elect Tim Carroll has been scheduled for December and he will be spending two days with the Mayor, City Manager, and Department Heads.

Leon Weeks received a copy of a national magazine from the American Waterworks Association in which there was a featured story about the City of Valdosta's Water Treatment Plant.

The City of Valdosta will be placing a notice in the next water bill advising citizens about the winter averaging method used in determining their sewer bill and also to encourage them to conserve water during this time of drought. The use in January, February, and March will be averaged and that becomes the sewer bill for the remainder of the year because these are the months that people consume the least amount of water.

Speaker Glenn Richardson's House Bill 900 continues to change and evolve and he recently announced that he is not going to go after the local government provision but will focus more on the school systems with the property tax issue. He has discussed an assessment cap or a spending cap and there would be an amendment passed that a local government's budget could not grow more than whatever the cap is which could be 1% per year. The danger is that if you have a new development which could generate millions in additional revenue, legislation like this would make it difficult for a community to grow at all because there would not be the flexibility to add cost even if revenue was being added.

Councilman Vickers inquired as to whether Council would be meeting with the local Legislative delegation before they go into the 2008 session. He would like to see all of the governmental officials meet with the delegation if possible. Mayor Fretti stated that he would like for the City Manager to pursue a meeting with the delegation but would rather have the City meet with them alone. Larry Hanson stated that he would schedule a meeting with the delegation prior to the Legislative session in mid-January.

Councilman Yost thanked the City Manager, City Attorneys, and Staff who spent hours and days working on the House Bill 489 negotiations to get us to this point.

Mayor Fretti stated that the Christmas parade was a great success and thanked Council for their attendance and support.

**ADJOURNMENT**

Mayor Fretti entertained a motion for adjournment.

**A MOTION** by Councilman Vickers, seconded by Councilman Eunice, was unanimously adopted (6-0) to adjourn the December 6, 2007 meeting of the Valdosta City Council at 7:05 p.m. to meet again in regular session on Thursday, January 10, 2008.

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City Clerk, City of Valdosta

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Mayor, City of Valdosta