

**MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, DECEMBER 8, 2011
COUNCIL CHAMBERS, CITY HALL**

OPENING CEREMONIES

Mayor Joseph "Sonny" Vickers called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Hoke Hampton, Tim Carroll, Ben Norton, Alvin Payton, Jr., Robert Yost, Deidra White, and James Wright. The invocation was given by Minister Eric Cureton, River Street Church of Christ, followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

PRESENTATION OF THE 2011 GREATER VALDOSTA COMMUNITY CHRISTMAS PARADE AWARDS

Presentation of the 2011 Greater Valdosta Community Christmas Parade Awards.

Mayor Vickers stated that the 2011 Greater Valdosta Community Christmas Parade was held on Saturday, December 3, 2011 and was sponsored by Ossipe Temple #65, the Valdosta Daily Times, and the City of Valdosta. Mayor Vickers and members of Ossipe Temple #65 presented the following Christmas Parade Awards: Third Place – Smith Drug Company, Second Place – Lowndes County Republican Party, and First Place – Outback Riders. The proceeds raised by Ossipe Temple #65 through parade entry fees were donated to various charities.

PRESENTATION OF THE DECEMBER, 2011 EMPLOYEE OF THE MONTH AWARD

Fire Chief J. D. Rice presented the December, 2011 Employee of the Month Award (Edward Rodriguez, Fire Department).

Edward Rodriguez began his employment with the City of Valdosta Fire Department in June, 2008 as a Firefighter which is the position he currently holds. The duties of a firefighter are varied and include extinguishing fires, performing rescue functions, and administering first aid. Saving lives and property is the primary goal that every firefighter aspires to. Sometimes saving lives goes above and beyond the challenges encountered in the daily duties of being a firefighter. Such was the case when Firefighter Rodriguez took on the cause of the American Cancer Society's Pink Shirt Breast Cancer Awareness Campaign. Due to his efforts, members of the Valdosta Fire Department wore pink shirts each Friday in the month of October to raise awareness of breast cancer. The shirts were designed by Fire Chief J. D. Rice and sold for \$10 each with proceeds going to the American Cancer Society. The effort raised over \$1,400 and was a public relations success story. It has been said that the key to successful leadership is influence, not authority. Firefighter Rodriguez's effort in influencing his peers to take part in the campaign and to wear pink was a major factor in the Department's success. For these reasons and many others, the Employee Relations Committee nominated Edward Rodriguez as Employee of the Month.

APPROVAL OF MINUTES

The minutes of the November 10, 2011 Regular Meeting were approved by unanimous consent (7-0) of the Council.

PUBLIC HEARINGS

ORDINANCE NO. 2011-39, AN ORDINANCE FOR A CONDITIONAL USE PERMIT FOR A PERSONAL CARE HOME FACILITY IN RESIDENTIAL-PROFESSIONAL (R-P) ZONING

Consideration of an Ordinance for a Conditional Use Permit for a personal care home facility in Residential-Professional (R-P) zoning as requested by Angela Miller (File No. CU-2011-06). The property is located at 207 West Gordon Street. The Planning Commission reviewed this request at their regular November Meeting and recommended approval with two conditions (6-0 vote).

Matt Martin, Planning and Zoning Administrator, stated that Angela Miller is requesting a Conditional Use Permit (CUP) for a personal care home facility in R-P zoning. The property consists of 0.25 acres located at 207 West Gordon Street which is along the south side of the street between North Toombs Street and North Oak Street. The applicant is proposing a personal care home within the two-story former residential building to house up to eight adults. It is already a mixed land use pattern and West Gordon Street is not really a single-family corridor; however, given the nature of the building and the site conditions it is a good fit for the property. Ms. Miller is not proposing any changes to the building or the site and would like to move in. The property is located within a Neighborhood Activity Center Character Area on the Future Development Map of the Comprehensive Plan. The property is also located within the local Historic District; however, since there are no exterior alterations being proposed, this proposed use is exempt from Historic Preservation Commission (HPC) review. The residential structure on the property has upstairs and downstairs kitchens, several bedrooms, an office, and a sizeable parking lot to the rear. The surrounding land use pattern consists mainly of offices and light commercial uses and there are very few residential uses nearby. Personal care homes fit well into mixed land use patterns such as this, as long as the facility is not too large or gives the impression of being overly-institutional in nature. A personal care home facility with no more than eight residents and located in a two-story historic residential building will maintain a residential intensity and meet the criteria. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria and recommended approval with the following conditions: (1) Approval shall be granted for a personal care home with no more than eight residents plus one resident manager, and (2) Conditional Use approval shall expire after two years if the personal care home is not established and operating by that date. The Planning Commission reviewed this at their November 28, 2011 meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to the following conditions (6-0 vote): (1) Approval shall be granted for a personal care home with no more than eight residents, plus one resident manager, and (2) Conditional Use approval shall expire after two years if the personal care home is not established and operating by that date.

Angela Miller, 207 West Gordon Street, spoke in favor of the request. Ms. Miller stated that she was the owner and operator of the boarding home which would be for the elderly who can find jobs in the community and do things for themselves. Ms. Miller stated that she would also be on duty as well as the resident manager.

No one spoke in opposition to the request.

A MOTION was made by Councilman Hampton to approve the request as presented for a Conditional Use Permit for a personal care home facility in Residential-Professional (R-P) zoning as requested by Angela Miller. Councilwoman White seconded the motion. Councilman Carroll inquired as to whether the motion included the two conditions: (1) Approval shall be granted for a personal care home with no more than eight residents, plus one resident manager, and (2) Conditional Use approval shall expire after two years if the personal care home is not established and operating by that date. Councilman Hampton stated that it did include the two conditions. The request was unanimously adopted (7-0) to enact Ordinance No. 2011-39, the complete text of which will be found in Ordinance Book XII.

ORDINANCE NO. 2011-40, AN ORDINANCE TO AMEND THE LAND DEVELOPMENT REGULATIONS

Consideration of an Ordinance to rezone 1.24 acres from Single-Family Residential (R-6) to Neighborhood-Commercial (C-N) as requested by Patricia and Ari Santas (File No. VA-2011-24). The property is located at 2229 and 2249 East Park Avenue. The Planning Commission reviewed this request at their regular November meeting and recommended approval (6-0 vote).

Matt Martin, Planning and Zoning Administrator, stated that Patricia and Aristotelis Santas are requesting to rezone two parcels totaling 1.24 acres from Single-Family Residential (R-6) to Neighborhood-Commercial (C-N). The property is located at 2229 and 2249 East Park Avenue which is at the northwest corner of East Park Avenue and Dogwood Circle. The property is located approximately 0.4 miles west of Inner Perimeter Road and is the same property that was the subject of a recent Character Area Map amendment (File No. VA-2011-18) approved by City Council on October 6, 2011. The applicants are proposing to expand their existing therapeutic massage business which is currently non-conforming in R-6 zoning. Expansion of the business will require at least a C-N zoning in order to be a permitted use. The property is located within a Neighborhood Activity Center

Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of C-N zoning. The property is located along the southerly edge of an existing residential neighborhood associated with Dogwood Circle and Lonesome Dove Road. The neighborhood contains mostly small lots with R-6 zoning and was formerly part of a County island that was annexed in 2007. The property contained an existing massage parlor prior to annexation and has been a non-conforming use since that time. The property also contains an existing residence (rental) on a separate parcel and the applicants have no immediate plans for commercial redevelopment of their property. As part of the islands annexation, City utilities are planned for this area; however, it will be several more years before the extension of these utilities will be complete. Until such time, full redevelopment of any of these properties is not likely without public water and sewer services. In the meantime, the existing massage parlor contains approximately 1,700 square feet of floor area and the applicants' are proposing a 360 square foot addition on the rear. The existing parking lot already contains enough parking to accommodate the building expansion. Except for the existing neighborhood to the northwest, most of the surrounding properties are still undeveloped. With East Park Avenue being a minor arterial (100' right-of-way) that is planned for eventual widening, properties facing this road are no longer conducive for Single-Family Residential development. There is existing C-H zoning (which is far more intensive than C-N) on the property to the northeast and it is associated with future commercial development at the intersection of East Park Avenue and Inner Perimeter Road. The Character Area designations on the Future Development Map for this property, and all of the properties to the southeast across East Park Avenue, already support zoning intensities that are higher than Single-Family Residential. One of the purposes of C-N zoning is to provide a transition between Single-Family Residential neighborhoods and more intensive commercial development. Given the Character Area designations and the logical future development pattern along East Park Avenue, C-N zoning is a very logical solution to serve as a transition from the Single-Family neighborhood and the arterial roadway. Staff found the request consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power and recommended approval. The Planning Commission reviewed this at their November 28, 2011 meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (6-0 vote):

Pat Santas, 2705 Dogwood Circle, spoke in favor of the request. Ms. Santas stated that she is the owner of the property and would like to add a break room and storage area for their therapists. Ms. Santas asked Council's consideration in granting the request.

No one spoke in opposition to the request.

A MOTION by Councilman Wright, seconded by Councilman Norton, was unanimously adopted (7-0) to enact Ordinance No. 2011-40, an Ordinance to rezone 1.24 acres from Single-Family Residential (R-6) to Neighborhood-Commercial (C-N) as requested by Patricia and Ari Santas, the complete text of which will be found in Ordinance Book XII.

AN ORDINANCE TO AMEND THE LAND DEVELOPMENT REGULATIONS TABLED

Consideration of an Ordinance to rezone 0.90 acres from Residential-Professional (R-P) to Neighborhood-Commercial (C-N) as requested by Vineyard Valdosta, LLC (File No. VA-2011-25). The property is located at 2004 Baytree Road. The applicant has requested the rezoning request to be tabled; however, the Planning Commission reviewed the exemption from the Baytree Overlay District at their regular November meeting and recommended approval for the exemption and tabling the rezoning request (6-0 vote).

Matt Martin, Planning and Zoning Administrator, stated that Vineyard Valdosta, LLC, represented by Tom Call, is requesting to rezone .90 acres from Residential-Professional (R-P) to Neighborhood-Commercial (C-N). The property contains an existing residence and is located at 2004 Baytree Road which is at the SE corner of Baytree Road and Ellis Drive. The applicant is proposing to redevelop the property for a veterinary clinic containing 6,800 square feet of floor area. Under C-N zoning, this proposed use will require approval of a Conditional Use Permit (CUP) which is being reviewed separately (File # CU-2011-07). The clinic is a proposed relocation and expansion of the existing Baytree Animal Hospital located approximately 800 feet to the east on Baytree Road. The property is located within a Community Activity Center (CAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of C-N zoning. The property is also located within the Baytree-University Corridor Overlay District. As part of this rezoning request, the applicant is also seeking an exemption from the special requirements of the District.

For the rezoning request, the applicant is proposing to transform the property from its current residential use to a commercial use containing a 6,800 square foot building with a parking lot of 36 spaces. In terms of size, this is more intensive than the existing convenience store and the bank to the east and northeast of the property. It is far more intensive than the existing single-family homes to the north and west of the property. In terms of existing zoning and land use patterns, there is existing commercial development and zoning for properties to the east which face Gornto Road. To the north and west of the property, there is Single-Family Residential development on properties zoned R-10 and R-15. Farther to the west (beyond Springhill Drive) there is Voight's Sheet Metal Works in M-1 zoning (non-compliant in the CAC character area), a small apartment complex in R-P zoning, and The Grove apartment complex (newly-built) in R-M zoning which was down-zoned from C-H. There is also the rear portion of the Drury Development property (Drury Inn and Olive Garden) which will have no access to Springhill Place due to topography, and there is currently no direct access from this development to Baytree Road. To the south, there is the former Black Crow Media office in O-P zoning, some more single-family development in R-10, and also a large multi-family complex in R-M zoning along Springhill Place. In terms of Comprehensive Plan issues, the proposed C-N zoning is allowable in the Community Activity Center Character Area; however, the Character Area also calls for high-density residential and office-professional development (and zoning districts) as well. The goals and policies of the Comprehensive Plan also include statements for the protection of residential neighborhoods from incompatible uses. Despite some initial impressions to the contrary, this portion of Baytree Road is not an existing or planned commercial corridor. The road itself is only a 60' right-of-way and it is officially designated as a local street. Unlike the portion of Baytree to the east of Gornto Road, this portion is a narrow two-lane road that does not connect to any other major roadways. Most of the properties are already developed with non-commercial uses. In terms of recent trends in the area, all of the new developments have been in the form of high-density residential. Given the existing land use and zoning patterns, this area is not well-suited for commercial development; however, this area is also not well-suited for continued single-family development either due to the mixture of office zoning and apartments in the area and the intensive commercial development nearby along Gornto Road and North St. Augustine Road. Therefore, in terms of redevelopment potential, this area is actually best-suited for high-density residential and professional office type development. The property's existing R-P zoning offers a wide variety of permitted uses including professional offices and all forms of residential (including apartments). Even the more intensive O-P zoning would be considered compatible with the surroundings and there is already O-P zoning present on some of the adjacent properties; however, the proposed zoning change to C-N is an encroachment and out of character with the existing and planned land use patterns of the immediate area. For the exemption request, there are provisions in each of the City's Corridor Overlay Districts whereby property owners can request exemption from the special requirements of the District provided that the existing property or the proposed development meets certain criteria.

Staff found the rezoning request inconsistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power and recommended denial. Staff found the request for exemption from the Baytree-University Corridor Overlay District to be consistent with the Comprehensive Plan and recommended approval with the property having no direct access from Baytree Road. The Planning Commission reviewed this at their November 28, 2011 meeting, and recommended the following: (1) As requested by the applicant, table the Rezoning request for two months to the February 9, 2012 City Council meeting (6-0 vote). (2) The request for exemption from the Baytree-University Corridor Overlay District is found to be consistent with the Comprehensive Plan and should be approved subject to the property having no direct access from Baytree Road (6-0 vote).

No one spoke in favor of the request.

No one spoke in opposition to the request.

A MOTION by Councilman Yost, seconded by Councilwoman White, was unanimously adopted (7-0) to table the request to rezone 0.90 acres from Residential-Professional (R-P) to Neighborhood-Commercial (C-N) as requested by Vineyard Valdosta, LLC for 60 days.

Matt Martin stated that the applicant is requesting exemption based on criteria for the Baytree-University Corridor Overlay District. The property is located in the extreme western tip of the District and there is some question as to the logic of why this property was ever included in the District from the beginning since it is currently a residential use and it seems to have very little similarity to the other properties in the District. The

AN ORDINANCE TO AMEND THE LAND DEVELOPMENT REGULATIONS TABLED (CON'T)

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applicant is requesting exemption based on their proposed site plan which shows no direct access from Baytree Road. This makes the property eligible for the exemption and this request should still be approved even if the rezoning request is denied.

A **MOTION** by Councilman Yost, seconded by Councilman Payton, was unanimously adopted (7-0) to approve the exemption from the Baytree-University Corridor Overlay District with property having no direct access from Baytree Road.

AN ORDINANCE TO FOR A CONDITIONAL USE PERMIT TABLED

Consideration of an Ordinance for a Conditional Use Permit to allow a veterinary clinic if the rezoning to C-N is approved as requested by Vineyard Valdosta, LLC (File No. CU-2011-07). The property is located at 2004 Baytree Road. The applicant has requested the Conditional Use Permit request to be tabled. The Planning Commission reviewed this request during their regular November meeting and recommended tabling (6-0 vote).

Matt Martin, Planning and Zoning Administrator, stated that Vineyard Valdosta, LLC, represented by Tom Call, is requesting a Conditional Use Permit (CUP) for a veterinary clinic in a Neighborhood Commercial (C-N) zoning district. The property consists of 0.90 acres located at 2004 Baytree Road which is at the southeast corner of Baytree Road and Ellis Drive. The property contains an existing residence and the applicant is proposing to remove the existing structure and redevelop the property for the relocation of the Baytree Animal Hospital. This property is also being reviewed concurrently for a rezoning request to C-N (File No. VA-2011-25) and this rezoning must be approved in order for the property to be eligible for the CUP request. The property is located within a Community Activity Center (CAC) Character Area on the Future Development Map of the Comprehensive Plan and is also located within the Baytree-University Corridor Overlay District. Staff is opposed to the requested rezoning to C-N for a variety of reasons and is also opposed to this CUP request; however, if the property is rezoned to C-N, Staff would still be opposed to the CUP request. Veterinary clinics and animal hospitals have the potential of being very intensive commercial uses due to their noise and possible odor. Consequently, there are supplemental standards pertaining to such uses and these uses also require CUP review and approval in C-N zoning since this zoning category is typically found in proximity to residential uses. In this particular the case, the property is a little too close to some nearby residential properties and a variance would be required from the supplemental standards. There were also some concerns raised by the Fire Department in terms of physical access to the entire proposed structure; however, Staff believes that some minor modifications to the proposed layout of the site could alleviate these Fire Department concerns. The applicant wants to facilitate the relocation of the existing Baytree Animal Hospital (2,884 square feet) to a new facility that is more than twice the size (6,800 square feet). Staff is not opposed to the upgrade and construction of new facility; however, such uses need to be located in an area where they do not adversely impact nearby residential properties. Staff found the request inconsistent with the Comprehensive Plan and the Conditional Use Review Criteria and recommended denial. The Planning Commission reviewed this at their November 28, 2011 meeting and is recommending tabling of this item for two months to the February 9, 2012 City Council meeting as requested by the applicant (6-0 vote).

A **MOTION** by Councilman Yost, seconded by Councilman Payton, was unanimously adopted (7-0) to table the request for 60 days for a Conditional Use Permit to allow a veterinary clinic if the rezoning request from Residential-Professional (R-P) to Neighborhood-Commercial (C-N) is approved as requested by Vineyard Valdosta, LLC.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 2011-41, AN ORDINANCE TO REPEAL AND REPLACE THE CURRENT ALCOHOL ORDINANCE (SECOND READING)

Consideration of an Ordinance to repeal and replace the current Alcohol Ordinance. (Second Reading)

Larry Hanson, City Manager, stated that since 2004 there have been numerous amendments to the Alcohol Ordinance which has made the administration of alcohol licensing in the City difficult and time consuming in order

to ensure that all provisions of the 2004 Ordinance and subsequent amendments have been met. There have also been continued changes in the State law pertaining to alcohol licensing. This new Alcohol Ordinance will repeal and replace the current Alcohol Ordinance and this is the second reading of the Ordinance. Larry Hanson recommended that Council approve the new Alcohol Ordinance.

A **MOTION** by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (7-0) to enact Ordinance No. 2011-41, an Ordinance to repeal and replace the current Alcohol Ordinance, the complete text of which will be found in Ordinance Book XII.

RESOLUTION NO. 2011-17, A RESOLUTION TO ADOPT THE GREATER LOWNDES 2030 COMPREHENSIVE PLANT SHORT-TERM WORK PROGRAM

Consideration of a Resolution to adopt the Greater Lowndes 2030 Comprehensive Plan Short-Term Work Program (File No. VA-2011-22). The Planning Commission reviewed this at their regular November meeting and recommended approval (6-0 vote).

Matt Martin, Planning and Zoning Administrator, stated that the Greater Lowndes 2030 Comprehensive Plan was prepared and adopted in 2006. It is a countywide Plan which is shared by Lowndes County, the City of Valdosta, and four smaller municipalities. In accordance with State law, a mandatory five-year update has been done to the Comprehensive Plan's Short-Term Work Program (STWP) component. The STWP serves as a five-year listing of projects for all of Lowndes County that corresponds with the implementation of the Plan's goals and policies. Over the last five years, there have been several minor amendments to portions of the Comprehensive Plan; however, this is considered a major amendment that is required by State law and it is one that must be performed by all of the Greater Lowndes local governments. At the October 6, 2011 City Council Meeting, Council adopted a Resolution to transmit the proposed draft updates of the STWP to the Southern Georgia Regional Commission (SGRC) and Georgia Department of Community Affairs (DCA) for official review. The draft has been approved and the City is now free to go ahead and adopt the new STWP that will cover fiscal years 2012 through 2016. This will extend the City's Qualified Local Government (QLG) status for another five years which will keep us eligible for grant funding and certain permitting activities through the State. The new STWP is a cleaned up version of the draft that Council reviewed in October. All of the old items have been deleted and the new items have been re-numbered in their correct sequence. All six of the Greater Lowndes local governments will be adopting the new STWP during the months of December, 2011 and January, 2012. The adoption of the Resolution will make the new STWP official. Staff recommended that Council approve the Resolution adopting the new five-year STWP for the Comprehensive Plan. The Greater Lowndes Planning Commission reviewed this at their November 28, 2011 meeting, found the new STWP to be consistent with the Comprehensive Plan, and recommended approval (6-0 vote).

A **MOTION** by Councilman Payton, seconded by Councilman Carroll, was unanimously adopted (7-0) to enact Resolution No. 2011-17, a Resolution to adopt the Greater Lowndes 2030 Comprehensive Plan's Short-Term Work Program, the complete text of which will be found in Resolution Book V.

RESOLUTION NO. 2011-18, A RESOLUTION TO ADOPT THE LOWNDES COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN UPDATE

Consideration of a Resolution to adopt the Lowndes County Multi-Jurisdictional Hazard Mitigation Plan Update.

Larry Hanson, City Manager, stated that in accordance with the requirements of the Disaster Mitigation Act of 2000, the Hazard Mitigation Plan must be updated every five years and submitted to GEMA and FEMA for review. This Plan allows the local governments to remain eligible for mitigation grant funding and disaster assistance. In 2005, Lowndes County along with the cities of Dasher, Hahira, Lake Park, Remerton, and Valdosta adopted the Lowndes County Hazard Mitigation Plan. In February, 2006, the Plan was officially approved by GEMA and FEMA. The Lowndes County Emergency Management Agency, with assistance from representatives of various departments in Lowndes County and each of the cities, developed an updated Plan to meet the requirements. Each of the local governments will be required to formally adopt the Plan by Resolution. This

document is intended to point out potential hazards that exist in the community and ways that those can be mitigated. It does not commit any funding and it is important to adopt it in order to be eligible for FEMA and GEMA funding in the future. Larry Hanson recommended that Council approve the Resolution to adopt the Lowndes County Multi-Jurisdictional Hazard Mitigation Plan Update.

A **MOTION** by Councilman Carroll, seconded by Councilman Wright, was unanimously adopted (7-0) to enact Resolution No. 2011-18, a Resolution to adopt the Lowndes County Multi-Jurisdictional Hazard Mitigation Plan Update, the complete text of which will be found in Resolution Book V.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of bids for the Twin Street intersection improvements.

Pat Collins, City Engineer, stated that Twin Street is located on the west side of Valdosta along St. Augustine Road (SR 133) just east of the I-75 intersection. In 2010, the Engineering Department contracted with the LPA Group to design the intersection improvements which are needed to support new development associated with the Drury Inn, Olive Garden, the Grove Apartments, and other new development that is planned for that area. The intersection improvements will include new paving, curb and gutter, storm pipes, improved driveways and access to businesses, and signalization. In addition, a trash collection device will be constructed near the intersection of Baytree Road and Springhill Drive to remove trash and sediment conveyed from the St. Augustine commercial corridor to Lake Sheri and the Withlacoochee River. One bid was received and opened publicly on November 17, 2011. The bid submitted by the Scruggs Company totaled \$1,254,720.55 (\$1,063,965.55 for the intersection work and \$181,755 for the trash/sediment box). Both work elements are below the Engineer's estimate. The Engineer's estimate for the intersection work was \$1,182,322 and \$210,000 for the trash/sediment box. In addition, on September 15, 2011, the City received one bid for the trash/sediment box in the amount of \$345,700. As a result of the high bid, Staff decided to rebid the trash/sediment box as part of the Twin Street Project since the box will add water quality protection to downstream water bodies during the earthmoving portion of the Intersection Project. Consequently, due to the urgent need for the intersection improvements and the trash/sediment box, and in order to uphold City negotiated commitments to both businesses and residents, the Engineering Department is requesting that Council approve the submitted bid and award the project to the Scruggs Company. Councilman Yost stated that he was concerned about what the City is doing to accommodate the Olive Garden and the other businesses that are going in there. When the Grove Apartment complex was built in that area near I-75, that immediately put approximately 500 vehicles traveling on Baytree Road. The City cannot just leave Baytree Road to fend for itself when all of the other traffic starts coming to the Olive Garden and the other businesses. The Valdosta State University (VSU) students need a safe way to get to the University on bicycles or walking in order to get the cars off the street. Councilman Yost stated that he received a call from a resident who has lived in that area of Baytree Road for several years and he is not so sure that the City is ready to handle all of the traffic issues in the Baytree Road and Twin Street area. Larry Hanson stated that the Twin Street Project is much greater than just a development project and there have been long standing ingress and egress issues there. Many businesses have been affected and this Project will improve conditions for Starbucks, Fazoli's Denny's, the Holiday Inn Express, the gas station across the street, and the intersection near the Krystal. There will be a signal where gaps are created when the lights on both sides are red and it will help prevent the future elimination of some property. The DOT plan for improvements to Exit 18 called for buying and tearing down several existing businesses in that area and because of the City's Project some of that is going to be avoided. This will also solve some long standing community issues including the sediment and trash issue coming into Lake Sheri. The City will look at Baytree Road but you also have to recognize that there was a lot of unused capacity on that section of Baytree Road even though it is a two-lane road. There was basically no traffic on it so if you are living there it does seem like a lot more now. A two-lane road could handle 6,000 to 7,000 cars a day so the Engineering Department has been monitoring the increased traffic and timing changes have been made at the intersection of Baytree Road and Gornto Road. When the road is widened the City will add sidewalks and bicycle lanes. The City has committed to do that on every future widening project in the City. There will be some difficulty on the section of Baytree Road all the way to VSU because there is no remaining right-of-way. The City would have to buy property from every single property owner from Gornto Road all the way to VSU to add bicycle lanes and it would be extremely expensive and time consuming. That does not mean it is not going to happen but it will not happen overnight.

A **MOTION** by Councilman Yost, seconded by Councilman Norton, was unanimously adopted (7-0) to approve the bid submitted by Scruggs Company in the amount of \$1,254,720.55 plus a 10% contingency for the Twin Street intersection improvements.

Consideration of a request to approve a Change Order for water and sewer extension to Island 35A.

Pat Collins, City Engineer, stated that on April 10, 2010, Council unanimously approved the low bid submitted by Standard Contractors in the amount of \$597,835 plus a 10% contingency to handle any unforeseen circumstances (\$657,618.50) for water and sewer installation in Island 35A. On May 19, 2011, Council approved a Change Order in the amount of \$159,267.10 increasing the contract to \$816,885.60. Island 35A is comprised of the following streets in the Five Points area: Pine Point, Smithbriar, Greenfield, Evergreen, and Castle Creek. The contractor has completed the water and sewer installation; however, during the course of the Project the contractor encountered buried infrastructure (gas lines, power lines, etc.) that necessitated redesign and field changes necessary to accommodate the installation of both water and sewer lines. Pat Collins recommended that Council approve a Change Order in the amount of \$156,914.52 which will increase the contract to \$937,800.12, in order to close out the project.

A **MOTION** was made by Councilman Hampton to approve the Change Order submitted by Standard Contractors in the amount of \$156,914.52 to close out the project for water and sewer extension to Island 35A. Councilman Carroll seconded the motion. The motion was adopted (6-0-1) with Councilman Yost absent for the vote.

Consideration of a request to approve a Change Order for the Madison Highway Utility Extension Project.

Pat Collins, City Engineer, stated that the Madison Highway utility extension work consists of the installation of a 4" PVC sewer force main and 12" ductile iron pipe from the City Limits to just south of the Valdosta Regional Airport property. The City received bids and each was opened publicly on March 17, 2011. Radney Plumbing, Inc. was the low bid at \$124,505 and was ultimately awarded the project on April 7, 2011. The Carroll family paid \$150,000 towards the project. The Madison Highway utility extension was one of the projects approved in the City's Master Plan to create a loop in the public water system to improve water quality and reduce frequent fire hydrant flushing. The contractor completed the initial phase of the Madison Highway utility extension (extending utilities across the Airport to the Carroll property) under budget. On September 23, 2011 (recorded on September 26, 2011), the City obtained a new utility easement across the Carroll Property to facilitate the proposed looping project. The additional cost to extend the loop around the Carroll property is \$143,807 and is based on estimated quantities using the previous Council-approved unit prices from Radney Plumbing's contract dated April, 2011. The Engineering Department is requesting that Council approve a Change Order to the existing contract with Radney Plumbing in the amount of \$143,807 plus a 10% contingency. The recommendation includes using the remaining funds from the original contract, available funding from Water & Sewer, and a surplus of left over 12" ductile iron pipe from the Cherry Creek project to facilitate the work.

A **MOTION** was made by Councilman Carroll to approve the Change Order submitted by Radney Plumbing in the amount of \$143,807 plus a 10% contingency. Councilman Payton seconded the motion. The motion was adopted (6-0-1) with Councilman Yost absent for the vote.

Consideration of bids for the Georgia Department of Transportation's Local Maintenance and Improvement (LMIG) Program street resurfacing.

Pat Collins, City Engineer, stated the Georgia Department of Transportation (DOT) previously used the Local Assistance Road Program (LARP) and city/county contracts process to help local governments with some of their transportation projects. They have now moved to the Local Maintenance and Improvement Grant (LMIG) Program which allocates transportation funding from the State based on a formula that includes population and street mileage (paved or unpaved). Most communities will use the funds to resurface streets. The City received an LMIG Program grant in the amount of \$256,942.48 for the current Fiscal year. The City submitted a list of streets for resurfacing to the DOT for their review. Fifteen streets were selected from the list for this year's LMIG Program based on funding availability and conditions of the roads. Bids were received and opened publicly on

November 17, 2011. Of the three bids submitted, the Scruggs Company was the low bid at \$1,176,427.46. The SPLOST VI resurfacing account will be used to pay the remaining amount (\$919,484.98) over the DOT commitment level. Pat Collins recommended that Council approve the low bid submitted by the Scruggs Company in the amount of \$1,176,427.46 plus a 10% contingency.

A **MOTION** was made by Councilman Payton to approve the low bid submitted by Scruggs Company in the amount of \$1,176,427.46 plus a 10% contingency for the Georgia Department of Transportation's Local Maintenance and Improvement Grant (LMIG) Program for street resurfacing. Councilman Hampton seconded the motion. The motion was adopted (6-0-1) with Councilman Yost absent for the vote.

LOCAL FUNDING AND REQUESTS

Consideration of a request to approve a Memorandum of Understanding between the City of Valdosta Main Street Program and the Georgia Department of Community Affairs.

Mara Register, Assistant to the City Manager, stated that the City of Valdosta has been a designated Main Street Program since 1984. The Program has also been nationally certified for the past 15 years. All Main Street communities are required to approve a Memorandum of Understanding (MOU) between the Program Sponsor and the Georgia Department of Community Affairs (DCA) in order to remain in compliance with the criteria required of Main Street Programs. The MOU outlines the responsibilities of the City regarding funding, staffing, training, program implementation, and Program reporting. The MOU further sets forth the responsibilities of the DCA regarding the state-wide administration of the Program and the programmatic support provided to individual member communities. Mara Register recommended that Council approve the Memorandum of Understanding between the City of Valdosta Main Street Program and the Georgia Department of Community Affairs.

A **MOTION** by Councilwoman White, seconded by Councilman Norton, was unanimously adopted (7-0) to approve the Memorandum of Understanding between the City of Valdosta Main Street Program and the Georgia Department of Community Affairs.

Consideration of a request to amend the City of Valdosta's Advanced Transportation Management System Traffic Camera Use Policy.

Larry Hanson, City Manager, stated that the existing Valdosta Advanced Transportation Management System Traffic Camera Use Policy prohibits the use of the Traffic Management Cameras for any purpose other than traffic management. Over the past several years, a number of criminal events have occurred that would have likely been captured on the camera system and would have been useful to the Police Department in solving major crimes including murder. Police Chief Frank Simons stated that the proposed Policy change will provide authority for the Police Department to utilize images captured by the Advanced Transportation Management System Traffic Cameras for the purpose of investigation of serious crimes that occur within range of the cameras recording ability. The proposed alteration of this Policy is in response to a Staff work item that was developed at the 2011 Mayor/Council Retreat to expand the use of existing traffic cameras for assistance in crime detection. Chief Simons recommended that Council approve the amendment to the City of Valdosta's Advanced Transportation Management System Traffic Camera Use Policy.

A **MOTION** by Councilman Hampton, seconded by Councilman Yost, was unanimously adopted (7-0) to approve the amendment to the City of Valdosta's Advanced Transportation Management System Traffic Camera Use Policy.

CITY MANAGER'S REPORT

Larry Hanson, City Manager, stated that Mayor Elect John Gayle has completed his orientation with the various City Departments and has been provided with a lot of information. It has been a pleasure to get to know Mayor Elect Gayle and also for him to have the opportunity to get to know the City's Department Heads and see some of the operations. We look forward to working with him in the coming year.

Larry Hanson, City Manager, thanked everyone for their participation in the Parks and Recreation Master Plan review for future development. The consultants that were hired will be returning in the near future and Council members are encouraged to participate and share ideas with them for the future development of Parks and Recreation facilities and incorporation into the final plan.

Larry Hanson, City Manager, thanked the Valdosta Fire Department for their assistance in helping with the recent apartment fire in Remerton. We were very proud that our Fire Department was the first to arrive on the scene and this shows that agencies in the community can and do work together. The Valdosta Fire Department also participated in the Georgia Municipal Association's Mayor's Christmas Motorcade recently. They took gifts to patients at the Southwestern State Hospital in Thomasville. There are over 3,200 patients in Georgia's seven regional mental health and retardation hospitals and the one in Thomasville houses many patients from the Valdosta area. Larry Hanson also thanked the many businesses in the community who donated gifts.

There will be a volunteer Income Tax Assistance Program on Saturday, February 4, 2012 at the Parks and Recreation Office on Forrest Street. Citizens will be assisted in completing income tax forms which could result in them receiving money back from credits and deductions that perhaps they were not aware of. Councilman James Wright has been a big supporter of this event in the past.

Larry Hanson, City Manager, thanked Mayor Vickers for his leadership over the past four months. He has had a calm demeanor and steady influence and has served the City well.

COUNCIL COMMENTS

Councilman Payton stated that he would like to participate in the Parks and Recreation Master Plan review but would like to have more notice. Also, Councilman Payton invited the Mayor and Council to attend the EAGLE Award reception which will be held on December 13, 2011 at 5:30 p.m. at the Valdosta-Lowndes County Chamber of Commerce. Councilman Norton was one of three judges who took part in selecting the winner.

Councilman Carroll stated that when he was reviewing the Parks and Recreation Master Plan one of the things they discussed was about the neighborhood parks and the connectivity of a lot of the parks. He mentioned Councilman Wright's Safe Routes to School and if Council is in support of that concept he would like for them to carry that forward to the consultants who are preparing the survey for the Parks and Recreation Master Plan.

Councilman Yost thanked Staff for their work on the Alcohol Ordinance but would like to tweak it some as they go.

Mayor Vickers stated that he has enjoyed serving as Mayor and working with all of the Council members and Staff. It has gone very well and he is looking forward to working with Mayor Elect John Gayle. Mayor Vickers stated that as we enter into this holiday season, we should remember to do some business with the small businesses in our community and also remember the less fortunate.

Councilwoman White stated that the trip to Washington, D.C. went very well and everyone handled themselves very professionally and represented Valdosta very well. She has also had lots of follow up with the representatives they met with regarding Moody Air Force Base and FEMA.

Councilman Norton stated that it has been one year tonight since he has been behind the desk and he appreciated the opportunity to continue serving the citizens of Valdosta. He also thanked the Council members, the City Manager, and Staff for their support and looked forward to working with Mayor Elect John Gayle.

CITIZENS TO BE HEARD

Tony Daniels, 509 Green Street, stated that he was concerned about the money coming from Washington, D.C. that is set aside for minorities. The black business men in this community are being overlooked and left out. He would like for the City to make the contract bids more competitive because it seems like the businesses that have been operating for 40 years get the contracts all the time. The bids should always be open to everyone and he

felt like they are being left out of the process. Mr. Daniels stated that he and several other black business men and women met with Larry Hanson, City Manager, several weeks ago and asked for help from the City. We live in a time of trepidation and they are going through hardships. Their funds are low and they want to keep the people they have hired. Mr. Daniels stated that he would like for the Mayor and Council to develop a grant for the black business minorities because they need the money and help to keep their business in operation. Since Valdosta has achieved Metropolitan status, there is supposed to be a level playing field. Before Valdosta received the Metropolitan status, it was not a level playing field according to some information he had been reading. The City needs to go back and pay the black business men some recompense. They need Council's help in order to stay in business. They are taxpayers in the City and they are not asking for a handout but a hand up. Mr. Daniels asked Council's consideration in coming up with a solution as to how they can help the small black businesses in this area.

Matt Portwood, 4233 Wilshire Drive, stated that they understood about the cost and limitations of putting bicycle lanes on Baytree Road and that is why he wanted to re-emphasize their focus on education. He would be willing to work with the City to implement an education plan to demonstrate to cyclists and motorists that bicycles belong on the road. Mr. Portwood also thanked Councilman Yost for inviting them to join in the citizen involvement portion of the Parks and Recreation Master Plan. Mr. Portwood stated that the placement of bicycle racks in the Downtown area was very well received and he thanked Mara Register, Assistant to the City Manager, in working with him. They submitted a map with ten suggested high use points in the Downtown area and they hope those will be implemented in January, 2012. Councilwoman White inquired as to whether Mr. Portwood had met with the City Engineer about their issues and concerns. Mr. Portwood stated that he had not met with Pat Collins, City Engineer, personally but he had discussed the project list with him.

ADJOURNMENT

Mayor Vickers adjourned the December 8, 2011 meeting of the Valdosta City Council at 6:46 p.m. to meet again in regular session on Thursday, January 5, 2012.

City Clerk, City of Valdosta

Mayor, City of Valdosta