

**MINUTES  
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL  
5:30 P.M., THURSDAY, FEBRUARY 6, 2014  
COUNCIL CHAMBERS, CITY HALL**

**OPENING CEREMONIES**

Mayor John Gayle called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Joseph "Sonny" Vickers, Tim Carroll, Ben Norton, Robert Yost, Sandra Tooley, and James Wright. Councilman Alvin Payton, Jr. arrived late at 5:38 p.m. The invocation was given by Alex Wandless, Youth Pastor of Abundant Life Church of God, followed by the Pledge of Allegiance to the American Flag.

**AWARDS AND PRESENTATIONS**

**PRESENTATION OF THE FEBRUARY, 2014 EMPLOYEE OF THE MONTH AWARD**

Consideration of the February, 2014 Employee of the Month Award (Lt. Johnny Henry, Fire Department).

Mayor John Gayle stated that Lt. Johnny Henry began his employment with the City of Valdosta Fire Department in April, 2002 as a Firefighter. He was promoted to Sergeant in January, 2006 and then to Lieutenant in June, 2009, which is the position he currently holds. Lt. Henry responds to and supervises fire suppression activities, coordinates, and conducts in-house training and drills. He also supervises and assists in building inspections, summarizes shift activities to relay to the Relief Officer, and conducts performance evaluations on assigned personnel. Lt. Henry will not hesitate to volunteer for work details that are out of the normal day-to-day routines. According to his most recent performance evaluation, this was evident when he and his crew cleaned, inventoried, and organized all of the backup turnout gear. Lt. Henry is innovative and looks for ways to complete other tasks to make his job and the fire station a safe and pleasant place to work and live. In early October, 2013, Fire Engine 1 responded to a report of a smoke odor at 217 Hollywood Street. Upon arriving and investigating, Lt. Henry determined the odor was coming from the resident's television. At that time, Lt. Henry advised the resident to discontinue using her television. After the end of his shift, Lt. Henry retrieved a television that he personally owned and donated it to the resident. It has been said, "No one stands taller on their climb for success than when they bend down to help someone else." This definitely showed in Lt. Henry's compassion and selfless act. For these reasons and many others, the Employee Relations Committee nominated Lt. Johnny Henry, Jr. as Employee of the Month.

**APPROVAL OF MINUTES**

The minutes of the January 23, 2014 Regular Meeting were approved by unanimous consent (7-0) of the Council.

**PUBLIC HEARINGS**

**ORDINANCE NO. 2014-2, AN ORDINANCE FOR A CONDITIONAL USE PERMIT TO ALLOW A SMALL BUSINESS OFFICE IN A RESIDENTIAL-PROFESSIONAL (R-P) ZONING DISTRICT**

Consideration of an Ordinance for a Conditional Use Permit to allow a small business office in a Residential-Professional (R-P) Zoning District as requested by Carson McLane, Inc. (File No. CU-2014-01). The property is located at 2212 North Patterson Street. The Greater Lowndes Planning Commission reviewed this request at their January Regular Meeting and recommended approval with conditions (5-0 Vote).

Matt Martin, Planning and Zoning Administrator, stated that Carson McLane, Inc. is requesting a Conditional Use Permit (CUP) for a small business office in a Residential-Professional (R-P) zoning district. The property consists of 0.19 acres located at 2212 North Patterson Street which is along the west side of the street directly across from Carson McLane Funeral Home. The property contains an existing office building which is approximately 1,228 square feet in size. The applicant is proposing to utilize the building as a small administrative office for a pet cremation service that is affiliated with the funeral home across the street. This property will not have a crematory and it will not house any funeral services. It will house administrative staff only and will function purely as a business type office. The actual pet cremation facility will be located on a site outside the city limits.

The property is located within a Transitional Neighborhood (TN) Character Area on the Future Development Map of the Comprehensive Plan and is located within an office-institutional land use pattern along North Patterson Street. The property contains a former single-family residence that was converted to a professional office several years ago. The property also contains a shared parking lot and driveway from North Patterson Street as well as an interconnected parking lot across the rear with adjacent properties. The applicant is proposing no changes to the existing building or site and would like to continue using it as an office. The property already has more than the minimum required number of parking spaces for this type of office use. In the City's Use Table, the line item "Business Office" was created to allow administrative offices of businesses or industries to locate in zoning districts which might not otherwise allow the use itself. In this case, the actual business is "funeral services" which is categorized the same as a funeral home in the Use Table. Funeral Homes are not a permitted use in R-P zoning, and a funeral home use per se cannot be allowed on the property unless it is rezoned to at least an O-P category. Since the actual proposed use for this property is an office only and there will be no actual funeral-related activities occurring here (no cremation, no gathering of people for a funeral service), the applicant is eligible for the Business Office CUP option instead of rezoning. Given the entire area is currently zoned R-P, this is a better alternative than seeking a spot-zoning to O-P. The proposed Business Office for funeral services will blend-in and operate in much the same manner as the professional offices on the surrounding properties. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria and recommended approval subject to the following conditions: (1) Conditional Use approval shall be granted for a funeral services Business Office that is administrative in nature and affiliated with the existing funeral home across the street. There shall be no cremation facilities nor the conduct of any funeral service (large gathering of people) on the subject property. (2) Conditional Use approval shall expire after two years if the Business Office is not lawfully operating by that date. The Planning Commission reviewed this at their January 27, 2014 meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria and recommended approval with the same two conditions as recommended by Staff (5-0 vote). At the Work Session, Council recommended that the verbiage in parentheses on Condition (1) be deleted and Staff was in Agreement.

No one spoke in favor of the request.

No one spoke in opposition to the request.

**A MOTION** was made by Councilman Yost to enact Ordinance No. 2014-2, an Ordinance for a Conditional Use Permit to allow a small business office in a Residential-Professional (R-P) Zoning District as requested by Carson McLane, Inc. with the following conditions: (1) Conditional Use approval shall be granted for a funeral services Business Office that is administrative in nature and affiliated with the existing funeral home across the street. There shall be no cremation facilities nor the conduct of any funeral service on the subject property. (2) Conditional Use approval shall expire after two years if the Business Office is not lawfully operating by that date. Councilman Wright seconded the motion. The Ordinance was unanimously adopted (7-0), the complete text of which will be found in Ordinance Book XIII.

### **ORDINANCE NO. 2014-3, AN ORDINANCE FOR A TEXT AMENDMENT TO THE LAND DEVELOPMENT REGULATIONS TO ADD A NEW SECTION 210-6, HISTORICAL OVERLAY DISTRICT**

Consideration of an Ordinance for a Text Amendment to add a new Section 210-6, Historical Overlay District, in the Land Development Regulations (LDR) as requested by the City of Valdosta (File No. VA-2014-01). The Greater Lowndes Planning Commission reviewed this request at their January Regular Meeting and recommended approval (5-0 vote).

Matt Martin, Planning and Zoning Administrator, stated that at the request of the Historic Preservation Commission (HPC), the City of Valdosta is proposing to amend the City's Land Development Regulations (LDR) by adding a separate section for a Historical Overlay District. This section will allow a little more flexibility of land uses and site development standards within the local Historic District that might not otherwise be permitted by just the conventional zoning districts. This new Section in the Overlay Districts Chapter will correspond with the local Historic District and the purposes are 3-fold: (1) Add some flexibility to the residentially-zoned areas of the Historic District by allowing reduced building setbacks so that new buildings or expansions can match those of their neighbors, (2) Add more flexibility for redevelopment of historic properties by allowing the possibility of a

few alternative uses that would not otherwise be allowed in the underlying residential zoning, and (3) Eliminate the confusion when people look at the Overlay Districts Chapter and wonder if that is it not realizing there is still the Historic District with its own special rules for development and functions much the same as an Overlay District. The Amendments would then also refer them to the Historic Preservation Chapter of the LDR for the general rules about architectural standards and the HPC processes. The main substance of this new Section is in sub-sections (E) and (F). This Amendment is the result of discussions during the past few months between Staff and the HPC. For example, the City has been running into situations where it has been very difficult to site a house on an existing vacant lot in the Historic District due to size constraints. These lots are often small or narrow but still similar to the existing houses or lots around them which pre-date the City's zoning regulations. The houses in the neighborhood are already very close to the street and property lines; however, the new house has to follow the new rules with greater setbacks. These situations must go through a Variance process (for setback reduction) or otherwise be forced to only build a smaller house that will fit. Another situation might be a large historic home that has been sitting empty and the owners are contemplating something other than Single-Family Residential such as the Colbert's were doing last fall with their yellow house on North Patterson Street. If that property had been zoned Residential, they would not have been eligible to ask for their Conditional Use Permit (CUP). Imagine a large historic home such as the Roberts House or others that might make a nice Bed and Breakfast or a Garden Club building but because of their Residential zoning, they are not eligible and in many situations, rezoning them to Commercial would be illogical given the surrounding patterns. The Amendment would allow the possibility of such changes in use to be considered by Council through the CUP process on a case-by-case basis. The general idea is that such alternative uses might be more acceptable in a historic neighborhood setting rather than a conventional/modern neighborhood. Staff found the request consistent with the Comprehensive Plan and recommended approval. The Planning Commission reviewed this at their January 27, 2014 meeting, found it consistent with the Comprehensive Plan, and recommended approval (5-0 vote).

No one spoke in favor of the request.

No one spoke in opposition to the request.

**A MOTION** by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (7-0) to enact Ordinance No. 2014-3, an Ordinance for a Text Amendment to add a new Section 210-6, Historical Overlay District, in the Land Development Regulations (LDR) as requested by the City of Valdosta, the complete text of which will be found in Ordinance Book XIII.

**ORDINANCES AND RESOLUTIONS**

**RESOLUTION NO. 2014-1, A RESOLUTION TO APPROVE A GEORGIA ENVIRONMENTAL FINANCE AUTHORITY (GEFA) LOAN FOR WATER AND SEWER INFRASTRUCTURE PROEJCTS**

Consideration of a Resolution to approve a Georgia Environmental Finance Authority (GEFA) loan for Water and Sewer Infrastructure Projects.

Henry Hicks, Utilities Director, stated that this is the re-issuance of the remaining funds from the 2012 GEFA Loan Modification in order to complete projects that had not been finished by the December, 2013 deadline under that loan. There is \$9,592,369 of unspent funds from that loan that are now available under this loan to complete the identified projects by June 1, 2017. The projects covered under this loan consist of annexed islands, completion of test well #10 and construction associated with the conversion of both test wells #9 and #10 into production wells, a new re-chlorination station, upgrade or replacement of four additional lift stations, and the remaining balance on the Savannah/Fry elevated storage tank. GEFA has agreed to issue the new loan at a substantially lower interest rate in order to complete these projects. The interest rate will now be 2.4% as compared to 4.12%. GEFA requires a new promissory note, legal opinion of borrowers counsel, and a new City Council Resolution agreeing to the new loan.

**A MOTION** by Councilman Payton, seconded by Councilman Wright, was unanimously adopted (7-0) to enact Resolution No. 2014-1, a Resolution to approve a Georgia Environmental Finance Authority (GEFA) loan for Water and Sewer Infrastructure Projects, the complete text of which will be found in Resolution Book V.

Consideration of a Joint Appointment to the Valdosta-Lowndes County Industrial Authority.

Larry Hanson, City Manager, stated that the Joint Appointment to the Valdosta-Lowndes County Industrial Authority is the only remaining Joint Appointment between the City and the County. On February 5, 2009, the Valdosta City Council voted to appoint Roy Copeland to serve a term of five years as the Joint Appointment to the Valdosta-Lowndes Co. Industrial Authority. His name was then submitted to the Lowndes County Board of Commissioners for them to act upon. The Lowndes County Board of Commissions voted to confirm the appointment of Mr. Copeland to the Authority. Mr. Copeland's term expired January 1, 2014 and based upon the rotation of this Joint Appointment, it was the County's turn to make the next Joint Appointment. The Lowndes County Board of Commissioners met on Tuesday, January 28, 2014 and voted to re-appoint Mr. Copeland to the Valdosta-Lowndes Industrial Authority for a term of five years. It is now the City's turn to confirm this appointment. Larry Hanson recommended that Council confirm the re-appointment of Roy Copeland to the Valdosta-Lowndes County Industrial Authority.

**A MOTION** by Councilman Vickers, seconded by Councilwoman Tooley, was unanimously adopted (7-0) to confirm the re-appointment of Roy Copeland to the Valdosta-Lowndes County Industrial Authority.

Consideration of appointments to the Valdosta Historic Preservation Commission.

The Valdosta Historic Preservation Commission has the following two members whose terms will expire February 13, 2014: (1) Dr. Harry Hamm, and (2) Mr. King Smith. Also, Mr. James E. "Jed" Douglas, Jr. submitted his letter of resignation on January 1, 2014 due to relocation of his law practice to Homerville. Dr. Hamm and Mr. Smith have both expressed an interest in being reappointed. These appointments were advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants for consideration are as follows: (1) Dr. Harry Hamm - Executive Director of the Lowndes Advocacy Resource Center, Inc.), and (2) Mr. King Smith - Architect (Altman & Barrett Architects). Larry Hanson recommended that Council appoint the two applicants and re-advertise for the third slot when we advertise for the next round of Board appointments.

Mayor Gayle entertained a motion to appoint Dr. Harry Hamm and Mr. King Smith to the Valdosta Historic Preservation Commission.

**A MOTION** by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (7-0) to appoint Dr. Harry Hamm and Mr. King Smith to serve a term of three years on the Valdosta Historic Preservation Commission.

## **CITY MANAGER'S REPORT**

Larry Hanson, City Manager, stated that the City Government 101 Class has been advertised and the deadline to submit applications will be approaching very soon. We currently have 8 applications and there are 25 slots for the Class.

The Bird Supper will be held on Wednesday, February 12, 2014 at The Depot in Atlanta. There were over 100 local tickets sold and 170 members of the General Assembly have confirmed that they will attend.

The Arbor Day Celebration is scheduled for Friday, February 21, 2014 at 10:00 a.m. at the Valdosta State University Odum Library. Valdosta will be receiving its 28<sup>th</sup> consecutive Arbor Day Tree City USA Award. There are only three cities in Georgia out of 535 that have received this Award for over 25 years and those cities are Valdosta, Savannah, and Macon.

The Georgia Municipal Association's "If I Were Mayor Contest" is currently underway in the City School System and the deadline to submit essays is March 7, 2014. This is a great way to educate young people about the role of government and leadership and local school children are encouraged to participate.

The Spring Electronics Recycling Event is scheduled for Saturday, April 12, 2014 from 9:00 a.m. to 1:00 p.m. at Mathis Auditorium and citizens are encouraged to participate.

There is a new Sidewalk Project scheduled for Monday, February 10, 2014 on River Street. The sidewalk will be installed from Hightower Street to Beck Street. There is also a Sidewalk Project underway on Oak Street and we are making progress on that one as well.

The Smoke Testing Program has begun and they started in the Downtown area. They found several areas where there are some utility conflicts where stormwater and sewer lines may end up in the same line which is not the intention. They will then be moving to the Meadowbrook area to try to identify any sources of inflow and infiltration and get that corrected.

Mayor Gayle will be the guest speaker at the Gathering of the Eagles event at Wire Grass College on February 20, 2014.

All six short term improvements at the Withlacoochee Wastewater Treatment Plant have now been completed and are on-line and operational. Also, the Force Main Project was sent out for bid in December, 2013 and the bids will be opened on March 11, 2014. The Design Build Request for Proposal (RFP) will be released Wednesday, February 12, 2014 and firms will submit proposals for both design and construction of the new Withlacoochee Wastewater Treatment Plant.

The Finance Department was recently notified that they won the Distinguished Budget Award for the 20<sup>th</sup> consecutive year. The budget must be proficient in the following four areas: (1) Policy Document, (2) Financial Plan, (3) Operations Guide, and (4) Communication Device. It must also meet 14 mandatory criteria and this Award is the highest form of recognition in governmental budgeting.

The Rotary Law Enforcement Dinner is scheduled for Thursday, February 20, 2014 at the James H. Rainwater Conference Center and every year they honor one of our own Police Department personnel.

The Police Department quietly rolled out a Computer Aided Dispatch System today and now a Dispatcher will be able to look at a screen and dispatch the closest Police cars to a call. In the event there is a high priority call, the Dispatcher will see at least three cars on the screen and will dispatch the closest two primary cars and a backup. This will improve response time to those calls that are most urgent.

**COUNCIL COMMENTS**

Councilman Vickers stated that the Georgia Department of Transportation is working on the crosswalk on the South Patterson Street and Madison Highway intersection.

**CITIZENS TO BE HEARD**

There were no citizens to be heard.

**ADJOURNMENT**

Mayor Gayle entertained a motion for adjournment.

**A MOTION** by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (7-0) to adjourn the February 6, 2014 Meeting of the Valdosta City Council at 5:58 p.m. to meet again in Regular Session on Thursday, February 20, 2014.