

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, MAY 8, 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: Tim Carroll, Ben Norton, Alvin Payton, Jr., Robert Yost, Sandra Tooley, and James Wright. Councilman Joseph "Sonny" Vickers was absent. The invocation was given by Pastor Winston Taylor, Grace Fellowship Seventh Day Adventist Church, followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

PRESENTATION OF THE MAY, 2014 EMPLOYEE OF THE MONTH AWARD

Consideration of the May, 2014 Employee of the Month Award (Sgt. Douglas Bennett, Fire Department).

Fire Chief Freddie Broome stated that Sergeant Douglas Bennett began his employment with the City of Valdosta Fire Department in December, 2005 as a Firefighter. Doug was promoted to Sergeant in July, 2011 which is the position he currently holds. Sergeant Bennett's duties include driving the fire apparatus to and from emergency scenes, operating fire pumps and hydraulic ladders, and he is responsible for knowing the location of streets, hydrants, business locations, and other topographical features in this assigned territory. Sgt. Bennett also assists in teaching and training upcoming relief driver candidates. Recently, Sgt. Bennett led a very talented group of personnel from A-Shift and B-Shift as well as a former employee in a volunteer effort to rebuild the bathrooms at Valdosta Fire Station #1, Main Headquarters. The shower stall inserts were cracked and leaking which caused a foul black mold to grow behind the sheet rock walls. Between the two shifts, the sheet rock was removed along with the inserts and the fittings were replaced with copper. The A-Shift crew cleaned out several buildings, collected metal for scrap, and used the money to buy the tile and fixtures needed to replace the bathrooms. Sgt. Bennett and both crews worked for weeks to pour the concrete, lay the tile, and grout the new shower. As a second job, Sgt. Bennett does tile work and with his knowledge, he estimated the City saved approximately \$5,000 because of their efforts. The Valdosta Fire Department is extremely proud of Sgt. Bennett and both shifts for their time and dedication. For these reasons and many others, the Employee Relations Committee nominated Sgt. Doug Bennett as Employee of the Month.

APPROVAL OF MINUTES

The minutes of the April 24, 2014 Regular Meeting were approved by unanimous consent (6-0) of the Council.

PUBLIC HEARINGS

ORDINANCE NO. 2014-5, AN ORDINANCE FOR A CONDITIONAL USE PERMIT TO ALLOW A DESIGNATED RECYCLING CENTER IN AN M-2 ZONING DISTRICT

Consideration of an Ordinance for a Conditional Use Permit to allow a designated recycling center in an M-2 zoning district as requested by Charles Cowart and Robbie Attaway (File No. CU-2014-02). The property is located at 2325 West Savannah Avenue. The Greater Lowndes Planning Commission reviewed this request at their April regular meeting and recommended tabling the request for one month (6-0 vote).

Matt Martin, Planning and Zoning Administrator, stated that Charles Cowart and Robbie Attaway are requesting a Conditional Use Permit (CUP) for a designated Recycling Center in an M-2 zoning district. The property consists of about 3.35 acres located at 2325 West Savannah Avenue which is along the south side of the street, approximately 1,100 feet east of Boone Dairy Road. The property is part of a larger parcel totaling approximately 22.8 acres and the applicants are proposing to subdivide the parcel to accommodate the proposed use. The property is currently vacant and mostly cleared. The applicants were proposing to construct a 7,500 square foot industrial warehouse (75 x 100) on the property to serve as a "collection and sorting" building for

recyclable materials emanating from local residential and commercial waste (cans, newspaper, bottles, and plastics). The proposed site will also contain a small office building and a truck parking area with all onsite drives and maneuvering areas consisting of gravel. All recycling operations are proposed to take place entirely within the buildings. Since the submission of the original site plan, changes have been made and a copy was provided to the Mayor and Council at the Work Session. The applicants are now proposing to combine the two building into one structure which will be approximately 10,000 square feet and it will be located more toward the northern edge of the property. This equates to approximately 232 feet from the southern property line and that property line is another 30-70 feet from the edge of the neighborhood and the City Limits line. The property is located within an Industrial Activity Center (IAC) Character Area on the Future Development Map of the Comprehensive Plan. The property is located within a heavy industrial area along West Savannah Avenue and the area is bordered by the CSX railroad switching yard to the north, a rural single-family neighborhood to the south, and stretches all the way from Boone Dairy Road eastward to St Augustine Road. This entire industrial area is zoned M-2 which is the most intensive zoning classification in the City. By definition, recycling centers are not the same as junk yards or other similar heavy operations that sometimes try to use the "recycling label." The City's Land Development Regulations (LDR) contain supplemental standards which the proposed use does and will have to comply with. There are far more intensive uses (such as junk yards and heavy manufacturing) that are allowed by right as a permitted use in M-2 zoning. Therefore, the fact that recycling centers require CUP approval in M-2 zoning seems rather illogical. It is Staff's belief that this was an oversight during the original compiling of the Use Table of the LDR. Staff will be later proposing this to change to a "permitted use" as part of upcoming LDR Amendments which would render this CUP request as moot. In the meantime, the proposed use still requires CUP approval, and the only potential concern is the proximity of the residential neighborhood to the south and ensuring that any negative impacts will be minimized. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval with the following conditions: (1) Conditional Use approval shall be granted for an indoor Recycling Center facility only, in accordance with the LDR's supplemental standards for such use, and in general accordance with the submitted site plan. All sorting and other business activities shall be conducted entirely within buildings on the subject property and these shall not cumulatively exceed 10,000 square feet. There shall be no outside storage of materials whatsoever. (2) Recyclable materials shall be limited to household and light commercial items only, and shall exclude scrap metal, vehicles, or other heavy materials. (3) All exterior parking and truck maneuvering areas shall be set back at least 15 feet from the rear property line and at least 60 feet from the residentially zoned properties to the south. (4) Conditional Use approval shall expire after two years if no building permits for this facility have been requested by that date. The Planning Commission reviewed this at their April 28, 2014 meeting and there was a large contingent of citizens from the neighborhood who were present. They asked a lot of detailed questions about the nature of the business; however, the applicants were not in attendance at the Planning Commission Meeting and the specific questions were not answered. The Planning Commission recommended tabling the request for one month (6-0 vote).

Councilman Carroll stated that there had been discussions at the Work Session regarding the fencing and the applicant had agreed to put in some fencing to screen the business. Matt Martin stated that was correct and the applicant had indicated early on that he had planned to fence the property with a chain link fence. Staff met with the applicant early this week to discuss some concerns that were raised at the Planning Commission Meeting and the revised site plan that was turned in. The applicant indicated that he was amenable to providing more effective screening around the property. Some of that screening is indicated on the revised site plan such as a berm and landscaping at the south end of the property. Councilman Carroll stated that where the property abuts the neighborhood was the most important area. Matt Martin stated that in reviewing this request, this property is M-2 zoning and the use that is being proposed is not as intensive as many of the other M-2 uses. Because it is M-2 property that abuts M-2 property on all sides, there is a separate parcel between the property and the neighborhood. There is no automatic triggering of buffering, which would normally be a 50 foot wide buffer and 25 feet if they put in a solid fence, and that is why Staff had factored in their conditions a separation to ensure that the development on this property is at least 50 feet from the neighborhood; however, it will be quite a bit more than that. When looking at the site plan in terms of dimensions, the property is in some ways a little larger than what you think it is. The eastern boundary of the lower part is 379 feet deep and there is a 232 foot dimension line between the building and the southern area. If you want to impose the screening to separate the visibility from the neighborhood, it would not be necessary to impose it throughout the entire perimeter of the property because there is a lot of M-2 zoning east and west of there. It is the southern vision that you would want to be most concerned about.

Councilman Yost inquired as to whether the applicant was willing to put a fence up that was not a chain link and that would shield the neighborhood more on the south end. Matt Martin stated that the applicant is amenable to that and is in the audience tonight to answer questions and to explain further what he is willing to do. There have also been some conversations between him and the neighbors and he could report on those discussions as well. Councilman Yost inquired as to whether Council could make that a condition. Matt Martin stated that Council could impose any type of condition that they felt would make this fit in better. Councilman Yost inquired as to whether the south end of the property nearest the residential property would be the best place to put a wooden fence that would give them more buffering and not a chain link fence. Matt Martin stated that there was no buffering triggered and the only unlike industrial use is to the south even though there is a separation of some distance. It is not absolutely necessary because of that distance but certainly it is unnecessary where it is abutting other industrial properties that are being developed as industrial use which some already exist. Councilman Yost stated that the Planning Commission had recommended postponement of the request. Matt Martin stated that was because there were a lot of unanswered questions about the nature of the business and some answers that were given were not complete answers. The Planning Commission felt uneasy about providing a recommendation without all of the information being at hand. Councilman Yost inquired as to whether Staff was recommending that they move forward with the request. Matt Martin stated that Staff's recommendation has not changed and they recommended approval with conditions mainly based on the M-2 zoning and the other things that were discussed at the Work Session.

Councilman Carroll stated that this was technically a glitch in the Land Development Regulations (LDR) and next month there will be Amendments to the LDR which will fix this. Matt Martin stated that was correct. Councilman Carroll stated once Council adopts the Amendments to the LDR then any conditions that Council applies tonight will be moot. Matt Martin stated that was correct for any Conditional Use that is approved. In the past there have been some that were approved with conditions and then a future Code amendment either changed the classification of the use or the zoning and sometimes it does render a Conditional Use approval as moot which could happen in this case if the proposed Text Amendments go through. Councilman Yost stated that if the applicant delays building on the property until after Council votes on the Amendments to the LDR then the applicant would not have to implement any of the conditions that Council puts on this. Matt Martin stated that if the Conditional Use was no longer required for this development then the conditions become moot. There are supplemental standards in the LDR that apply to recycling centers and there is no proposal to change those. Many of Staff's recommended conditions are built around those. Councilman Yost stated that when it comes before Council and they have an opportunity to put conditions on it then he would expect that the person developing the property would live up to those conditions. Also, he would hope that whoever builds or operates on this property would want to be a good neighbor to the residents who live near there. George Talley, City Attorney, stated that if Council puts conditions on the request then they are valid and any future change in the Code would not eliminate those conditions. Council would have to go back and vote them out.

Councilman Wright inquired as to whether they were talking about the recommendation that Staff made or whether it was something that Council wanted to add in addition to what Staff made. Matt Martin stated that Council was free to add any conditions that they wanted to and all they were presenting was a recommendation. Councilman Wright inquired as to whether Staff was recommending additional buffering. Matt Martin stated that Staff was not recommending additional buffering. They recommended a separation which equates to the same effect and it is a much greater distance than what the buffering would have required. It is 60-80 feet instead of 50 feet and with the revised site plan the building is 232 feet away.

Councilman Payton inquired as to whether the revised site plan puts the building more in the corner of the property. Matt Martin stated that the building was shifted all the way to the north of the main part of the property and it used to be in the center of the property.

Robbie Attaway, Choice Transportation/Attaway Recycling, spoke in favor of the request. Mr. Attaway stated that he met with Staff on several occasions and he is willing to do anything in order to be a good neighbor. That is also the reason that they moved the building to the far corner. They are willing to put vinyl screening in the chain link fence and they would put fir trees between the fence and the buffer that is currently in place. They would not disturb the berm that is already there which has a lot of pine trees and vegetation. As far as the activity of the operation, all the recycling would be handled inside of the building. They have turned the building on the site plan

so there will be no opening toward the southern portion of the neighborhood. They will park trucks there and there will be approximately three employees. The drivers will be out all day and park the trucks in the evening. The City and Advanced Disposal would bring the recyclables in and dump them on the floor. The material will then be bailed and loaded into larger trailers and hauled to Milledgeville, Georgia where the single stream sorting line is located. The only item that will be processed in the building would be cardboard and it would be bailed. All the material is clean and is coming from households throughout the City and County. It would not be amenable for them to have a \$2 million facility here because there is not enough material for processing. Councilman Wright inquired about the hours of operation. Mr. Attaway stated that it would be the same hours that the City uses to run its trucks. There could possibly be a chance of a route running late but that would not be a normal occurrence. Councilwoman Tooley inquired as to how tall the fence would be. Mr. Attaway stated that the fence would be six feet in height.

Susan Bradley, Boone Dairy Subdivision, spoke in opposition to the request. Ms. Bradley stated that she has no problem with the idea of recycling or constructing a facility but in the true spirit of recycling which is about reusing and repurposing it would be far more appropriate to use one of the existing vacant buildings in the Industrial Park and locate it there. There is generally an increased crime rate in neighborhoods which are located near recycling centers. In 2011, a recycling center opened in a neighborhood on West Chicago Avenue and the crime statistics show that over the following 18 months crimes jumped by 52%. Recycling centers tend to attract a higher number of homeless individuals, transients, and people who engage in illegal activity. That costs the City and the County money because it means more involvement with law enforcement and the criminal justice center. As someone who frequently travels with her work with the State of Georgia, if she pulled off I-75 at the Exit where the beautiful Holiday Inn is located and then saw what was around it she might get back on I-75 and keep going. There is a negative economic impact to the neighborhood. This would cause property values to decline at a minimum of 10-15% and in some cases as much as 75%. There would be an environmental impact with rodents, flies, and roaches. Ms. Bradley stated that she spoke with someone in Valdosta who works in cardboard recycling and they told her about the problem they had with rats and feral cats that were constantly attracted to the area. Another issue with the flies is some that they were trapped and sent off for analysis were found to have Cholera. There is no telling what someone would throw in the blue recycling bins. Study after study has shown a link between industries located next to residential neighborhoods and the increase of pollution, truck emissions, higher rates of asthma, upper respiratory infections, bronchitis, and skin eruptions. Children are particularly at risk because they are more vulnerable. Their neighborhood has children riding golf carts and the school buses come through this area where the facility will be placed. This is a huge concern on many fronts for all of the neighbors.

Brian Burkhardt, Boone Dairy Subdivision, spoke in opposition to the request. Mr. Burkhardt stated that at the present time there is a berm located at the southeast end of the property. He has been told that the berm is 10 feet tall and he would like to propose that the berm be extended to the west end of the property on the southside to the gravel entrance on Boone Dairy Road. It should also be topped with trees or dense shrubs that require little or no maintenance in order to deflect sound. A qualified nurseryman should also be consulted. Mr. Burkhardt stated that he believed Council would ensure the property is in compliance and regulated and that the property owner and/or lessee is in compliance with all regulations deemed by the City. No recycling should be outside of the proposed building and there should be sufficient parking for all vehicles and equipment. This facility should also be properly secured. There is a common concern about the increase in traffic, particularly considering the poor condition of the railroad crossing on Boone Dairy Road which is a normal route from the property to Highway 84. There is also concern about the wetlands on the property. At the Work Session on May 6, 2014, it was noted that this property had been zoned M-2 since the 1980's. Mr. Burkhardt stated that if that was the case then the property should have water and sewage to ensure drainage and fire suppressant for health and safety reasons.

Phil Hubbard, Boone Dairy Subdivision, spoke in opposition to the request. Mr. Hubbard stated that two weeks ago none of them knew what M-2 zoning was let alone that it was right next door. They had the following questions: What are they going to be doing over there? How much traffic will they have to endure? What kind of trucks will they have and how many? What are the hours of operation? They don't know. Will there be trucks in and out during the night, early morning, and during the weekends? Will these trucks have backup alarms? What kind of drivers will they have? When checked by law enforcement, Choice Transportation of Middle Georgia, 47.6% were found to have unsafe driving violations. These violations included mostly speeding in excess of 11 miles per hour over the speed limit. Three drivers were found to be not medically qualified. The new law enacted last year stipulates that when your medical exam expires so does your CDL. One driver did not even have a CDL.

It was found that 68.9% were not in compliance with U. S. Department of Transportation (DOT) hours of service regulations primarily for driving over the hours allowed. As recent as November, one driver was found under the influence and in possession of an intoxicating beverage while operating a commercial motor vehicle. For a comparison, Advanced Disposal has five total unsafe violations and Deep South Sanitation has zero. Will Choice Transportation do better? They don't know. There was recently 18 homeless people removed from their neighborhood and many had outstanding warrants. Will this be a hotspot for the homeless? Will this facility be secure? Will vagrants, pilfers, and scavengers be allowed to come and go as they please? Will anyone be able to drop off anything at any time? Will they have strange odors and smells? Will they have critters and varmints? Will they have stacks of cardboard that become roach motels? They don't know. Will this only be trash from Valdosta? Will there be commercial waste materials? Will they have a chemical cocktail in their well water? They don't know. How much will their health, wealth, and quality of life be threatened? Will their property values be affected? Are they going to be bringing in trash from Lowndes County? Will they be bringing in trash from Quitman, Lakeland, Thomasville, and Adel? Will Florida trash be brought in? Is this going to be a recycling haven? They don't know. Will there be contaminants expelled through the air? How much equipment will be parked there? Are they going to be performing maintenance? When checked 18 times by enforcement, Choice Transportation was found to have 33 different maintenance violations with 10 of those being for brakes which are important. Three trucks were placed out of service meaning they were not safe to be on the road and had to be repaired on the spot. For a comparison again, Advanced Disposal has five total violations with three of those being for fire extinguisher issues and zero for out of service. Deep South Sanitation was found to have zero violations. Will they disregard laws and regulations the same way they disregard those of the Georgia Department of Public Safety and the U. S. Department of Transportation? They don't know. Are there going to be stormwater issues? Are they going to die from groundwater contamination? Will their wells dry up? Will the wetlands downstream be affected? Will they actually have additional flooding? Why doesn't this building go directly on Savannah Avenue? Why is it going to be tucked back and totally visible from our property? They don't know. Is this absolutely the best location? They doubt it. Why not in one of the Industrial Parks? Why not off of Perimeter Road? Why not near Exit 11 or 13? Why not the former trash collection facility on Industrial Boulevard? Why not at 5183 Inner Perimeter Road? Why not near your residence? Why adjacent to ours? They don't know. They do not understand why the Industrial Authority does not provide an acceptable property for Mr. Attaway. Furthermore, they do not understand why Mr. Attaway simply doesn't utilize the property he is currently leasing on Inner Perimeter Road. It is for sale and zoned M-2. They were advised that the outbound material from the City is approximately one truck per day. Choice Transportation currently parks approximately two dozen trucks on his Perimeter Road location and he obviously will not require that much equipment for the material generated by the City. They feel he will relocate all of this to Savannah Avenue. There is a high volume of traffic on Boone Dairy Road and people think this is a short cut to get around the train. They do ask that these trucks be prohibited from using Boone Dairy Road totally. It is almost impossible for a car to make a left turn on Boone Dairy Road onto Highway 84 West. They feel this facility should not be adjacent to any residential area regardless of what the Code allows. As City planners, you have the ability to determine which parts of the City prosper and what parts of the City decline. Why do you choose their area for decline? Would you approve this if you lived in his house or one of the other residents of Boone Dairy Subdivision? The answer to that they do know.

John Dawson, 1714 Glennview, spoke in opposition to the request. Mr. Dawson stated that Mr. Hubbard brought up a lot of points that most of the neighbors agree with. He inquired about some type of drainage pond or wastewater runoff pond that would go on the property itself. These ponds come in two different categories and if this happens, they will need to be able to protect their well water and aquifers because most of the residences have shallow wells that are 40-50 feet deep. The wastewater runoff should be directed into a sanitized field which is a runoff area with a barrier that keeps the water from soaking back into the groundwater. Mr. Dawson stated that was his biggest concern as a resident and he has two small children that he wanted to protect. They do not know what is going to come out of the building. It could be completely safe and clean or it could be completely hazardous in six months. This is a question that needs to be brought up and they need to know where the runoff water will be directed.

Councilman Carroll inquired as to whether Matt Martin, Planning and Zoning Administrator, could address some of the questions that have been raised. Matt Martin stated that this is M-2 zoning and what they are proposing is not a retrofit of existing development. This is new development which means nothing is grandfathered in and they must comply with all development requirements for the use. Regardless of whether the Conditional Use is approved or any other use that is allowed in M-2, they must comply with landscape plans, setbacks, soil erosion,

land disturbance, stormwater management, and retention area for stormwater runoff. If there is something particular to the industrial use that requires extra requirements from State or Federal guidelines, that must be adhered to as well. There is a lot of industrial development to the east and many of those businesses have been there for years and are grandfathered in. Some of those do not meet the City's current standards and they could not repeat that again today. They would be required to meet the current standards. Councilman Yost stated that if a motion is made to approve the request then he would like for a fence with slats to be included in the motion on the south end of the property near the residential neighborhood. Councilman Carroll stated that this was not the first time that they have had a case come before Council where people purchased homes and later discovered that the houses were next to something other than what it was. The Hunter's Point Subdivision on Inner Perimeter was a cotton field and those who built homes there did not know that the cotton field was zoned Highway-Commercial so it was rather shocking when the Super Wal-Mart was built. This is obviously another example of the same situation. Under normal circumstances Council would never rezone M-2 zoning abutting residential zoning. To compound the situation, the County has control on the neighborhood side and they annexed it in as M-2 zoning and it became the City side. This is a down-zoning use (M-1 use) on an M-2 piece of property and what Councilman Yost had indicated that they can do is to hold his feet to the fire on the fence and he would like to place that as a condition in the motion.

A **MOTION** was made by Councilman Carroll to approve the Conditional Use Permit to allow a designated recycling center in an M-2 zoning district as requested by Charles Cowart and Robbie Attaway with the condition that a fence with slats be installed on the south end of the property near the residential neighborhood. The motion was seconded by Councilman Wright. The motion was adopted (4-2) with Councilman Norton and Councilman Payton voting in opposition to enact Ordinance No 2014-5, the complete text of which will be found in Ordinance Book XIII.

ORDINANCE NO. 2014-6, AN ORDINANCE FOR A CONDITIONAL USE PERMIT TO ALLOW FOR A MINOR AUTOMOTIVE REPAIR AND MAINTENANCE FACILITY IN A COMMUNITY-COMMERCIAL ZONING DISTRICT

Consideration of an Ordinance for a Conditional Use Permit (CUP) to allow for a minor automotive repair and maintenance facility in a Community-Commercial (C-C) zoning district as requested by Langdale Ford (File No. CU-2014-03). The property is located at 410 North Patterson Street. The Greater Lowndes Planning Commission reviewed this request at their April Regular Meeting and recommended approval with conditions (6-0 vote).

Matt Martin, Planning & Zoning Administrator, stated that Langdale Ford is requesting a Conditional Use Permit for a minor automotive repair and maintenance facility in a Community-Commercial (C-C) zoning district. The property is located in Downtown at 410 North Patterson Street at the southwest corner of North Patterson and West Rodgers Street. The property contains an existing vacant commercial building and the applicant is proposing to redevelop the property as a "Quick Lane" tire and oil change facility associated with Langdale Ford. The property is located within a Downtown Activity Center (DAC) Character Area on the Future Development Map of the Comprehensive Plan. The property is also located within the local Historic District, and the proposed redevelopment of this property is being reviewed concurrently with the Historic Preservation Commission. Langdale Ford owns several large properties in the Downtown area and they are all being systematically renovated and upgraded. This includes the Langdale Supercenter immediately adjacent to (behind) the property as well as the main dealership located on the City block to the southwest. The applicant is contemplating to either renovate the existing building or construct a brand new building to accommodate this use. Each of these options poses different advantages and challenges for the applicant and how it would relate to the City's development requirements. Either choice would still require CUP approval and the difference in building type is of a little greater concern to the Historic Preservation review process than it is for CUP. In terms of surrounding zoning and land use patterns, a minor Automotive Repair and Maintenance facility fits in very well and there are supplemental standards already in the LDR to help ensure this. The only significant development concern is the existing small and substandard parking lot along the North Patterson street frontage, whereby there are several existing parking spaces that force vehicles to back-out onto the busy street. This is already an unsafe condition and adding even greater traffic volumes to this will make the situation much worse. This small parking lot is also contradictory to the plans for the North Patterson "Streetscape" project which calls for beautification and streetside upgrades along this corridor. Since the proposed automotive use will already be connected and share access through the adjacent Supercenter,

this existing parking lot is no longer a necessity to support independent commercial use of this building. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval with the following conditions: (1) Conditional Use approval shall be granted for a Minor Automotive Repair and Maintenance facility in accordance with the LDR's supplemental standards for such use. Building designs for either renovation or new construction shall be as approved by the Historic Preservation Commission. (2) The existing small parking lot along North Patterson Street shall be removed and the area shall be landscaped as approved by the City Arborist and in compatibility with the City's "North Patterson Streetscape" plans. Any new or future driveways through this area shall be as approved by the City Engineer. (3) Conditional Use approval shall expire after two years if no building permits for this use (renovation or new construction) have been requested by that date. The Planning Commission reviewed this at their April 28, 2014 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) Conditional Use approval shall be granted for a Minor Automotive Repair and Maintenance facility in accordance with the LDR's supplemental standards for such use. Building designs for either renovation or new construction shall be as approved by the Historic Preservation Commission. (2) Conditional Use approval shall expire after two years if no building permits for this use (renovation or new construction) have been requested by that date.

Steve Everett, General Manager and Operating Partner with Langdale Ford, 215 West Magnolia Street, spoke in favor of the request. Mr. Everett stated that Langdale Ford is undergoing major renovation of their main facility located at the corner of Oak Street and Magnolia Street with all new Ford-branded façade. Then interior will also be completely renovated. They like the Downtown area and want to stay there for at least another 20 years. They will continue the renovation with the Langdale Supercenter which is their used car facility located on Patterson Street. They purchased this property approximately one and one-half years ago and at the time they were not concerned about the zoning which is C-C. The rest of the Langdale Ford property is zoned Highway-Commercial (C-H). If they were to demolish the building they could not even display cars on the property under the C-C zoning; therefore, they are asking for a CUP. They decided early on that this property would make a good location for the Quick Lane operation which is a franchise granted by Ford but not branded by Ford. They would like to market their services for maintenance and repair to all makes and models. This will be a great compliment to the Downtown area. People who work Downtown will be able to leave their vehicle and have their oil changed, tires rotated, alignment, and other minor repairs. At this time they have not decided whether or not they will be able to renovate the building that is currently on the property or if they will have to build a new facility. When the cost for renovations gets to a certain point they will have to tear the building down and build a new one. This presents other problems as well with some of the new requirements from the City. Mr. Everett stated that everyone will be proud of their entire campus of Langdale Ford, which is approximately eight acres, and the branding of their facilities. Mr. Everett asked Council's consideration in approving the request for a CUP.

No one spoke in opposition to the request.

A MOTION was made by Councilwoman Tooley to approve the Conditional Use Permit (CUP) to allow for a minor automotive repair and maintenance facility in a Community-Commercial (C-C) zoning district as requested by Langdale Ford with the following conditions: (1) Conditional Use approval shall be granted for a Minor Automotive Repair and Maintenance facility in accordance with the LDR's supplemental standards for such use. Building designs for either renovation or new construction shall be as approved by the Historic Preservation Commission. (2) Conditional Use approval shall expire after two years if no building permits for this use (renovation or new construction) have been requested by that date. Councilman Norton seconded the motion. The motion was unanimously adopted (6-0) to enact Ordinance No. 2014-6, the complete text of which will be found in Ordinance Book XIII.

BOARDS, COMMISSIONS, AUTHORITIES, AND ADVISORY COMMITTEES

Consideration of an appointment to the Greater Lowndes Planning Commission.

Larry Hanson, City Manager, stated that the Greater Lowndes Planning Commission (GLPC) has a member, Johnny Ball, III, whose term will expire on July 8, 2014. Mr. Ball has expressed an interest in being reappointed. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants applying for this position are as

follows: (1) Johnny Ball, III - Assistant Administrator/Healthcare (South Georgia Medical Center), (2) Raymont Burke - Career Technical Education Department Chair (Jefferson County School Board, Monticello, FL) - 1st Choice, (3) Denton C. Hill - Attorney (Moser Rose Attorneys at Law), and (4) Michael J. Kufrovich - DOD Contractor, Contract Lead Supervisor Full Time (Advanced Concepts Enterprises, Inc.), and Fire Prevention/Code Compliance Part Time (Hahira Fire Department) - 1st Choice.

Mayor Gayle asked for nominations. Councilman Payton placed in consideration the name of Johnny Ball. There being no other nominations, Mayor Gayle closed nominations. Johnny Ball was reappointed by acclamation to serve a term of five years on the Greater Lowndes Planning Commission.

Consideration of an appointment to the Hospital Authority of Valdosta-Lowndes County.

Larry Hanson, City Manager, stated that the Hospital Authority of Valdosta-Lowndes County has a member, Sam Allen, whose term expired on May 1, 2014. The Hospital Authority submitted the following three names for consideration: (1) Sam Allen - Retired Superintendent of Valdosta City Schools, (2) Larry Brooks, and (3) David Wells - Retired Teacher and Retired Military. Mr. Allen has expressed an interest in being reappointed and Mr. Brooks did not submit an application for appointment. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council.

Mayor Gayle asked for nominations. Councilwoman Tooley placed in consideration the name of Sam Allen. There being no other nominations, Mayor Gayle closed nominations. Sam Allen was reappointed by acclamation to serve a term of five years on the Hospital Authority of Valdosta-Lowndes County.

Consideration of appointments to the Keep Lowndes-Valdosta Beautiful Board.

Larry Hanson, City Manager, stated that the Keep Lowndes-Valdosta Beautiful (KLVB) Board has two members, Carl Onyeka and JaTaryia Thomas, whose terms will expire on June 30, 2014. Mr. Onyeka and Ms. Thomas have 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 applying for these positions are as follows: (1) Carl James Onyeka - Child Care Supervisor (Raintree Village, Inc.), (2) Lindsay Ray - Property Manager and Sales Assistant (Chris Mill Homes), and (3) JaTaryia Thomas - Executive Director (CASH Prosperity Campaign, Inc.).

Mayor Gayle asked for nominations. Councilman Payton placed in consideration the name of Carl Onyeka. Councilman Carroll placed in consideration the name of Lindsay Ray. There being no other nominations, Mayor Gayle closed nominations. Carl Onyeka was reappointed and Lindsay Ray was appointed by acclamation to serve a term of three years on the Keep Lowndes-Valdosta Beautiful Board.

Consideration of appointments to the Public Art Advisory Committee.

Larry Hanson, City Manager, stated that the Public Art Advisory Committee has three members, Robin Fretti (LVAC Member at Large), Sara Blackwell (Community at Large), and Angela Crance (Community at Large) whose terms will expire on June 1, 2014. Both Robin Fretti and Angela Crance have expressed an interest in serving again and Sara Blackwell has not 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 applying for these positions are as follows: Position #1 - LVAC Member at Large (one slot), (1) Robin Fretti - Chief Financial Officer, All States Moving & Storage, Position #2 - Community At Large (two slots), (1) Angela Crance - Education and Business Owner (Wiregrass Technical College) and (2) Raymont Burke - Career Technical Education Department Chair (Jefferson Co. School Board, Monticello, FL) - 2nd Choice.

Mayor Gayle asked for nominations. Councilman Norton placed in consideration the names of Robin Fretti for the LVAC Member at Large slot, and Angela Crance and Raymont Burke for the Community At Large slots. There being no other nominations, Mayor Gayle closed nominations.

Mayor Gayle entertained a motion to approve the appointment of Robin Fretti (LVAC Member at Large), Angela Crance (Community At Large), and Raymont Burke (Community At Large) to the Public Art Advisory Committee.

A MOTION by Councilman Norton, seconded by Councilman Payton, was unanimously adopted (6-0) to approve the appointment of Robin Fretti (LVAC Member at Large), Angela Crance (Community At Large), and Raymont Burke (Community At Large) to the Public Art Advisory Committee to serve a term of three years.

Consideration of an appointment to the Valdosta Historic Preservation Commission.

Larry Hanson, City Manager, stated that the Valdosta Historic Preservation Commission had a member, James E. "Jed" Douglas, Attorney, who resigned on January 1, 2014 due to moving his Law Office to Homerville, Georgia. His term expires on February 13, 2015. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants are as follows: (1) Gayle Golden - Retired Assistant Superintendent (Valdosta City Schools), and (2) Mike Orenduff - Self Employed.

Mayor Gayle asked for nominations. Councilman Norton placed in consideration the name of Gayle Golden. There being no other nominations, Mayor Gayle closed nominations. Gayle Golden was appointed by acclamation to fill the unexpired term of James E. "Jed" Douglas on the Valdosta Historic Preservation Commission.

Consideration of an appointment to the Valdosta Housing Authority (Resident Appointment).

Larry Hanson, City Manager, stated that the Valdosta Housing Authority has a Resident Member, DeShonda Jenkins, whose term will expire on July 1, 2014. Ms. Jenkins has expressed an interest in serving again. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The only applicant applying for this position was Ms. Jenkins and Mayor John Gayle will make this appointment.

Mayor Gayle stated that he would like to reappoint Ms. Jenkins to serve a one year term as the Resident Appointment on the Valdosta Housing Authority.

Consideration of appointments to the Valdosta Housing Board of Adjustments & Appeals.

Larry Hanson, City Manager, stated that the Valdosta Housing Board of Adjustments & Appeals has three members, Rachael Bradley, Deloris Mitchell-Brown, and R. Rouse Vallotton, II whose terms will expire on August 7, 2014. Mr. Vallotton has expressed an interest in serving again and Ms. Bradley and Ms. Mitchell-Brown have not 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 are as follows: (1) R. Rouse Vallotton, II - Self Employed in Real Estate, and (2) Barbara Cunningham - Owner of TJM Painting, LLC. Larry Hanson stated that if Council appoints the two applicants then the third slot will be re-advertised with the next round of advertisements.

Mayor Gayle asked for nominations. Councilman Carroll placed in consideration the names of R. Rouse Vallotton, II and Barbara Cunningham. There being no other nominations, Mayor Gayle closed nominations.

Mayor Gayle asked for a motion to approve the appointment of R. Rouse Vallotton, II and Barbara Cunningham to the Valdosta Housing Board of Adjustments & Appeals.

A MOTION by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (6-0) to approve the Valdosta Housing Board of Adjustments & Appeal appointments of Rouse Vallotton, II and Barbara Cunningham to serve a term of three years.

Consideration of an appointment to the Valdosta-Lowndes County Airport Authority.

Larry Hanson, City Manager, stated that the Valdosta-Lowndes County Airport Authority has a member, Dr. James Sinnott, whose term will expire on May 11, 2014. Dr. Sinnott has not expressed an interest in being reappointed. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants applying for this position are as follows: (1) Randall S. Crews - Structural Engineer (Crews Engineering, Inc.), (2) Bill Donaldson - Retired from Hotel & Restaurant Management, (3) Herman Ertlschweiger, Jr. - Retired from the U. S. Air Force at Moody AFB, (4) Michael Kufrovich - DOD Contractor, Contract Lead Supervisor Full Time (Advanced Concepts Enterprises, Inc.), and Fire Prevention/Code Compliance Part Time (Hahira Fire Department) - 2nd Choice, and (5) Lynette Lewis - Administrator for the Student Health Center (Valdosta State University) - 2nd Choice. The Airport Authority has submitted a letter asking that Council give consideration in appointing one of the two pilots who are Randall S. Crews and Herman Ertlschweiger, Jr.

Mayor Gayle asked for nominations. Councilman Carroll placed in consideration the name of Herman "Hap" Ertlschweiger, Jr. Councilwoman Tooley placed in consideration the name of Bill Donaldson. There being no other nominations, Mayor Gayle closed nominations. Herman "Hap" Ertlschweiger, Jr. received five votes and Bill Donaldson received one vote. Herman "Hap" Ertlschweiger, Jr. was appointed to serve a term of four years on the Valdosta-Lowndes County Airport Authority.

Consideration of an appointment to the Valdosta-Lowndes County Parks & Recreation Authority.

Larry Hanson, City Manager, stated that the Valdosta-Lowndes County Parks & Recreation Authority has a member, Russ Mast, whose term will expire on June 30, 2014. Mr. Mast has not expressed an interest in being reappointed. The only applicant applying for this position was Daniel Deaver whose current slot is the rotating appointment on the Parks & Recreation Authority. His term will also expire on June 30, 2014. The rotating appointment will be made by the Lowndes County Board of Commissioners. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council.

Mayor Gayle entertained a motion for an appointment to the Valdosta-Lowndes County Parks & Recreation Authority.

A MOTION by Councilman Yost, seconded by Councilman Wright, was unanimously adopted (6-0) to table the appointment to the Valdosta-Lowndes County Parks & Recreation Authority for 60 days and re-advertise.

Consideration of an appointment to the Valdosta-Lowndes Co. Zoning Board of Appeals.

Larry Hanson, City Manager, stated that the Valdosta-Lowndes Co. Zoning Board of Appeals has a member, Allan Strickland, whose term expired on May 7, 2014. Mr. Strickland has expressed an interest in being reappointed. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants applying for this position are as follows: (1) Raymont Burke - Career Technical Education Department Chair (Jefferson County School Board, Monticello, FL) - 3rd Choice, (2) Michael J. Kufrovich - DOD Contractor, Contract Lead Supervisor Full Time (Advanced Concepts Enterprises, Inc.), and Fire Prevention/Code Compliance Part Time (Hahira Fire Department) - 3rd Choice, and (3) Allan Strickland - Owner (General Rental Center).

Mayor Gayle asked for nominations. Councilman Payton placed in consideration the name of Allan Strickland. There being no other nominations, Mayor Gayle closed nominations. Allan Strickland was reappointed by acclamation to serve a term of three years on the Valdosta-Lowndes Co. Zoning Board of Appeals.

Larry Hanson, City Manager, stated this week is National Drinking Water Week and the City celebrated the success of the Water Treatment Plant and the employees who do such a great job every day. There was a program earlier this week and we have had good exposure about the importance of our drinking water.

The Brown Bag Concerts have been going on all week in the Downtown area on the Courthouse Square from 11:30 a.m. to 1:30 p.m. There has been good participation all week and the final concert will be held tomorrow.

The City Government 101 Class had week five on Monday night and there will be one more opportunity for Council members to participate in the class before graduation. This has been a very engaged class and they have asked a lot of good questions. The citizens have enjoyed learning about the City and how all of the Departments function.

Valdosta State University will be holding their graduation this weekend and there will be three commencement services on Saturday, May 10, 2014 at 10:00 a.m., 1:00 p.m., and 4:00 p.m. Dr. William McKinney, President of Valdosta State University, has indicated that this may be the largest graduating class in their history.

Larry Hanson, City Manager, stated that there was a 16-inch water main break on Eager Road yesterday morning and it was a high volume water line. It took some time for the City Staff to find the appropriate valve to cut that service off so they could make a repair and the Fire Department responded very quickly in assisting with the effort. It showed the great teamwork that our Departments have and also the commitment that they have to serve the community and the citizens. It also shows the benefit of being designated as a Georgia Search and Rescue (GSAR) unit and having a GSAR vehicle. This vehicle has one large pump and two other pumps which the Fire Department was able to use to help with this situation. We are very fortunate to be one of only eight in the State that has the GSAR designation and to have the GSAR vehicle with that equipment.

Larry Hanson, City Manager, stated that the Mayor and Council would need to have an Executive Session for the purpose of discussing real estate and litigation.

COUNCIL COMMENTS

Councilman Carroll stated that it was his neighborhood that was flooded due to the water main break and he was an eye witness as to how hard the men and women of the City worked to minimize the damage to the property in the neighborhood. Their efforts were very much appreciated by all of the homeowners.

Councilman Wright stated that all of the City of Valdosta employees do a wonderful job and he was very appreciative of the ones who receive the Employee of the Month; however, he would like to see more Public Works employees receive this award.

CITIZENS TO BE HEARD

Carl Onyeka, 420 Connell Road, Apt. 11C, thanked the Mayor and Council for his reappointment to the Keep Lowndes-Valdosta Beautiful Board. Mr. Onyeka stated that he has heard that many people's lives are most fulfilled when they get involved in something that is bigger than themselves and that is how he feels. After graduating college, almost everyone he knew moved away but there was something about the City of Valdosta that he loved and that is why he chose to stay and live here. He works with a number of great individuals who do good work on the Keep Lowndes-Valdosta Beautiful Board. They recently received another Governor's Circle Award from Governor Nathan Deal for the outstanding work they have done. Mr. Onyeka stated that he hopes to keep improving and proving to Council that they made the right decision to reappoint him.

ADJOURNMENT

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

A **MOTION** by Councilman Payton, seconded by Councilman Carroll, was unanimously adopted (6-0) to adjourn the May 8, 2014 Regular Meeting of the Valdosta City Council at 6:43 p.m. and enter into Executive Session to discuss real estate and litigation.

Mayor Gayle reconvened the May 8, Regular Meeting of the Valdosta City Council at 7:14 p.m. and stated that action was taken on two items in Executive Session on real estate. Mayor Gayle entertained a motion for the purchase of a lot on West Hill Avenue for \$8,200.

A **MOTION** by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (6-0) to approve the purchase of a lot located on West Hill Avenue in the amount of \$8,200.

Mayor Gayle entertained a motion for the purchase of an easement on Dukes Bay Canal in the amount of \$22,500.

A **MOTION** by Councilman Payton, seconded by Councilman Carroll, was unanimously adopted (6-0) to approve the purchase of an easement on Dukes Bay Canal in the amount of \$22,500.

Mayor Gayle entertained a motion for adjournment.

A **MOTION** by Councilman Norton, seconded by Councilman Payton, was unanimously adopted (6-0) to adjourn the May 8, 2014 Meeting of the Valdosta City Council at 7:15 p.m. to meet again in Regular Session on Thursday, May 22, 2014.

City Clerk, City of Valdosta

Mayor, City of Valdosta