

**MINUTES**  
**REGULAR MEETING OF THE VALDOSTA CITY COUNCIL**  
**5:30 P.M., THURSDAY, AUGUST 7, 2008**  
**COUNCIL CHAMBERS, CITY HALL**

**OPENING CEREMONIES**

Mayor John J. Fretti called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Sonny Vickers, Tim Carroll, Alvin Payton, Willie Head, Jr., John Eunice, Robert Yost, and James Wright. The invocation was given by Councilman Tim Carroll, followed by the Pledge of Allegiance.

**AWARDS AND PRESENTATIONS**

**PRESENTATION OF THE AUGUST, 2008 EMPLOYEE OF THE MONTH AWARD**

Mayor Fretti entertained a motion for the August, 2008 Employee of the Month Award.

A **MOTION** by Councilman Carroll, seconded by Councilman Head, was unanimously adopted (7-0) to approve the August, 2008 Employee of the Month Award.

Mayor Fretti presented the August, 2008 Employee of the Month Award to Debra Miller and Kelley Thomas, Public Involvement Department.

Debra Miller began her employment with the City of Valdosta in July, 1983 as a Secretary. Since that time, she has held positions in Personnel and Purchasing and was promoted to the position of Administrative Secretary in August, 2001. Kelley Thomas began her employment with the City of Valdosta in September, 2004 as the Community Development Coordinator which is the position she currently holds. For the past four summers, the City of Valdosta has been a co-sponsor of the Southern Hospitality Workcamp. This organization provides opportunities for young people to serve by completing basic home repairs, painting, and minor construction at no cost to elderly or disabled residents. This year's Workcamp which took place in June 22-28 was a Challenge Camp. This meant participants would be repairing roofs and taking on more intense carpentry work. In her role with the Workcamp, Ms. Miller was responsible for the coordination of all hospitality events and details. This included pre-planning activities, the Sunday hospitality, the Friday evening reception, and providing overall assistance during the time volunteers were on site. This year, Ms. Thomas took on a more responsible role in the overall coordination of the Workcamp by holding monthly meetings and working with the participating homeowners regarding the repairs to be made. This year, 360 volunteers representing 12 states repaired 39 homes in Valdosta. Thanks to the efforts of Ms. Miller and Ms. Thomas, this year's Workcamp was truly the best ever and one the City can be extremely proud of. For these reasons and many others, the Employee Relations Committee nominated Debra Miller and Kelley Thomas as Employees of the Month.

**APPROVAL OF MINUTES**

The minutes of the July 24, 2008 Regular Meeting of the Valdosta City Council were approved by unanimous consent (7-0) of the Council.

**CITIZENS TO BE HEARD**

Dr. Shane Wood, 300 Georgia Avenue, President of the Georgia Park Neighborhood Association, stated that there has always been a difficult struggle between Valdosta State University and their neighborhood and they have always tried to grow with the University and respect their needs. This proposal to change the parking hours will be good for their neighborhood and will help eliminate some of the traffic and parking in the area. Mayor Fretti inquired as to whether Dr. Wood had a significant amount of traffic and parking near his residence. Dr. Wood stated that it has been more on High Street and Moore Street and now that the University has moved forward with the parking garages there will be adequate parking to accommodate the students. Mayor Fretti stated that the Oak Street parking facility will be for commuter parking and the Sustella Avenue parking garage will be for

overnight student parking. Dr. Wood stated that there are only a few historic neighborhoods within the main area of Valdosta and it is important to preserve those neighborhoods. Dr. Wood thanked the Mayor and Council for their support.

Dave Sherman, 1612 Williams Street, stated that he represented the Brookwood North Homeowners Association and the Board was in favor of changing the hours in their neighborhood because they have had a lot of problems with parking. Mr. Sherman stated that he was personally in favor of changing the hours and when he attended the Brookwood North Homeowners Association meeting everyone was in favor of it. Mayor Fretti asked Mr. Sherman to monitor the change in parking hours to determine if it is effective.

**PUBLIC HEARINGS**

**ORDINANCE NO. 2008-36, AN ORDINANCE FOR A SPECIAL EXCEPTION FOR THE ESTABLISHMENT OF A MANUFACTURED HOME IN A MULTI-FAMILY RESIDENTIAL (R-6) ZONING DISTRICT**

Consideration of an ordinance for a Special Exception for the establishment of a manufactured home in a Multi-Family Residential (R-6) zoning district as requested by Patricia Varnadore (File No. VA-2008-27). The property is located at 2545 Lonesome Dove Road. The Planning Commission reviewed this at their July regular meeting and recommended approval (6-0) with the condition that the old mobile home be removed within 45 days after the placement of the new home.

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant is requesting a Special Exception for establishment of a manufactured home in a Multi-Family Residential (R-6) zoning district. A single wide mobile home currently occupies the property, and the applicant is proposing to replace it with a doublewide. In September, 2007, Council approved the placement of a doublewide manufactured home on the lot immediately adjacent to the property. The surrounding properties in the area are a mixture of site built houses and a few existing mobile homes and manufactured homes. The site plan indicates that the applicant would like to place the doublewide manufactured home in front of the mobile home and attached porch and then use the porch to transfer her belongings into the new manufactured home. The property is within an established residential character area and the proposed use is consistent. Staff found the request consistent with the policy set by Council and the Comprehensive Plan and recommended approval. The Planning Commission reviewed this request at their July regular meeting and recommended approval with the condition that the old mobile home be removed within 45 days after placement of the new home (6-0 vote). Councilman Head inquired about reducing the number of days to two weeks. Anne-Marie Wolff stated that she spoke with the applicant and she was agreeable to reducing the number of days.

No one spoke in favor of the request.

No one spoke in opposition to the request.

**A MOTION** by Councilman Payton, seconded by Councilman Eunice, was unanimously adopted (7-0) to enact Ordinance No. 2008-36, for a Special Exception for the establishment of a manufactured home in a Multi-Family Residential (R-6) zoning district as requested by Patricia Varnadore with the condition that the applicant remove the singlewide mobile home within the two week time period, the complete text of which will be found in Ordinance Book XI.

**ORDINANCE NO. 2008-37, AN ORDINANCE AMENDING THE VALDOSTA ZONING ORDINANCE**

Consideration of an ordinance to rezone 9.8 acres from Manufacturing (M-1) to Manufacturing (M-2) zoning district as requested by Edward Jennings, LLC (File No. VA-2008-28). The property is located at 1950 Cypress Street. The Planning Commission reviewed this at their July regular meeting and recommended denial (4-2).

Anne-Marie Wolff, Planning and Zoning Administrator, stated that the applicant is requesting to rezone 9.8 acres from M-1 to M-2 in order to accommodate a car crushing and auto salvage-type business. The property is part of a tract that was recently subdivided in June, 2008. It was originally thought that the proposed use would go into the auto graveyard category; however, after further review of the ordinance and proposed use, it was determined that with the following conditions the proposed use could remain in the M-1 zoning: (1) The property will remain zoned M-1, (2) Hours of operation will be from 8:00 a.m. to 6:00 p.m., (3) The maximum number of cars located on the property at any one time will be 100, (4) An eight foot opaque fence will be constructed around the entire perimeter of the property, (5) A landscaped buffer will be provided along the 60' of property on the west side abutting Cypress Street and will include canopy trees, understory trees, and shrubs to provide a year round dense vegetation buffer, (6) Once crushed, cars will not be stacked any higher than eight feet, (7) The site shall meet all applicable requirements from the Environmental Protection Division (EPD), (8) Disturbance of any jurisdictional wetlands, if determined present, will be approved by the Army Corp of Engineers, and (9) The application will be approved in the name of Alligator Enterprises, Inc. only. Ms. Wolff stated that she visited an existing car crushing facility in the City located off of Patterson Street and it is a very large facility with well over 100 vehicles. The property has screening and heavy trees and vegetation which limits the view of the property. There was no noise when crushing the cars and the only noise that could be heard sounded like a large fan. With the conditions in place and leaving the property zoned M-1 is appropriate with the surrounding development, particularly on the north side of Cypress Street. There was no one in opposition to the request at the Planning Commission meeting. Staff would recommend approval with the conditions. The Planning Commission reviewed this request at their July regular meeting and recommended denial with a 4-2 vote. Ms. Wolff stated that they would be asking Council to rezone the property to Manufacturing (M-1) with the nine conditions. Councilman Eunice inquired as to whether the applicant had to have the conditions to operate the business. Anne-Marie Wolff stated that it would be in Council's best interest and the surrounding community to have the conditions. Larry Hanson, City Manager, stated that the applicant does not have to have the conditions but felt that the conditions would protect the neighborhood. Anne-Marie Wolff stated that this was challenging because they did not have a specific category in the Zoning Ordinance for car crushing. They have storage, which is part of what the applicant will be doing, and auto graveyard which is more intense than what the applicant would be doing. Councilman Eunice inquired as to whether the applicant could have opened the business without submitting an application. Anne-Marie Wolff stated that she would have expressed concern when the business license came through and would have placed it in the auto graveyard category. Larry Hanson stated that was what prompted the request is that the applicant did not believe that he could do that within the existing M-1 zoning. Councilman Head stated that he would not be in favor of the request without the conditions. Councilman Carroll stated that Planning Commission specifically voted denial for the M-2 zoning. Mayor Fretti stated that normally the conditions stay with the property and this may be the first time that conditions are in the name of the applicant. Anne-Marie Wolff stated that if another use were to come to the property then they would not need to follow these conditions.

No one spoke in favor of the request.

No one spoke in opposition to the request.

**A MOTION** by Councilman Wright, seconded by Councilman Head, was unanimously adopted (7-0) to follow the recommendation of Staff and enact Ordinance No. 2008-37, an ordinance to rezone 9.8 acres from Manufacturing (M-1) to Manufacturing (M-1) with the following conditions: (1) The property will remain zoned M-1, (2) Hours of operation will be from 8:00 a.m. to 6:00 p.m., (3) The maximum number of cars located on the property at any one time will be 100, (4) An eight foot opaque fence will be constructed around the entire perimeter of the property, (5) A landscaped buffer will be provided along the 60' of property on the west side abutting Cypress Street and will include canopy trees, understory trees, and shrubs to provide a year round dense vegetation buffer, (6) Once crushed, cars will not be stacked any higher than eight feet, (7) The site shall meet all applicable requirements from the Environmental Protection Division (EPD), (8) Disturbance of any jurisdictional wetlands, if determined present, will be approved by the Army Corp of Engineers, and (9) The application will be approved in the name of Alligator Enterprises, Inc. only, the complete text of which will be found in Ordinance Book XI.

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

Consideration of bids for Moss Way Circle reconstruction.

Von Shipman, City Engineer, stated that Moss Way Circle was constructed in 1988 and because of the excessive amount of groundwater in this area, the base in the cul-de-sac area has failed to the point that reconstruction is the only option. Over the last five years, an extensive amount of effort has been made to make spot repairs but the problem continues to worsen. The developer at the time was not required to install a sub-drain system to keep the groundwater from the sub-base. The only solution is to remove the base and pavement in the cul-de-sac and install a crushed granite sub-base to allow groundwater to not reach the base and asphalt surfacing. Because the curb and gutter is a washed river rock, the City will need to mill the pavement edge to allow the street to be resurfaced properly. Bids were received on July 8, 2008 with the low bid submitted by Rountree Construction in the amount of \$30,788. The Engineering estimate was \$45,000. Von Shipman recommended that Council approve the low bid submitted by Rountree Construction in the amount of \$30,788 plus a 10% contingency.

**A MOTION** by Councilman Eunice, seconded by Councilman Head, was unanimously adopted (7-0) to approve the low bid submitted by Rountree Construction in the amount of \$30,788 plus a 10% contingency for the Moss Way Circle reconstruction.

Consideration of a contract extension with ASA Engineering, EMC Engineering, and LEA Engineering for utility design services for annexed islands.

Von Shipman, City Engineer, stated that on April 10, 2008, the City Council approved the concept for three local engineering firms (ASA Engineering, EMC Engineering, and Lovell Engineering) to provide design/survey services for 13 former islands that were annexed in 2006 at an estimated construction cost of approximately \$10 million. There were three of those islands that were critical in nature and the City wanted to get the engineers working on those as quickly as possible. The three firms were selected due to their ability and availability to perform the complicated nature of the design work. The actual intention of Staff was for the Council to approve the three firms to design all the former islands according to the agreed upon breakdown. Because of time limitations relative to the settlement of the island lawsuit, it was important that the City proceed in a timely manner to serve the islands. Von Shipman recommended that Council approve the request for these three consultants to provide utility design services for all 13 of the former islands according to the agreed breakdown.

**A MOTION** was made by Councilman Carroll to follow the recommendation of Staff and approve the request for a contract extension with ASA Engineering, EMC Engineering, and LEA Engineering for utility design services for annexed islands. Councilman Payton seconded the request. Councilman Vickers inquired as to what the percentage was of the 13 islands as compared to the overall number. Larry Hanson, City Manager, stated that by the time we were finished there were 78 islands but these represent a substantial amount of the individual properties. Councilman Vickers inquired as to the total estimated cost for the project. Larry Hanson stated that it was approximately \$15 million. Councilman Vickers inquired as to whether the dirt streets have been paved. Von Shipman stated that those have not been paved yet but will be done by August, 2009. Larry Hanson stated that the City committed to pave those streets within three years so this has been incorporated into the work program to be done within that time frame. The motion was unanimously adopted (7-0).

## **LOCAL FUNDING AND REQUESTS**

Consideration of a request to approve a concept for widening improvements on Country Club Road at Perimeter Road.

Von Shipman, City Engineer, stated that Ralph Rigby has expressed his desire to develop the 8.1 acre tract at the corner of Perimeter Road/North Valdosta Road/Country Club Road. Lot 1 is to be developed first as a major restaurant chain and in order to support this, Country Club Road must be improved to support this development. A considerable amount of discussion has taken place with the developer regarding the proposed ingress/egress to the property. The Georgia Department of Transportation (DOT) has approved right in/right out driveways on Perimeter Road and North Valdosta Road. Three driveways are proposed on Country Club Road and will only allow motorists to turn right when exiting. A northbound left turn lane is needed for the first two driveways to prevent traffic from backing up to the intersection of Perimeter Road. The DOT will be asked to approve the installation of an eastbound left turn arrow on Perimeter Road at Country Club Road to help motorists access this and other development (existing and future) in the immediate area. The estimated cost to construct the

improvements is approximately \$80,000. The developer is willing to transfer 10 feet of property with an appraised value of \$80,000 along his side of Country Club Road to the City as public right-of-way. The City will pay for the cost of the improvements since it will help alleviate congestion for the traveling public. Von Shipman recommended that Council approve the request. Councilman Head inquired as to why the DOT has not given permanent permission to close the road. Von Shipman stated that the DOT gave the City permission to install a temporary condition because the permanent condition will involve some construction which includes a raised concrete island and some additional improvements that would be a permanent solution to the problem. Councilman Carroll stated that the temporary condition was at the request of the citizens in that area.

**A MOTION** by Councilman Head, seconded by Councilman Payton, was unanimously adopted (7-0) to approve the concept for widening improvements on Country Club Road at Perimeter Road with the City paying the cost and the developer transferring property to the City for a public right-of-way.

Consideration of a request to extend the no on-street parking hours around Valdosta State University.

Von Shipman, City Engineer, stated that in the 1990s the City imposed no-parking time periods on select City streets in the vicinity of the Valdosta State University (VSU) main campus due to the large number of students who chose to park off-campus instead of on-campus for a variety of reasons. The no-parking time periods are from currently 1:00 a.m. to 9:00 a.m. and 4:00 p.m. to 6:00 p.m. during weekdays. With the completion of the new VSU parking decks, a net increase of 1,350 safe and convenient parking spaces has been realized which will be enough parking spaces to meet the demand for many years to come. In order to encourage students to obtain a VSU parking decal to park on-campus, Staff has recommended that the morning no-parking time period be expanded to 11:00 a.m. Students will be charged a \$100 per semester to pay for the new parking decks and other campus improvements that directly benefit students. While it may be more convenient for some students to park on nearby City streets, there is enough spaces on-campus to park. The area homeowner associations have been contacted and they agree with the concept. A meeting with VSU officials was held to coordinate efforts to inform students about the change if it is approved. If the change is approved, traffic conditions in this area will improve immediately due to the fact the majority of students will park on-campus. The area where parking limits are imposed may need to be expanded due to the fact some may want to park further away from campus to avoid paying the on-campus parking fee. Councilman Eunice inquired as to when the new parking times would be enforced. Von Shipman stated that by Labor Day all students will have had ample warning. Larry Hanson stated that for a short period of time the Police Officers will use discretion but in other areas where students park in front of fire hydrants or red marked areas they will be towed.

**A MOTION** by Councilman Yost, seconded by Councilman Wright, was unanimously adopted (7-0) to approve the request to extend the no on-street parking hours around Valdosta State University.

Consideration of a request to establish the 2008 Tax Millage Rate.

Mark Barber, Deputy City Manager of Administration, stated that the Five Year History of Tax Levy was published in the Valdosta Daily Times on July 24, 2008 notifying the community of the proposed tax millage to be set by the City of Valdosta. The purpose of this ad was to inform property owners of the growth in the ad valorem tax digest and the level of taxes collected in the last five years. All governmental units and school districts are required by State law to publish growth rates in the tax digest and changes in tax rates. The City of Valdosta did experience healthy growth in the tax base in the real and personal property area. The tax base was increased by \$91.4 million which is approximately a 6% increase as compared to last year. When the tax base is expanded that enables the City to reduce the millage rate; however, even in growth years of 2% and maxing out at 3%, the City still rolled back reassessment growth as the taxpayer's bill of rights prescribes. Mark Barber recommended a millage rate reduction from 4.178 to 4.12. This rate does include rolling back the \$22.6 million in reassessment growth. This is the eighth consecutive year that the City has been able to reduce the millage rate. The millage rate will generate approximately \$5.7 million which goes to the General Fund. The revenue generated this year will be an additional \$256,000 as compared to last year. Also, the Homeowners Tax Relief Credit, which is an additional exemption the State gives local taxpayers, has been a topic of conversation around the State the last several days. The City will give the taxpayers a credit on their tax bill and then the State reimburses the local government for that credit. The Governor has placed those funds on hold but the consensus around the State is that when the tax bills

go out, the credit will be included on the bill. In fact some communities, such as metro area, have already sent out their tax bills that included the credit. Most feel that it will be funded but instead of receiving the reimbursement in December it will be distributed in March. The City of Valdosta received \$233,000 last year on that reimbursement. The City of Valdosta will adjust the cash flow accordingly. Councilman Vickers inquired as to what would happen to the budget if the City gives the credit and then the State does not reimburse us. Larry Hanson stated that it would be a loss in revenue of approximately \$234,000 but the Georgia Department of Revenue has stated that they do not think the funds can legally be withheld. Mark Barber stated that the higher the millage rate is then the bigger the reimbursement. Last year the City School System was at \$900,000 and the County School System was over \$1 million so the City gets a smaller reimbursement because our millage rate is smaller. Mayor Fretti stated that the City will also be affirming the adoption of 5 mills for the operation and maintenance for the Central Valdosta Development Authority (CVDA) as well as 5 mills for the repayment of debt for the Streetscape Project. The City will also have to adopt the Valdosta Board of Education millage rate of 15.98 for this year.

**A MOTION** by Councilman Head, seconded by Councilman Eunice, was unanimously adopted (7-0) to follow the recommendation of the Deputy City Manager of Administration and adopt the 2008 tax millage rate at a rollback rate of 4.112 mills, 5 mills for operation and maintenance of the central downtown district, 5 mills for repayment of debt for the Streetscape Project, and a millage rate of 15.98 for the Valdosta City School System.

Consideration of a request to apply for grant funds with the Historic Cemetery Heritage Tourism Grant Program for Sunset Hill Cemetery.

Emily Foster, Historic Preservation Planner, stated that this project is for the creation of an interactive, GIS-enabled website for Sunset Hill Cemetery that will be accessible via the City of Valdosta's current Internet site. The purpose of this project will be to provide an archive of valuable historical information reflecting Valdosta's heritage and the website will function as a management tool for the cemetery allowing the public to find what plots are available for purchase as well as Sunset Hill Cemetery's regulations for interment and visitation. The total project cost is \$5,000, and the grant requires a 50% match (\$2,500) of which a portion must be a cash match; however, because the majority of the work will be covered under the existing VALOR-GIS contract with the South Georgia Regional Development Center, \$2,000 of the City's match will be in-kind services and only \$500 will be necessary for the cash portion of the grant match. Emily Foster recommended that Council approve the request.

**A MOTION** by Councilman Payton, seconded by Councilman Vickers, was unanimously adopted (7-0) to approve the request to apply for grant funds with the Historic Cemetery Heritage Tourism Grant Program for Sunset Hill Cemetery.

**BOARDS, COMMISSIONS, AND AUTHORITIES**

Consideration of a recommended policy for appointments to Boards, Commissions, Authorities, and Advisory Committees. Mayor/Council postponed the request at the July 10, 2008 regular meeting until the August 7, 2008 regular meeting.

Larry Hanson, City Manager, stated that all the changes that were discussed at the Work Session have been made to the policy; however, Councilman Vickers has also requested that Item 8, line 4 should have the word "or" inserted so that it reads "or as vacancies occur."

**A MOTION** by Councilman Vickers, seconded by Councilman Head, was unanimously adopted (7-0) to approve the recommended policy for appointments to Boards, Commissions, Authorities, and Advisory Committees with the recommended editorial addition.

**CITY MANAGER'S REPORT**

Larry Hanson, City Manager, stated that the ESPN TitleTown designation has been very positive for the community and the Public Information Officers will be meeting to discuss ways to promote Valdosta with the new designation.

There will be a Group Workcamp presentation at the next Council meeting and several employees from Lowe's will be recognized as well. Lowe's will be making a final presentation to their Board of Directors to recommend that this program be implemented nationally by Lowe's in the communities where they have distribution centers.

Copies of the final Transportation Master Plan will be distributed to the Mayor and Council at the end of the meeting and it includes the projects as well as ranking of the projects. The final Public Comment Meeting will be held on Thursday, August 14, 2008 from 4:00 p.m. to 6:00 p.m. at the City Hall Annex Building Multi-Purpose Room. Mr. John Funny of Grice & Associates will be in attendance at the next Council meeting to present the Plan to Mayor and Council for adoption. We will also be running a Public Service Announcement and Press Release tomorrow to inform citizens about the opportunity to review the Plan and encourage them to attend the Public Comment Meeting.

**COUNCIL COMMENTS**

Councilman Head thanked the City of Valdosta, the Main Street Office, and Mara Register, Assistant to the City Manager, for their support of the 100 Black Men Bar-B-Que Cook-off that was held last weekend. This was the largest turnout they have had to date.

Mayor Fretti stated that he received a positive comment on the Panhandling Ordinance today and he has been informed that many of the panhandlers are gone from our community. Mayor Fretti thanked Council for their support of the ordinance.

**ADJOURNMENT**

Mayor Fretti entertained a motion for adjournment.

**A MOTION** by Councilman Payton, seconded by Councilman Carroll, was unanimously adopted (7-0) to adjourn the August 7, 2008 meeting of the Valdosta City Council at 6:32 p.m. to meet again in regular session on Thursday, August 21, 2008.

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City Clerk, City of Valdosta

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Mayor, City of Valdosta