

**MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, SEPTEMBER 5, 2013
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, and Robert Yost. Councilwoman Deidra White arrived late at 5:42 p.m. Councilman Alvin Payton, Jr. and Councilman James Wright were absent. The invocation was given by Ricardo Vielmas, Director of Biz with a Good Name, followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

PRESENTATION OF THE SEPTEMBER, 2013 EMPLOYEE OF THE MONTH AWARD

Amanda Peacock, Main Street Manager, presented the September, 2013 Employee of the Month Award (Margaret Ellen Hill, Community Development Department).

Ellen Hill began her employment with the City of Valdosta Main Street Department in February, 2007 as a Program Coordinator which is the position she currently holds. Ellen is tasked with completing the day-to-day Main Street front office responsibilities, preparing the Central Valdosta Development Authority (CVDA) Board meeting packets and newsletters, and is a major asset in organizing and conducting special events for the CVDA and Downtown Main Street. Several years ago, the Mayor and Council set a goal to start a Downtown farmers market. The Main Street office took this goal and ran with it. Ellen put her all into researching and studying the process to create the market from the ground up. In addition, she also took it upon herself to design a beautiful logo and catchy slogan for our "Downtown Valdosta Farm Days." The logo and slogan has gained our Downtown recognition throughout our community and the State. Before each farmers market, Ellen takes time to reach out to vendors to find out if they will attend and what products they will have to sell. She then puts this information into an E-mail blast to send to Main Street's many followers to encourage them to shop at the Downtown farmers market. In 2012, the farmers market was expanded by two months and this season, the market was held each Saturday in June to accommodate the farmers heavy harvest month. We are extremely proud of this community event, and without the hard work of Ellen, it would not successfully happen every May through October. For these reasons and many others, the Employee Relations Committee nominated Ellen Hill as Employee of the Month.

APPROVAL OF MINUTES

The minutes of the August 22, 2013 Regular Meeting were approved by unanimous consent (4-0) of the Council.

PUBLIC HEARINGS

ORDINANCE NO. 2013-18, AN ORDINANCE TO AMEND THE LAND DEVELOPMENT REGULATIONS

Consideration of an Ordinance to rezone 4.96 acres from Single-Family Residential (R-6) and (R-10) to Office-Professional (O-P) as requested by UHS Pruitt Corporation (File No. VA-2013-12). The property is located at 1501 North Lee Street. The Greater Lowndes Planning Commission reviewed this request at their August Regular Meeting and recommended approval (7-0 vote).

Matt Martin, Planning and Zoning Administrator, stated that UHS Pruitt Corporation (Parkwood Healthcare Properties, Inc.) is requesting to rezone a total of 4.96 acres from Single-Family Residential (R-6) and (R-10) to Office-Professional (O-P). The property is the Parkwood Development Center which was constructed approximately 43 years ago and is located at 1501 North Lee Street which is at the northeast corner of North Lee Street and Vallotton Drive. The property is currently split-zoned R-6 (2.30 acres) and R-10 (2.66 acres). Due to changes in the City's development regulations over the years, the existing Parkwood Development Center is

currently a non-conforming use under both the R-6 and R-10 zoning. The applicant is now proposing to expand the facility with two new buildings and other site improvements. This triggers the need for rezoning as well as a Conditional Use Permit (CUP) which is being processed under a subsequent Agenda Item (File No. CU-2013-02). The property is located within a Neighborhood Activity Center (NAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of O-P zoning. The property is located in a transitional area between commercial development to the south and west, and primarily single-family residential development to the north. It is more specifically located at a signalized intersection of two Collector streets, and the area no longer seems appropriate for single-family zoning or development. In fact, the existing R-10 portion of the property is no longer compliant with the Comprehensive Plan's Future Development Map (not allowed in the NAC Character Area). O-P zoning allows a mixture of office and institutional uses, as well as some residential and some very light commercial uses such as banks and beauty salons. There is already O-P zoning (small office building) located on the northwest side of the subject property, and O-P seems to be a good fit for this transitional area between residential and commercial land use patterns. Staff found the request consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power, and recommended approval. The Planning Commission reviewed this at their August 26, 2013 meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (7-0 vote).

Daniel Anderson, UHS Pruitt Corporation, and Matt Phelps, Lovell Engineering, spoke in favor of the request. Matt Phelps stated that he was the Engineer for the project and asked Council's consideration in approving the request.

No one spoke in opposition to the request.

A MOTION by Councilwoman White, seconded by Councilman Carroll, was unanimously adopted (5-0) to enact Ordinance No. 2013-18, an Ordinance to rezone 4.96 acres from Single-Family Residential (R-6) and (R-10) to Office-Professional (O-P) as requested by UHS Pruitt Corporation, the complete text of which will be found in Ordinance Book XII.

ORDINANCE NO. 2013-19, AN ORDINANCE FOR A CONDITIONAL USE PERMIT TO ALLOW A RESIDENTIAL CARE FACILITY IN OFFICE-PROFESSIONAL (O-P) ZONING

Consideration of an Ordinance for a Conditional Use Permit to allow a Residential Care Facility in Office-Professional (O-P) zoning as requested by UHS-Pruitt Corporation (File No. CU-2013-02). The property is located at 1501 North Lee Street. The Greater Lowndes Planning Commission reviewed this request at their August Regular Meeting and recommended approval with five conditions (7-0 vote).

Matt Martin, Planning and Zoning Administrator, stated that UHS-Pruitt Corporation (Parkwood Healthcare Properties, Inc.) is requesting a Conditional Use Permit (CUP) for a Residential Care Facility in Office-Professional (O-P) zoning. The property is the Parkwood Development Center consisting of 4.96 acres located at 1501 North Lee Street which is at the northeast corner of North Lee Street and Vallotton Drive. The applicant is proposing to expand the existing facility (currently a non-conforming use) by constructing a 9,000 square foot Activities Building and a 20-bed Living Facility. These expansions are triggering the need to both rezone the property and obtain CUP approval. The applicant is also requesting certain Variances from the City's stream buffer requirements, and these are being heard separately by the Zoning Board of Appeals (ZBOA) [File No. APP-2013-10]. The property is located within a Neighborhood Activity Center (NAC) Character Area on the Future Development Map of the Comprehensive Plan. The Parkwood Development Center is licensed by the State as an "Intermediate Care Facility for the Mentally Retarded" (ICF-MR). It has existed on this property for more than 40 years, and it was originally a permitted use as a "group home" in the existing residential zoning; however, with changes to development regulations over the many years, it is now locally classified as a "residential care facility" which requires CUP approval in at least an O-P zoning district. The property is located in a transitional area between commercial development to the south and west, and primarily single-family residential development to the north. Parkwood is both institutional and residential in nature, and it has long been a well-suited use for this transitional area. The proposed expansions will reflect little or no change to the existing facility, but will primarily be infill on portions of the site that are currently undeveloped. One of the proposed buildings will have a slight encroachment into the local stream buffer area along One Mile Branch (requiring ZBOA variance approval). The

development will otherwise meet all applicable regulations including landscaping for the buildings and parking areas, installation of buffer yards for the eastern and northern property line, a new opaque fence along the north property line, and compliance with regulations for development in proximity to a protected stream and the 100-year flood plain associated with One Mile Branch. The proposed expansion to Parkwood will be an upgrade to the existing facility, and with proper conditions, it will continue to be a very compatible use with surrounding development pattern. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommend approval subject to the following conditions: (1) Approval shall be granted for a Residential Care Facility consisting of both the existing and proposed buildings and other site improvements as depicted on the submitted site plan. Approval shall also be subject to approved Variances by the ZBOA. (2) New buildings shall be residential in appearance and compatible in design with the existing buildings. (3) Plant trees and other vegetation within the buffer areas of One Mile Branch, as approved by the City Arborist and the City Engineer, in order to help stabilize existing stream banks and reduce potential erosion issues. (4) Maintain a shared access driveway with the adjacent existing professional office at 1519 North Lee Street. (5) Conditional Use approval for the proposed expansion shall expire after five years from the date of approval if no building permits for the development are requested by that time. The Planning Commission reviewed this at their August 26, 2013 meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval with the same five conditions as recommended by Staff (7-0 vote).

Daniel Anderson, UHS Pruitt, spoke in favor of the request. Councilman Carroll inquired as to whether this would be a \$1.6 million project and if the number of employees would increase. Mr. Anderson stated that it would most likely be a \$1.6 million project and the number of employees would be increased. Councilman Carroll stated that he appreciated the reinvestment in that area of our community.

No one spoke in opposition to the request.

A MOTION was made by Councilwoman White to approve the request for a Conditional Use Permit as recommended by Staff and allow a Residential Care Facility in Office-Professional (O-P) zoning as requested by UHS-Pruitt Corporation. Councilman Norton seconded the motion. Councilman Carroll inquired as to whether the motion included the five conditions. Councilwoman White inquired as to whether Matt Martin, Planning and Zoning Administrator, had recommended the five conditions. Matt Martin stated that there were five conditions which was reviewed at the Work Session and he recommended that the conditions be included in the motion. Councilwoman White and Councilman Norton were in agreement that the following five conditions be included in the motion: (1) Approval shall be granted for a Residential Care Facility consisting of both the existing and proposed buildings and other site improvements as depicted on the submitted site plan. Approval shall also be subject to approved Variances by the ZBOA. (2) New buildings shall be residential in appearance and compatible in design with the existing buildings. (3) Plant trees and other vegetation within the buffer areas of One Mile Branch, as approved by the City Arborist and the City Engineer, in order to help stabilize existing stream banks and reduce potential erosion issues. (4) Maintain a shared access driveway with the adjacent existing professional office at 1519 North Lee Street. (5) Conditional Use approval for the proposed expansion shall expire after five years from the date of approval if no building permits for the development are requested by that time. The motion was unanimously adopted (5-0) to enact Ordinance No. 2013-19, the complete text of which will be found in Ordinance Book XII.

LOCAL FUNDING AND REQUESTS

Consideration of bids for the Sidewalk Installation Project on Lamar Street and North Oak Street.

Pat Collins, City Engineer, stated that it was determined that sidewalks were needed in various locations within the City Limits of Valdosta. The locations of the sidewalks have been determined and advertised for bid. Sealed bids were received at the City Engineer's Office on Thursday, August 22, 2013 for the construction of sidewalks along the following locations: (1) Lamar Street - Gordon Street to Mary Street, and (2) North Oak Street - Georgia Avenue to West Alden Avenue. The low bid was submitted by James Warren & Associates in the amount of \$261,273; however, James Warren & Associates did not acknowledge the addendums and the submitted bid was rejected. The next lowest bid was submitted by The Scruggs Company in the amount of \$330,813.91. The Engineering Department's estimate was \$259,859. After reviewing all of the line items on the sidewalk bids and the unit prices on the Engineering estimate, there were a combination of factors such as changing market prices,

bidders work load, unidentified risks, and low estimates that contributed the bids being higher than what was originally estimated. Pat Collins stated that while there may not be a lot to gain, he requested that Council reject the bids and authorize the Engineering Department to rebid the Sidewalk Project.

A **MOTION** by Councilman Yost, seconded by Councilman Vickers was unanimously adopted (5-0) to follow the recommendation of the City Engineer to reject the bids and authorize the Engineering Department to rebid the Sidewalk Installation Project on Lamar Street and North Oak Street.

CITY MANAGER'S REPORT

Larry Hanson, City Manager, stated that there was a story in the Saturday edition of the Valdosta Daily Times regarding our Police Department and the evidence collection and management system that is now on-line. This is a benefit to our Staff as well as to maintain the necessary protection of evidence. It was a very good story about making things more efficient, paperless, and improving processes which is important as it relates to evidence.

Larry Hanson, City Manager, stated that there were several Engineering Projects that the Council had inquired about recently and he wanted to provide them with an update on the following Sidewalk Projects: (1) Woodlawn Drive Project is 98% complete and they are waiting on a Georgia Power pole to be relocated and one section of sidewalk to be installed when it is relocated, (2) Eastwind Sidewalk Project is 80% complete and the expected completion date is September 11, 2013, (3) Madison Highway Sidewalk Project will begin on September 11, 2013, (4) North Lee Street Sidewalk Project will begin with surveying and construction staking on September 6, 2013, installation of storm pipe on September 11, 2013, and sidewalk installation the week of September 23, 2013. The completion date is dependent upon the Georgia Power utility pole relocation. (5) Vallotton Sidewalk Project will be installed the week of September 23, 2013, and (6) River Street Sidewalk Project has previously been approved and surveying and construction staking will begin the week of September 16, 2013, installation of storm pipe will begin the week of September 23, 2013, curb and gutter installation will begin the week of October 7, 2013, and the sidewalk installation will be the week of October 14, 2013. This Sidewalk Project was placed last on the list due to the Hill Avenue Overpass Project and so many vehicles are using River Street as an alternate route.

Larry Hanson, City Manager, stated that the Hill Street Overpass Project is 22% ahead of schedule. The actual contractual completion date is December 31, 2014. The wall on the west end is approximately 80% complete and the wall on the east end is approximately 60% complete. The wall itself is approximately 70% complete. Overall the bridge is 15% complete but the lower level work is often the most time-consuming.

The Gornto Road/Woodrow Wilson Extension Project is 65% complete. They are waiting on Mediacom to relocate some utilities on Patterson Street. Once that is completed they will demo the existing signal and place new poles in preparation for the new storm drain box and pipe. They are waiting on final approval from the Georgia Department of Transportation to allow free movement through Patterson Street while the existing signal is being demolished because the new signal will not be activated until that is done.

The Williams Street Sidewalk Project is 5% complete and they are currently working on curbs. They are working on the section of street north of Drexel Park starting at One Mile Branch and running up to College Street. They will be doing this in sections to minimize disruption in the neighborhood. They will then follow that with a section from College Street to Alden Avenue and then Alden Avenue to Park Avenue. The section south of Drexel Park and One Mile Branch is being held off at this time due to football season to minimize conflict with games.

There was a Ribbon Cutting today which was attended by Mayor Gayle and Councilman Vickers for a house on York Street. This was a Habitat/City of Valdosta/CDBG/CHIP/Federal Home Loan Bank Project. This was a dramatic improvement to the house that was previously on that site. There will be another Ribbon Cutting on a similar project on East Cumming Street next month.

Temporary improvements are underway at the Withlacoochee Wastewater Treatment Plant. There are seven projects underway at a cost of \$2.5 million. One of the projects is almost complete, one is at approximately 75%, and the others are underway. These projects should be completed within the next several months and will give the Plant an additional 2 million gallons of capacity and help ensure that we can maintain Permit compliance which is the issue that we are having at the Plant and not raw sewage spills.

Larry Hanson, City Manager, also stated that there will be an Executive Session tonight on real estate, litigation, and personnel.

Larry Hanson, City Manager, asked Police Chief Brian Childress to address the Mayor and Council on the progress that has been made in solving another murder case and making the connection between the quality people we have, training, and the SPLOST funding for the Crime Lab.

Police Chief Brian Childress stated that on August 12, 2013, a homicide was investigated on Baytree Road in which a female was found murdered in her house. When the Police Officers and Crime Lab Technicians arrived at the scene, they developed some persons of interest in the case and collected ballistics evidence and other things from the scene. As the case progressed, the persons on interest were ruled out and the Police Department was at a loss of where they would go from there; however, several weeks ago, three Police Officers responded to a call in regards to an individual who was involved in a separate incident where a weapon may have been involved. The Officers got into a foot chase and captured the individual and recovered a pistol from his person. The ballistics evidence that was collected from the August 12th homicide was compared to the weapon and it was determined that the gun was the one used in the murder of the woman. The Lab personnel and Detectives met with the District Attorney and obtained a felony murder warrant for the individual. This was a great example of how everyone came together and did what they were supposed to do; however, they could not have done it without the Crime Lab and in such a timely manner. The intent of the Crime Lab was to help solve crimes and to speed up the process and it is working. We are now getting 23 days or less turnaround in all the evidence evaluations which include fingerprints, drug analysis, and ballistics identification. This could not be done without the training of these personnel. The Crime Lab has helped to solve the last two homicides in Valdosta. They get unprecedented support from the Mayor and Council and if they ask for something to help solve crimes you give it to them. A lot of the funding from the Crime Lab came from SPLOST and public safety needs SPLOST to pass. Chief Childress stated that he appreciated the support of the Mayor and Council.

COUNCIL COMMENTS

Councilman Vickers stated that he had been giving some thought to the River Street Sidewalk Project and there is a tremendous amount of traffic on River Street due to the Hill Avenue Overpass Project. If they proceeded with the Sidewalk Project they would have to close down a lane so they may need to delay that Project a little longer.

Councilman Yost stated that all the City Departments are excellent and he commended the City Manager for who he has hired. Councilman Yost thanked the Fire Department and the Police Department for the work they have done. The work that was done at the recent Industrial Park fire was handled professionally by all those who assisted.

CITIZENS TO BE HEARD

There were no citizens to be heard.

ADJOURNMENT

A MOTION by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (5-0) to adjourn the September 5, 2013 Regular Meeting of the Valdosta City Council at 6:04 p.m. and enter into Executive Session to discuss litigation, real estate, and personnel.

Mayor Gayle reconvened the September 5, 2013 Regular Meeting of the Valdosta City Council at 6:45 p.m. and stated that no action was taken.

Mayor Gayle entertained a motion for adjournment.

A **MOTION** by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (5-0) to adjourn the September 5, 2013 Meeting of the Valdosta City Council at 6:45 p.m. to meet again in Regular Session on Thursday, September 19, 2013.

City Clerk, City of Valdosta

Mayor, City of Valdosta