

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, JULY 20, 2017
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, Alvin Payton, Jr., Sandra Tooley, and Vivian Miller-Cody. Councilman Robert Yost was absent. The invocation was given by Pastor Martin Collins, Image of God Ministries, followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

EMPLOYEE OF THE MONTH AWARD

Consideration of the July, 2017 Employee of the Month Award (Michael Turner, Accounting Department).

Michael Turner began his employment with the City of Valdosta Accounting Department in May, 2012 as a Principal Accountant which is the position he currently holds. As a Principal Accountant, Michael is responsible for maintaining the accounts for the City’s general fund, fixed assets, the City’s cell service, and various other tasks to keep the City’s records up-to-date. In addition to this, he prepares several areas of the CAFR. When the City of Valdosta lost its Information Technology Director, Michael assisted with several areas to keep the City’s IT functional. He relinquished most of these functions when VC3 came onboard but retained cell phones and continues to be supportive as needed. Over the past year, Michael has researched several options for the acquisition of cell service and cell phones. By monitoring the various offers presented by the City’s wireless provider, he has saved the City significant sums on the acquisition of cell phones by carefully timing replacements and placing the older phones on the GovDeals website. In addition, Michael took on significant additional responsibility in the preparation of the most recent CAFR’s government-wide statements. He moved forward on his own with little assistance from his Supervisor. He did a great job completing the statements and integrating them into the CAFR. His willingness to take the initiative in this area enabled the audit to proceed more quickly and efficiently. Author Stephen Covey once said, “Employers and business leaders need people who can think for themselves - who can take initiative and be the solution to problems.” Michael is absolutely one of these employees. For these reasons and many others, the Employee Relations Committee nominated Michael Turner as Employee of the Month.

APPROVAL OF MINUTES

The minutes of the June 22, 2017 Regular Meeting were approved by unanimous consent (6-0) of the Council.

PUBLIC HEARINGS

ORDINANCE NO. 2017-15, AN ORDINANCE FOR A CONDITIONAL USE PERMIT TO ALLOW A BEAUTY SALON IN A RESIDENTIAL-PROFESSIONAL (R-P) ZONING DISTRICT

Consideration of an Ordinance for a Conditional Use Permit to allow a Beauty Salon in a Residential-Professional (R-P) Zoning District as requested by Ron Borders (File No. CU-2017-04). The property is located at 401 Woodrow Wilson Drive. The Greater Lowndes Planning Commission reviewed this request at their June Regular Meeting and recommended approval (8-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Ron Borders is requesting a Conditional Use Permit to allow a Beauty Salon in a Residential-Professional (R-P) Zoning District. The property consists of 0.68 acres and is located at 401 Woodrow Wilson Drive. This is at the southeast corner of Woodrow Wilson Drive and Williams Street. The property contains an existing professional office building (3,367 square feet) with approximately 25 parking spaces. The applicant is proposing to simply utilize the existing building as a beauty salon for a prospective tenant. There are no proposed changes to either the building exterior or to the site. The property is located within an Institutional Activity Center (IAC) Character Area on the Future Development Map of

the Comprehensive Plan. This area along Woodrow Wilson Drive was originally developed in the 1950's as part of a single-family residential neighborhood; however, with the development of the South Georgia Medical Center, Mathis Auditorium, South Georgia Regional Library, and the school complex of properties along the north side of the road, the south side soon transitioned into a professional office corridor which is still the dominant land use pattern today. This is reflected in the current zoning pattern of R-P properties along Woodrow Wilson with DR-10 Zoning for the properties to the south, which are still part of the original residential neighborhood. This is also reflected in the current Character Area designation of Institutional Activity Center on the Future Development Map of the Comprehensive Plan. The property was redeveloped as a professional/medical office site more than 30 years ago and it has more than sufficient onsite parking to accommodate the proposed use. With a fairly large beauty salon, not all R-P zoned areas would be appropriate for this kind of use which borders on commercial intensity; however, this particular corridor along Woodrow Wilson is already a little more intensive than most professional office areas and the proposed use should fit in very well here. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval with the following conditions: (1) Approval shall be granted for a Beauty Salon or related personal service shop in an R-P Zoning District, and (2) Conditional Use approval shall expire after ten years from the date of approval if no Business License application for a beauty salon on the premises has been submitted by that date. The Planning Commission reviewed this at their June 26, 2017 Meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to the same two conditions as recommended by Staff (7-0 Vote).

Councilman Payton inquired about the ten-year expiration of the Conditional Use approval. Matt Martin stated that ten years is a generous amount of time and that has been used in the past. After ten years, it is a revisit to see if anything has changed in the Development Regulations and if the use has established itself between now and ten years then the property is good to go. They have used this for some churches and other properties where they did not perceive that anything would change in the future and that is the case for this request. The only thing that he could think of that might change would be the zoning of this corridor from R-P to O-P in which case the Conditional Use would not be needed anyway. Larry Hanson, City Manager, stated that he received a telephone call from the applicant, Ron Borders, today and he had a family emergency and could not be here.

No one spoke in favor of the request.

No one spoke in opposition to the request.

A MOTION by Councilman Payton, seconded by Councilman Vickers, was unanimously adopted (6-0) to enact Ordinance No. 2017-15, an Ordinance for a Conditional Use Permit to allow a Beauty Salon in a Residential-Professional (R-P) Zoning District as requested by Ron Borders with the following conditions: (1) Approval shall be granted for a Beauty Salon or related personal service shop in an R-P Zoning District, and (2) Conditional Use approval shall expire after ten years from the date of approval if no Business License application for a beauty salon on the premises has been submitted by that date, the complete text of which will be found in Ordinance Book XIV.

ORDINANCES AND RESOLUTIONS

AN ORDINANCE TO AMEND CHAPTER 42 - ENVIRONMENT, ARTICLE III - NUISANCES, DIVISION 2 - VEGETATION OF THE CITY OF VALDOSTA'S CODE OF ORDINANCES (FIRST READING)

Consideration of an Ordinance to amend Chapter 42 - Environment, Article III - Nuisances, Division 2 - Vegetation of the City of Valdosta's Code of Ordinances. (First Reading)

Mark Barber, Assistant City Manager, stated that in an effort to improve the method to enforce and manage the health, sanitation, safety, and appearance of properties located within the City, Staff and assigned Council Committees have been researching and exploring options that will better clarify the meaning of a nuisance as it relates to certain weeds, grasses and shrubberies. The proposed Ordinance to amend Chapter 42 - Environment, Article III - Nuisances, Division 2 - Vegetation, Sections 42-110 through 42-117 of the City of Valdosta's Code of Ordinances also addresses process changes within the Community Protection Division that will assist in increasing

operational efficiency when working with citizens who have property that has been declared as a nuisance. The July 20, 2017 Council Meeting will serve as the First Reading of the proposed Amendment to the Ordinance and will be presented again at the August 10, 2017 City Council Meeting for adoption. Some of the changes that were made included adding a "Purpose" and words like "blight" and "vermin harborage." In Section 42-111, Item (a), the word "kudzu" was added to the different type of weeds and grasses, Item (c) was added regarding nuisance trees or shrubs on private property, Item (d) was added regarding the height of shrubs, vines, or other plantings around structures, and in Item (e) they deleted the words "ornamental shrubbery." In Section 42-112, they added the word "shrubs" to the title, and added Items (b) and (c) regarding nuisance trees or shrubs on private property and the height of shrubs, vines, or other plantings. In Section 42-113, Item (a), ten business days was changed to ten calendar days. Also, the City Marshals currently have to post a sign on the property and they are taking that out of the Ordinance. They will now do one posting if the property owner gets a summons to Court. Larry Hanson, City Manager, stated that they looked at other Ordinances around the State and did not find anyone else that required a posting on the first violation. In Item (b), they added a 24-month period so the clock will not start over every 12 months and if they are a habitual violator, they will go straight to Municipal Court. In Section 42-114, Item (a), regarding the 24-month period they added that the time and date of the hearing shall be no less than 15 calendar days prior to the date of the certified mailing advising of the hearing date. In Item (b) they added that the property owner shall be fined if found in violation and ordered to abate the violation within a reasonable time not to exceed seven calendar days. Item (c) was added which states, "It shall be no defense that any property owner cited with a violation of Section 42-112 abated or remedied the conditions on the property prior to the trial." In Item (d), they added that it shall not be a defense that any property owner cited has a private agreement, through lease or otherwise, with a tenant, occupant, property manager, or lawn maintenance contractor. Mark Barber stated that we are so far into the season now that he would like for Council to adopt this Ordinance in August and then we would educate the citizens about the new timeframes and processes and pick it up next season. In 2009, the Ordinance was changed where people mowed the right-of-way. We tried to educate the citizens but we are still having problems with that so we may need to look at redefining that as well. In Item (e), they added calendar days and that a schedule of abatement fees will be maintained in the Community Protection Division. Larry Hanson, City Manager, stated that the fees will be based on the zoning of the property. For example, if it is a 6,000 square foot lot in R-6 zoning, then the fee would be \$250 and in R-10 zoning it would be \$350. Tim Tanner, City Attorney, stated that the fees will reflect the actual cost we have in cleaning up the lot and the clerical efforts it takes. Mark Barber stated that if the City has to send a crew out to clean up a lot we do not collect the money. After a certain period of time we place a lien on the property and it could be years to take care of it. There is a slim chance that we would get our money back. In Section 42-115, they took out the word "owner" and repeated the 24-month period that was previously discussed. They also increased the fines. If someone gets a Court Summons then they will have Court costs and they will get a fine which should help control behavior. Mayor Gayle stated that this is the first reading and no action will be taken.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of a request for a Lease-To-Own Proposal for 116 Police Body-Cameras for the Valdosta Police Department.

Police Chief Brian Childress stated that in 2009, the Valdosta Police Department began testing and began limited use of different forms of body-cameras. In 2014, the Police Department fully implemented a body-camera system for all Officers and Detectives, well before the national outcry for the use of such cameras by Law Enforcement Officers. The cameras have been well received and reduced citizen complaints, increased public confidence in our Police Department, and assisted in criminal and traffic prosecutions. Since implementation of body-cameras, back-end issues have surfaced to include download issues for Officers, cost, and manpower issues categorizing, storing, and delivering videos to local Prosecutor's Office. To further complicate issues, many body-camera vendors are forcing Law Enforcement to move storage of videos to cloud-based storage but have failed to provide a cost-effective and easy way to transmit those videos to cloud storage. In addition, body cameras have a relatively short life cycle due to changing technological advancements and damage from encounters in the field while carrying out duties of the job. After testing many different body-camera systems, we are recommending a new Motorola Corporation product. They have developed a body-camera which is built into a radio microphone and is compatible with the recently purchased hand-held radios for Police Officers. This body-camera system is

secure, allows Officers to categorize videos in the field, and transmit those videos wirelessly to the cloud which alleviates the need to dock cameras at the Police Department and allows more time for Officers to perform patrol duties. The Lease-to-Own Proposal is a five-year proposal which includes 116 body cameras with accessories, cloud storage for five years, no maintenance cost over those five years, and at year 2.5, a complete replacement with new, updated body-cameras at no cost to the City. The Lease-to-Own proposal is a five-year proposal where the Department would pay \$68,750 year one, \$120,162.23 year two, and \$86,420 year three-five for a total of \$448,172.23 over the five-year period. Chief Childress recommended that Council approve the request for a Lease-To-Own Proposal for 116 Police Body-Cameras for the Valdosta Police Department.

Councilman Vickers inquired as to whether an Officer who is making a traffic stop has to turn on the body camera. Chief Childress stated that by Policy the Officer is required to turn it on. They are actually getting the body cam video and the in-car camera video. Our Policy is being used by CALEA and it states that if you get out of the Patrol car on a Police contact then that camera better be on.

A MOTION by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (6-0) to approve the request for a Lease-To-Own Proposal for 116 Police Body-Cameras for the Valdosta Police Department.

CITIZENS TO BE HEARD

There were no citizens to be heard.

CITY MANAGER'S REPORT

Larry Hanson, City Manager, stated that we celebrated the installation of a new piece of heart art on the front lawn of City Hall at 5:00 p.m. today. There were several nice speeches about the symbolism of the art piece and Downtown being the heart of our community. It is a great addition to the Downtown area and the City and we are proud to have it.

The Great Promise Partnership Program (GPP) has started and the Valdosta Daily Times will be doing a feature story on it next Sunday. We also recently had a two hour First Impression Career Development Workshop with Goodwill Industries. They had a Money Smart training which helped the participants to open up a checking account and provided personal finance training. We had 5 of our 20 GPP students who actually opened up their first checking account. This is great training for them and prepares them for life outside of the work opportunity.

Every year we have a basketball challenge game between the Police and Fire Departments and the Boys and Girls Club. Our team lost the game today 53 to 51 to the young people at the Boys and Girls Club.

The 9th Annual People's Choice Photo Contest was a great success this year and there was record participation with over 800 people voting. There was an Awards Ceremony held on July 17, 2017 at 5:00 p.m. at the Turner Center for the Arts. There was a group of young people who had been on Steve Harvey's Little Big Shots singing at the event and there were incredible.

It is Restaurant Week in Downtown Valdosta which runs through Saturday, July 29, 2017. There are 11 restaurants in the Downtown area and citizens are encouraged to participate.

The City of Valdosta Fire Department, along with the Lowndes County Fire Department, hosted the Georgia Association of Fire Chiefs on Monday, July 17, 2017. There were over 100 Fire Professionals from all over the State who participated in the event and this was the first time it had been held in Valdosta.

The Valdosta Fire Department received a donation for fire rescue masks for pets which will be placed on every truck. They have had several incidents recently where they had to rescue pets and give them oxygen. These masks will allow them to do a better job.

Applications are being taken through August 1, 2017 for the Citizens Fire Academy, and applications for Boards, Commissions, Authorities, and Advisory Committees are due on August 2, 2017.

The July/August, 2017 edition of the City Beat is now available and citizens are encouraged to read the important information that is in it.

Sementha Mathews, Public Information Officer, met recently with the Public Art Advisory Committee regarding the second annual Dumpster Art program. The City will also be having an Art Walk and First Friday coming up soon. Citizens are encouraged to be involved in these events.

COUNCIL COMMENTS

Councilman Payton stated that he attended an Airport Authority Meeting earlier this week and ASA will be replaced by SkyWest out of Denver. Both of these airlines are owned by Delta. There are portable air stairs that will be put into place within the next 18 months at a cost of \$1.3 million. Also, he attended the Valdosta-Lowndes County Development Authority Meeting recently and Andrea Schruijer, Executive Director, had a meeting with Lowndes County Commissioners Joyce Evans and Clay Griner to give them an update on what is happening with the Development Authority. He will be having lunch with Ms. Schruijer along with Councilman Vickers and Councilwoman Tooley for an update. Councilman Payton also stated that Council has a book called Freedom of Opportunity and on the front of the cover is a young lady who graduated from the Welding Program at Savannah Technical College. She is also the State of Georgia GOAL winner which is the outstanding student. She is considered to be in a non-traditional program because you do not see women welders. This is one of the things that Wiregrass Technical College and Technical College System of Georgia is promoting. Councilman Payton encouraged Council to read the story about this student. Councilman Payton commended the selection of Michael Turner for Employee of the Month. This is the type of employee we would all like to have.

Councilman Vickers thanked the Council members and Staff who attended his surprise birthday party. He was very honored that everyone took time out of their busy schedules to attend and he appreciated it very much.

Mayor Gayle stated that he wanted to give an update on the regional Transportation SPLOST (TSPLOST). He was selected as the non-voting Chairman of the five member Executive Committee and he will not have a vote on any of those project; however, he will use his position to try and guide anything he can our way. Effective Friday, July 14, 2017, projects can be submitted to the Southern Georgia Regional Commission (SGRC). The last day to submit projects is August 31, 2017. At that point, the SGRC will submit those projects to the Georgia Department of Transportation (GDOT) for their approval. Each of us has a list of requirements that we have to use when coming up with these projects and 25% of the money can be used anyway we want to use it if this Referendum passes. Out of the remaining 75%, 30% of that has to be projects that are on a State transportation list. The last day that projects will be sent to GDOT is September 15, 2017. GDOT will be required to return all submitted projects to the Executive Committee by October 12, 2017 for their first meeting which will be held on October 16, 2017. Mayor Gayle stated that he sent out an E-mail today to the Executive Committee asking for guidance. When this came up in 2011, the meetings were all held in Nashville; however, the SGRC holds all their meetings in Pearson. It has come to his attention that some people may want to have the meetings in different locations to make it easier on the Executive Committee. Currently, no projects have been submitted. He has given Larry Hanson, City Manager, and Pat Collins, City Engineer, the requirements and all the things that we have to have for submission of projects and what they will entail. During the Work Session in August, we will have comments from the Council regarding projects and there will be a list that has been developed. Larry Hanson, City Manager, stated that several months ago we had a Work Session and went over a lot of the rules and regulations and at the end we had several pages of potential projects and categories. Then Council members recommended some other things they wanted to add. Pat Collins, City Engineer, will provide an update at the Work Session on August 8, 2017 to go back over the projects. We can then put them in categories and will have a better idea of how much money we will have. Previously, we had a big wish list but now we know what we have to work toward.

Councilwoman Tooley inquired as to whether the projects that will be submitted could still be used if TSPLOST does not pass. Mayor Gayle stated that if the regional TSPLOST fails, then we can come back with a County-wide list. We would have to deal with Lowndes County as far as choosing projects within the amount of money we get. The Executive Committee will be looking at the projects that are not just worthwhile to a single County but might affect several Counties. Larry Hanson, City Manager, stated that the regional TSPLOST will be held next May. If it fails then we could have a local Referendum. Mayor Gayle stated that Ware County has

chosen to have a County-wide Referendum. If that County-wide Referendum passes, it will totally do away with the regional concept. They have taken the attitude that even though they are having a County-wide Referendum they are going to have projects that they will submit on the region. Mayor Gayle stated that he did not know how the Executive Committee will look at that. They feel that they are better off doing a County-wide Referendum. The projects that we are going to have will be our biggest needs.

Councilman Payton asked for clarification on the Ware County/Waycross Referendum and whether it would eliminate the other 17 Counties if they pass their County-wide Referendum. Larry Hanson, City Manager, stated that it was a quirk in the law that they attempted to solve with this past Legislative session. Mayor Gayle stated that the Legislature came forward at the very end of the session and passed House Bill 134 which states that the County-wide SPLOST could be called in November and if it passes before January then we could not have a regional TSPLOST. If it fails in Ware County/Waycross, then everything will move forward as planned. Mayor Gayle stated that he did not believe that any thought was given to that. Councilman Payton inquired as to whether the County would be submitting a list of projects if it does not pass and if we would try to have a County-wide Referendum. Mayor Gayle stated that we would have to work with the County to come up with a list of projects that are within the money that we are projected to receive. Larry Hanson, City Manager, stated that if it fails and there is a County-wide TSPLOST then it would be more like a regular SPLOST where we would negotiate the distribution of the money and decide what the projects would be. Mayor Gayle stated that it would put off the County-wide for another year and we could come back in November, 2018 and have that on the ballot. The County-wide would not be placed on the May 27, 2018 ballot.

ADJOURNMENT

Mayor Gayle entertained a motion to adjourn the regular Council meeting and enter into Executive Session for the purpose of discussing real estate.

A MOTION by Councilman Carroll, seconded by Councilman Payton, was unanimously adopted (6-0) to adjourn the July 20, 2017 meeting of the Valdosta City Council at 6:34 p.m. and enter into Executive Session for the purpose of discussing real estate.

Mayor Gayle reconvened the regular City Council meeting at 6:47 p.m. and stated that there was discussion of real estate in the Executive Session and action would need to be taken on the real estate item. Tim Tanner, City Attorney, stated that we have been approached with an opportunity to accept a donation of the Woman's Building. There is a note in the amount of \$3,704.31 that remains on the building. If we were to accept the donation of the Woman's Building there are two conditions: (1) Pay off the note in the amount of \$3,704.31 but allow it up to \$4,000 in case the payoff amount is wrong or we close a day late and have to get another payoff, (2) The name of the building will remain the Woman's Building. Larry Hanson, City Manager, stated that the Woman's Building is on two-thirds of an acre and is on the tax roll at a little over \$250,000. The Woman's Building Governing Board met and voted to donate it to the City with those terms and conditions that the City Attorney outlined.

A MOTION by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (6-0) to follow the recommendation of the City Attorney with an amount of up to \$4,000 and accept the donation of the Woman's Building and its name shall remain the same.

Tim Tanner, City Attorney, stated that in addition to that there are other conditions that they would like and we will need a motion to allow the City Attorney to contract with the governing body of the Woman's Building. One of the conditions is that the three respective groups would be allowed to meet there free of charge once a month. The members of the organizations, which total approximately 70, would be allowed to have one free rental usage per year. There are usually about five people who actually rent it. They will also be giving the City some tables and chairs and we will let them determine how many that will be.

A MOTION by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (6-0) to allow the City Attorney to enter into a contract with the governing body of the Woman's Building.

Mayor Gayle entertained a motion for adjournment.

A **MOTION** by Councilman Norton, seconded by Councilman Vickers, was unanimously adopted (6-0) to adjourn the July 20, 2017 Meeting of the Valdosta City Council at 6:50 p.m. to meet again in Regular Session on Thursday, August 10, 2017.

City Clerk, City of Valdosta

Mayor, City of Valdosta