

**MINUTES**  
**REGULAR MEETING OF THE VALDOSTA CITY COUNCIL**  
**5:30 P.M., THURSDAY, FEBRUARY 11, 2016**  
**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, Sandra Tooley, Robert Yost, and Vivian Miller-Cody. Councilman Alvin Payton, Jr. arrived late at 5:51 p.m. The invocation was given by Stephen Johnson, Freedom Outpost, followed by the Pledge of Allegiance to the American Flag.

**AWARDS AND PRESENTATIONS**

**EMPLOYEE OF THE MONTH AWARD**

Consideration of the February, 2016 Employee of the Month Award (Jonathon Braddy, Police Department).

Jonathon Braddy began his employment with the Valdosta Police Department in June, 2013 as a Patrol Officer which is the position he currently holds. Officer Braddy is tasked with responding to dispatched calls for service, maintaining a working knowledge of enforced laws, conducting preliminary inquiries, criminal investigations, and presenting oral testimony in Court. In November, 2015, Officer Braddy was dispatched to the overpass bridge on Clay Road in reference to a person who was possibly about to jump from the bridge. Upon arrival, Officer Braddy observed a young man sitting on the bridge with his legs dangling over the edge. Officer Braddy cautiously approached the man and questioned why he was sitting on the bridge. The man stated that life was not going his way and he could not make the right decisions. Due to heavy traffic and gusty winds that day, Officer Braddy was not able to hear every word the man said; however, he did understand enough to know the individual was having suicidal thoughts and created a diversion. When the man looked away, Officer Braddy quickly wrapped his arms around him, pulled him to safety, and detained him until EMS arrived. If not for Officer's Braddy quick action and lifesaving training, the man may have jumped from the bridge and been seriously injured or lost his life. For these reasons and many others, the Employee Relations Committee nominated Officer Jonathon Braddy as Employee of the Month.

**APPROVAL OF MINUTES**

The minutes of the January 21, 2016 Regular Meeting were approved by unanimous consent (7-0) of the Council.

**PUBLIC HEARINGS**

**ORDINANCE NO. 2016-2, AN ORDINANCE FOR A CONDITIONAL USE PERMIT (CUP) FOR A CEMETERY THAT IS SPLIT-ZONED RESIDENTIAL-PROFESSIONAL (R-P), SINGLE-FAMILY RESIDENTIAL (R-15), AND ENVIRONMENTAL RESOURCE (E-R)**

Consideration of an Ordinance for a Conditional Use Permit (CUP) for a cemetery located on 77.87 acres that is split-zoned Residential-Professional (R-P), Single-Family Residential (R-15), and Environmental Resource (E-R) as requested by Randall Godfrey (File No. CU-2016-01). The property is located at 2591 Stallings Road. The Greater Lowndes Planning Commission reviewed this request at their January regular meeting and recommended approval with four conditions (5-3 Vote).

Matt Martin, Planning & Zoning Administrator, stated that the applicant is requesting a Conditional Use Permit (CUP) for a cemetery to be located on 77.87 acres that is split-zoned Residential-Professional (R-P), Single-Family Residential (R-15), and Environmental Resource (E-R). The property is currently vacant and forested, and is located at 2591 Stallings Road. This is along the west side of the road about 400 feet north of East Park Avenue. Approximately 1/3 of the property is jurisdictional wetlands which will be left undisturbed. The applicant is

proposing to develop the remaining portions of the property as a cemetery, in phases over many years, with Phase 1 consisting of approximately 7,500 burial lots. The City has supplemental standards for freestanding cemeteries contained in the Land Development Regulations (LDR) Section 218-13(L) and the applicant will be complying with all of these. The area is a mixture of residential zoning (R-15, R-1, R-A, and R-21) as well as R-P (Residential-Professional) which allows multi-family residences, single-family residences, and light intensity offices by right. Highway-Commercial (C-H), the most intensive commercial zoning, lies south of the property along Inner Perimeter and its intersection with East Park Avenue. Conditional Use Permits give the City a chance to see if a particular use will fit in a specific location. In this instance, a new cemetery is proposed to locate on a 77 acre tract bordered by commercially-zoned and residentially-zoned property. The property could currently be developed, by right, with single-family housing in the R-15 section on 15,000 square foot lots. The R-P section could be developed with multi-family housing at a density of up to 18 units per acre or single-family residential with 6,000 square foot lots. While a cemetery is less intensive use than most uses, there are regulations to minimize the impacts upon both residentially-zoned and commercially-zoned properties in the form of supplemental regulations. Lots are required to be at least 25 feet away from all property lines, and 50 feet away from any collector right-of-way line. The cemetery is required to be landscaped and maintained as well. To assist in minimizing any negative impact upon any adjacent properties, Staff recommended approval with conditions as outlined below. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria and recommended approval subject to the following conditions: (1) The applicant has 10 years from the CUP approval date to prepare and complete Phase One for occupancy before approval expires. (2) Any mausoleum must be at least 100 feet from the northern property line. (3) The maintenance building shall be no more than 3,000 square feet in size. The Planning Commission reviewed this at their January 25, 2016 meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to the following four conditions (5-3 vote): (1) The applicant has 10 years from the date of CUP approval to prepare and complete Phase One ready for occupancy before approval expires. (2) Any mausoleum must be at least 100 feet from the northern property line. (3) The maintenance building shall be no more than 3,000 square feet in size. (4) The wetlands shall remain undisturbed, to include no harvesting of timber.

J. Bernard Braswell, II, Manager of Godfrey Funeral Home, spoke in favor of the request. Mr. Braswell stated that he represented the applicant, Randall Godfrey. The City of Valdosta and Lowndes County is in need of a cemetery due to Sunset Cemetery being filled up. There are spots available but they are already pre-purchased. Mr. Godfrey is proposing to offer cemetery services to the residents of Valdosta and Lowndes County. They have met all of the conditions that go with the Comprehensive Plan and this will be a perpetual care cemetery. It will be maintained and they will follow local and State regulations. They are also in agreement with the first three conditions that the Planning Commission first sent to them.

Josh Lee, 4311 Shelby Lane, spoke in opposition to the request. Mr. Lee stated that his home was one of the four properties on the north side of where the proposed cemetery was going. He has a severe anxiety disorder and he is very opposed to the cemetery. Mr. Lee stated that at this stage of the game it is most likely that the cemetery is going in so that argument is off the table. He has a phobia and hatred of cemeteries which started when he was eight years old. His father died and left his mother with seven children. When he went to the cemetery, he would have nightmares because he was forced to go. His brother had a bad drinking problem and at 21 years old he tried to commit suicide in jail by wrapping a T-shirt around his neck. He was rescued and taken to the hospital where he was on life support for a week. The family ended up having to take him off life support but they donated his organs. He also had a sister who committed suicide at 21 years old by shooting herself with a shotgun. It was a very difficult situation dealing with the funeral home and cemetery and seeing where it took place. His step-dad, who had a 14 year old son and 11 year old daughter, was going to take them to Sunday School but had a massive heart attack and died. His oldest brother had an 18-month old son who died when he was run over by a heavy piece of equipment that his brother was driving. These have all been very negative experiences in his life and while he understands that cemeteries are needed, he has a lot of anxiety toward cemeteries. His property will be right next to this cemetery. At the first public hearing, Tommy Willis motioned for a 100 foot buffer and right now there is a 25 foot buffer. They went back and forth and no one would second the motion. The reason they would not second the motion is that it was not good for his bottom line financial interest. It would take away from him generating income from the cemetery. Mr. Lee stated that he called a local funeral home to find out the cost for a funeral. If you get a grave and vault, it would range from \$1,400 to \$4,000. Phase One of the cemetery will contain 7,500 graves. Phase Two looks like the same as Phase One but there may be approximately 6,500 graves. If you multiply

14,000 graves by \$2,500 that is \$35 million, which is a tremendous amount of money. They also own a funeral home and just for a basic funeral it would cost \$10,000 so you are looking at \$140,000,000. His home is 1,500 square feet and the average family in Lowndes County makes \$40,000 per year. It would take 875 years of making \$40,000 a year to make \$35,000,000. Mr. Lee asked Council's consideration in approving a 100 foot buffer because the cemetery would be 25 feet from where the grass ends in his back yard. It is horrifying to him to wake up and see someone digging a grave or having a funeral. It is driving him crazy just thinking about the cemetery with everything that has happened in his life. In the whole scheme of things this is peanuts. There is also supposed to be a four foot fence and he would like to have a ten foot privacy fence out of respect for the families having the funerals. The cemetery will not be good for the property values either. The Godfrey's also own property north of there so there is more potential down the road for expansion of the cemetery.

Jerry Lupo, 4832 Oak Arbor Drive, spoke in opposition to the request. Mr. Lupo stated that he owns the property south of the applicant's property. Glenn Gregory had called him and said he was held up in Florida but he has spoken with Mr. Godfrey's attorney and engineer and they had discussed having at least a 25 foot buffer on the north and south side and that buffers nor wetlands would have trees cut or disturbed. He has not seen or heard these two items be recommended. Mr. Lupo requested that a 25 foot buffer minimum be on the north and south sides and that the wetlands and buffer area not have trees cut or disturbed.

Councilman Payton inquired as to whether Matt Martin, Planning & Zoning Administrator, could review the conditions with Council again. Matt Martin stated that Staff had recommended three conditions and the Planning Commission had recommended four conditions. The first condition is that the applicant has 10 years from the CUP approval date to prepare and complete Phase One for occupancy before approval expires. The second condition is that any mausoleum must be at least 100 feet from the northern property line. The third condition is that the maintenance building shall be no more than 3,000 square feet in size. The fourth condition is that the wetlands shall remain undisturbed, to include no harvesting of timber. Councilman Payton stated that there was no discussion of the 25 foot buffer. Matt Martin stated that in the Council Packet there is a copy of the Supplemental Regulations and it does not use the word "buffer" but it does talk about the graves must be at least 25 feet from any property line. There has been discussion of that as a buffer yard. In order to clarify that, Council could prescribe that the 25 foot area be a natural, undisturbed buffer. That area is already forested. The Supplemental Standards require that a developed portion of a cemetery be enclosed by a fence that is at least four feet high. The height could be modified if Council so chooses. Phase One would get a fence and when they get to Phase Two they would then fence in that portion. Councilman Payton inquired as to whether Phase One would have a four foot fence. Matt Martin stated that is the minimum height for the fence. In his discussions with the applicant, they are proposing to leave the natural vegetation buffer and they want to include the fence on their side of it as a decorative feature of the cemetery itself. If there are some weak spots in the vegetation area they are planning to add evergreens to create a more quiet and peaceful atmosphere for the cemetery. The wetlands are already protected under Federal law but this is something that the Planning Commission wanted to re-enforce in their conditions.

**A MOTION** was made by Councilman Payton to grant the request with the conditions mentioned by Matt Martin, Planning & Zoning Administrator, and clarify the language to indicate that the 25 foot buffer is referred to as the distance between the graves and the property lines. Councilwoman Tooley seconded the motion. Councilman Carroll inquired as to whether the mover and seconder wanted to put any language in the motion regarding the fence. Councilman Payton stated that he would like to add that the minimum height of the fence be changed from four feet to six feet. Councilman Carroll inquired as to whether he thought the six foot fence would be sufficient. Councilman Payton stated yes and because that exceeds the minimum by 50%. Councilman Vickers stated that they had discussion about the wetlands and the government already has regulations regarding the wetlands. Councilman Payton stated that he agreed with the condition on the wetlands. Councilman Yost inquired as to whether the motion reflects the fourth condition because all that Staff recommended was three conditions. Councilman Payton stated that he would go with Staff's recommendation on the three conditions. Larry Hanson, City Manager, stated that the seconder would need to accept that amendment. Councilwoman Tooley stated that she was in agreement with the Amendment. Councilman Carroll asked that the motion be read back. Teresa Bolden, City Clerk, stated that Councilman Payton's motion would include the three conditions as recommended by Staff, there would be a 25 foot natural undisturbed area and the verbiage added "the distance between the graves and the property lines", and a six foot fence. Councilman Payton stated that was what he understood from Matt Martin and that the language needed some clarification as it existed but it was not stated as a buffer. Matt Martin

inquired as to whether that was for all property lines or just the northern and southern area. Councilman Payton inquired as to what Staff would recommend. Matt Martin stated that Staff was more concerned about the northern property line. When you look at the southern property line there is a 100 foot wide power easement on it and the western boundary is jurisdictional wetlands. The eastern boundary is Stallings Road. Councilman Payton inquired as to whether Staff's recommendation would then be the northern property line. Matt Martin stated that was correct. Councilman Vickers inquired as to whether the fence applied to the northern property line. Larry Hanson, City Manager, inquired as to whether it was the northern line or just the roughly 800 feet of the residential on the northern line. Councilman Payton stated that wherever the fence was to be placed for the minimum of four feet and his motion was to just increase the fence height to six feet. Matt Martin stated that the City standards require that the developed portion of a cemetery have a fence. The motion was unanimously adopted (7-0) to enact Ordinance No. 2016-2, the complete text of which will be found in Ordinance Book XIII.

### **ORDINANCE NO. 2016-3, AN ORDINANCE AMENDING THE LAND DEVELOPMENT REGULATIONS**

Consideration of an Ordinance to rezone 0.58 acres from Single-Family Residential (R-10) to Single-Family Residential (R-6) as requested by Ming Lin (File No. VA-2016-01). The property is located at 1611 Williams Street. The Greater Lowndes Planning Commission reviewed this request at their January regular meeting and recommended denial (8-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Mr. Ming Lin is requesting to rezone 0.58 acres from Single-Family Residential (R-10) to Single-Family Residential (R-6). The property is located at 1611 Williams Street, which is along the east side of the road approximately 300 feet south of East Moore Street. The property currently contains a single-family residence that was originally constructed as a duplex dwelling. It was converted to a single-family residence more than 30 years ago and the applicant would like to restore this residence to its original duplex configuration; however, due to changes in Zoning and Development Regulations over the decades, the property must now be rezoned in order for it to be eligible. The property is located within an Established Residential (ER) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of R-6 Zoning. The property is also located on the edge of the City's local Historic District. The existing residence still has the appearance from the outside as a duplex, with two front doors and two driveways. The interior floor plan is still the original plan with duplicate adjoining kitchens (now connected by a walk-through) and two complete sets of bedrooms/bathrooms and living spaces. The proposed conversion back to a duplex would be a relatively simple interior renovation of reinstalling some interior walls and re-establishing separate utility connections. There are no proposed changes to the exterior of the building, which already has two front doors and two back doors. The surrounding neighborhood is a mixture of single-family residences and multi-family apartments, with a matching mixture of Zoning Districts (R-10, R-6 and R-M). Single-Family Residential (R-10) is immediately to the north and south of this parcel, but Single-Family Residential (R-6) and Multi-family Residential (R-M) is immediately adjacent to the east of this parcel and across the street to the west. The proposed R-6 zoning does not allow for multi-family usage, but does allow for a duplex if the lot is at least 0.30 acres in size. The property is large enough to accommodate a duplex under this zoning requirement; however, it is not large enough to be subdivided into two lots. Therefore, under R-6 zoning it would still always remain as one lot and with one primary building (in this case a duplex dwelling unit). Given the property's proximity to other R-6 zoning, and even some R-M zoning with existing multi-family, Staff found the request consistent with the surrounding land use and zoning patterns. Staff found the request consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommended approval. The Planning Commission reviewed this at their January 25, 2016 meeting, found it inconsistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended denial (8-0 vote).

James Wright, 747 East Brookwood Place, spoke in favor of the request. Mr. Wright stated that he was representing the applicant and they established a business approximately 30 years ago. His brother was employed by the Lin's for quite some time and he still has a good relationship with them. They are very fine upstanding citizens. Mr. Wright asked for Council's consideration in approving their request.

Clarence Spires, 1040 Cherry Creek Drive, spoke in favor of the request. Mr. Spires stated that at the rear of the property is a zoning for a multi-family housing and it touches this property. Across the street from this

property is a multi-family zoning. To the north of this property is rental property and the next property is Tree Loft Apartments. Across the street approximately 150 feet diagonally from this property to the northwest is Carolyn Apartments which is a multi-family apartment building. Adjacent from that across the street is Brookwood Forrest Apartments which has dozens and dozens of apartments in it. The property is more conducive to multi-family than any other designation on zoning. The property was built as a duplex and at some point it was converted back to single-family. Mr. Lin would like to put a wall up inside the house. Mr. Spires asked Council's consideration in approving the request.

No one spoke in opposition to the request.

**A MOTION** by Councilwoman Tooley, seconded by Councilman Norton, was unanimously adopted (7-0) to enact Ordinance No. 2016-3, an Ordinance to rezone 0.58 acres from Single-Family Residential (R-10) to Single-Family Residential (R-6) as requested by Ming Lin, the complete text of which will be found in Ordinance Book XIII.

### **ORDINANCE NO. 2016-4, AN ORDINANCE FOR TEXT AMENDMENTS TO THE LAND DEVELOPMENT REGULATIONS**

Consideration of an Ordinance for Text Amendments to Chapter 222 - Off Street Parking, Chapter 234 - Non-Conforming Situations, and Chapter 310 - Stormwater Management of the Land Development Regulations (LDR) as requested by the City of Valdosta (File No. VA-2016-02). The Greater Lowndes Planning Commission reviewed this request at their January regular meeting and recommended approval (7-1 Vote).

Matt Martin, Planning & Zoning Administrator, stated that the City of Valdosta is requesting to make minor amendments to Chapter 222 - Off-Street Parking, Chapter 234 - Non-conforming Situations, and Chapter 310 - Stormwater Management. These Amendments are in response to recent discussions with the Chamber of Commerce SORT Committee. These Amendments are divided into three groups by Chapter, and they comprise two pages of text. These Amendments are comparatively minor in scope and are summarized as follows: (1) Delete the maximum parking requirements found in Section 222-2(B). This provision was first introduced with the adoption of the Land Development Regulations (LDR). Its intended purpose was to prevent large commercial developments (such as shopping centers) from having an over-abundance of unneeded parking. As an unintended consequence, this provision has been problematic for smaller developments whereby even the addition of a few extra parking spaces might go beyond the 125% cap on parking, thus triggering the need for a Variance. Staff understands the rationale behind having a maximum cap on the number of parking spaces, but believes this is better-regulated through other existing Code provisions such as landscaping and stormwater requirements (i.e. extra parking = having to provide more landscaping and more stormwater management = more cost-prohibitive for the developer). (2) Relax the non-conforming time period "trigger" from 6 months to 12 months (Sections 234-3 and 234-5). Every community with development regulations uses a time period trigger for when a non-conforming use becomes vacant or abandoned, it then loses its grandfathered status and the use can no longer be re-established in that location without going through some process such as a rezoning. Throughout Georgia, a time period of 12 months is commonplace, although many urban areas often use a shorter time period such as 6 months or even as little as 2 months in some cases. Lowndes County currently uses a 12-month time period, and it has been recommended that Valdosta follow suit. (3) Modify the Stormwater Management Plan requirements. This is a minor Amendment to delete a provision in Section 310-13(C) that was inadvertently overlooked by City staff when we adopted the more substantial amendments to the City's Stormwater Ordinance last summer. This change will now make the language fully consistent between the LDR and the Stormwater Ordinance. Staff found the request consistent with the Comprehensive Plan, and recommended approval. The Planning Commission reviewed this at their January 25, 2016 meeting, found it consistent with the Comprehensive Plan, and recommended approval (7-1 vote).

No one spoke in favor of the request.

No one spoke in opposition to the request.

Councilwoman Tooley made a motion that Council vote on each one of these Text Amendments separately for clarity since they are all different. Councilman Yost called for a Point of Order. Councilman Yost stated that it

would not take a motion do to this and they could just bring it up one by one. Mayor Gayle and George Talley, City Attorney, agreed that each one could be voted on separately.

Mayor Gayle entertained a motion for the Text Amendments to Chapter 222 - Off Street Parking.

**A MOTION** was made by Councilman Carroll to approve the Text Amendments to the Land Development Regulations for Chapter 222 - Off Street Parking as noted by Staff and recommended by the Greater Lowndes Planning Commission. Councilman Norton seconded the motion. The motion was unanimously adopted (7-0) to enact Ordinance No. 2016-4, an Ordinance for Text Amendments to Chapter 222 - Off Street Parking, the complete text of which will be found in Ordinance Book XIII.

Mayor Gayle entertained a motion for the Text Amendments to Chapter 234 - Non-Conforming Situations.

**A MOTION** was made by Councilman Payton to approve the Text Amendments to the Land Development Regulation for Chapter 234 - Non-Conforming Situations. Councilman Carroll seconded the motion. The motion was unanimously adopted (7-0) to enact Ordinance No. 2016-4, an Ordinance for Text Amendments to Chapter 234 - Non-Conforming Situations, the complete text of which will be found in Ordinance Book XIII.

Mayor Gayle entertained a motion for the Text Amendments to Chapter 310 - Stormwater Management.

**A MOTION** was made by Councilman Carroll to approve the Text Amendments to the Land Development Regulation for Chapter 310 - Stormwater Management. Councilman Norton seconded the motion. The motion was unanimously adopted (7-0) to enact Ordinance No. 2016-4, an Ordinance for Text Amendments to Chapter 310 - Stormwater Management, the complete text of which will be found in Ordinance Book XIII

## **ORDINANCES AND RESOLUTIONS**

### **RESOLUTION NO. 2016-3, A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE GEORGIA DEPARTMENT OF COMMUNITY AFFAIRS (DCA) FOR A COMMUNITY HOUSING INVESTMENT PROGRAM (CHIP) GRANT**

Consideration of a Resolution authorizing the filing of an Application with the Georgia Department of Community Affairs (DCA) for a Community Housing Investment Program (CHIP) Grant to fund a Program to assist with the assessment and planning for housing needs in neighborhoods within the Designated Revitalization Area (DRA) of the City of Valdosta. This Grant Application will be submitted in partnership with the Valdosta Housing Authority and the Valdosta/Lowndes County Habitat for Humanity.

Vanassa Flucas, Neighborhood Development Manager, stated that the City has been a recipient of Community Home Investment Program (CHIP) Grant funding from the Georgia Department of Community Affairs (DCA) from 2006 through 2011 to assist in addressing the housing needs of our community. In previous years when funding was awarded to the City, both the Valdosta Public Housing Authority (down payment assistance) and Valdosta-Lowndes County Habitat for Humanity (down payment assistance and rehabilitation) benefited from the financial supports this funding source placed in the community to assist with affordable housing. This Grant is being offered by DCA to provide homeowner rehabilitation or new construction of single family homes for low to moderate income families who are eligible for program services. The Grant application will be submitted in partnership with the Valdosta Housing Authority and the Valdosta-Lowndes County Habitat for Humanity. The partnership is seeking to apply for the maximum amount allowed per applicant, which is \$600,000. The funding will be utilized to complete single-family rehabilitations (COV) and new constructions (H4H), along with offering down payment and legal assistance to eligible Public Housing residents and qualified City residents (VHA). This Grant requires up to 15% cash/in-kind match (\$90,000) and a \$250.00 application fee payable to the Georgia Housing and Finance Authority, which will be paid equally. A Resolution has been prepared authorizing the filing of an application to apply for Grant funds with the Georgia Department of Community Affairs to assist with the City of Valdosta's housing needs within the Designated Revitalization Area (DRA). Vanassa Flucas recommended that Council approve the Resolution authorizing the filing of an application with the Georgia Department of Community Affairs to apply for Grant funds to assist in addressing the City of Valdosta's housing issues.

A **MOTION** was made by Councilman Yost to approve the request as presented. Councilman Norton seconded the motion. Councilman Carroll stated that they applaud the collaboration and it is great to see local government doing really good work and working together. The motion was unanimously adopted (7-0) to enact Resolution No. 2016-3, a Resolution authorizing the filing of an Application with the Georgia Department of Community Affairs (DCA) for a Community Housing Investment Program (CHIP) Grant to fund a Program to assist with the assessment and planning for housing needs in neighborhoods within the Designated Revitalization Area (DRA) of the City of Valdosta, the complete text of which will be found in Resolution Book V.

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

Consideration of bids for the Martin Luther King, Jr. Corridor Project.

Pat Collins, City Engineer, stated that between 2004 and 2006, the City of Valdosta entered into an Agreement with the U. S. Department of Housing and Urban Development (HUD), Community Development Block Grant (CDBG), and the Georgia Department of Transportation (DOT) for partial funding of the Martin Luther King, Jr. (MLK) Drive Corridor and Streetscape Project. The City succeeded in securing \$500,000.00 in State Transportation Enhancement funds, \$159,373.00 in CDBG funds, and \$245,000.00 in HUD Funds. The Project consists of beautification and revitalization of public right-of-way and infrastructure for an area that once thrived with several successful commercial businesses. It is anticipated the public investment will result in private investment and revitalization similar to Downtown. The Project extends from South Oak Street to South Lee Street. Phase 1A, from South Ashley Street to South Lee Street, was awarded in 2010 and constructed in 2011. That Phase was funded with local, CDBG, and HUD funds. The State Transportation Enhancement (TE) funds remain in the amount of \$500,000, and are dedicated solely to construct the remainder of the MLK Corridor Project. The TE Program Projects require a minimum 20% local match funds, or \$125,000. The State set a goal of 13% Disadvantaged Business Enterprise (DBE) utilization for the work. The portion of the work remaining (Phase 1) extends from South Oak Street to South Ashley Street. The Project was advertised in several media outlets in December, 2015. This Project utilizes State funds and State requirements, as outlined in the bid documents, which are to be followed. These requirements include, in addition to the bid proposal, the submittal of a bid bond, a completed DBE Goals form, and a non-collusion certification. A pre-bid conference was held on January 7, 2016. Five companies were in attendance at the meeting. The conference was not mandatory for attendance. The reason for that is that the Project is State-funded and non-local contractors are encouraged to submit bids as well. Staff is aware that local contractors are quite busy right now as development in the area is occurring. The bid opening was held on January 20, 2016. Two contractors, James Warren and Associates (JWA) and Standard Contractors, Inc. (SCI), submitted bids. JWA of Valdosta was the low bidder at \$633,000 and SCI of Valdosta was second with a bid of \$859,427.75. Staff then proceeded with verifying the bids. JWA's bid was found to be unresponsive. According to the TE Sponsors Guidebook, selecting the lowest bidder is not mandatory if it can be shown that the lowest bidder did not meet all of the prescribed requirements. Such a bid is termed unresponsive. Staff confirmed with the State EEO Director that JWA is not a pre-qualified Contractor or a Registered Subcontractor in the Georgia DOT program. This makes JWA ineligible to perform the work and keep the State funding. JWA submitted a proposal, bid bond, and non-collusion certification, respectively; however, JWA did not submit a completed DBE Goals form. JWA submitted a written note that two DBEs did not return telephone messages and two DBEs were unable to provide references of their work abilities. DBE percentage submitted then is 0%. Staff confirmed that SCI is a Pre-qualified Contractor. SCI submitted a proposal, bid bond, and non-collusion certification, respectively. SCI submitted a completed DBE Goals form. The DBE percentage computed to 18.48%. Pat Collins recommended that Council approve the bid submitted by Standard Contractors in the amount of \$859,427.75 plus a 10% contingency of \$85,942.78 for a grand total of \$945,370.53 for the Martin Luther King, Jr. Corridor Project.

A **MOTION** by Councilwoman Tooley, seconded by Councilman Carroll, was unanimously adopted (7-0) to approve the bid submitted by Standard Contractors, Inc. in the amount of \$859,427.75 plus a 10% contingency for a grand total of \$945,370.53 for the Martin Luther King, Jr. Corridor Project.

## **BOARDS, COMMISSIONS, AUTHORITIES, AND ADVISORY COMMITTEES**

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

Larry Hanson, City Manager, stated that the Hospital Authority of Valdosta and Lowndes County has a member, Bill Rountree, whose term expired on February 1, 2016. Mr. Rountree has not expressed an interest in being reappointed. Sam Allen, Chairman of the Hospital Authority, submitted a letter dated December 16, 2015 (see attachment) with three names for consideration. The applicants are listed below in no order of preference and their applications are attached for your review: (1) Ben Copeland - President, Patten See Company, (2) Tim Dame - CPA, Dame, Walker, Hughes & Co., LLC, and (3) Danny Rountree. Mr. Rountree did not submit an application for consideration.

Mayor Gayle asked for nominations. Councilman Payton placed in consideration the name of Ben Copeland. Councilman Vickers placed in consideration the name of Tim Dame. There being no other nominations, Mayor Gayle closed nominations. Ben Copeland received two votes and Tim Dame received five votes. Tim Dame was appointed to serve a term of five years on the Hospital Authority of Valdosta and Lowndes County.

Consideration of appointments to the Valdosta Historic Preservation Commission.

Larry Hanson, City Manager, stated that the Valdosta Historic Preservation Commission has two members, Mary Bryant and Randall Crews, whose terms will expire on February 13, 2016. Mr. Crews has expressed an interest in being reappointed and Ms. Bryant has not expressed an interest. 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 the positions are listed below in no order of preference and their applications are attached for your review: (1) Randall S. Crews - Structural Engineer (Crews Engineering, Inc.), (2) Matthew Scott Hart, AIA, NCARB - Architect & Co-Founder (Studio 8 Design), (3) Sally Turner Querin - Landscape Architect (self-employed).

Mayor Gayle asked for nominations for Position No. 1. Councilman Norton placed in consideration the name of Matthew Mart. Councilman Carroll placed in consideration the name of Sally Querin. There being no other nominations, Mayor Gayle closed nominations. Matthew Hart received three votes and Sally Querin received four votes. Sally Querin was appointed to serve a term of three years on the Valdosta Historic Preservation Commission.

Mayor Gayle asked for nominations for Position No. 2. Councilman Norton placed in consideration the name of Matthew Mart. Councilman Carroll placed in consideration the name of Randall Crews. There being no other nominations, Mayor Gayle closed nominations. Matthew Hart received five votes and Randall Crews received two votes. Matthew Hart was appointed to serve a term of three years on the Valdosta Historic Preservation Commission.

Consideration of an appointment to the Metropolitan Planning Organization Citizen's Advisory Committee.

Larry Hanson, City Manager, stated that the Metropolitan Planning Organization (MPO) Citizen's Advisory Committee has a member, Stacy Bush, who resigned due to personal reasons in November, 2015. 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 listed below in no order of preference and their applications are attached for your review: (1) Willencia Greene - Master of Science Entertainment Business (currently seeking full time employment) - Second choice, (2) Jim Parker - Driver/Manager (NPC, International - Pizza Hut), and (3) Shannon Pollock - Dean of Student Affairs (Wiregrass Technical College).

Mayor Gayle asked for nominations. Councilwoman Tooley placed in consideration the name of Jim Parker. Councilman Payton placed in consideration the name of Shannon Pollock. There being no other nominations, Mayor Gayle closed nominations. Jim Parker received four votes and Shannon Pollock received three votes. Jim Parker was appointed to serve at will on the Metropolitan Planning Organization Citizen's Advisory Committee.



Consideration of an appointment to the Valdosta-Lowndes County Conference Center & Tourism Authority.

Larry Hanson, City Manager, stated that the Valdosta-Lowndes County Conference Center & Tourism Authority has a member, Rick Williams, whose term expired on December 31, 2015. Mr. Williams has expressed an interest in being reappointed. This appointment must be someone from the lodging/tourism industry. The appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants applying for the position are listed below in no order of preference and their applications are attached for your review: (1) Courtney Matthews - Director of Sales (Courtyard by Marriott), (2) Richard (Rick) G. Oelkers, Jr. - General Manager (LaQuinta Inn & Suites), (3) Katrina L. Wilson - General Manager (Courtyard by Marriott), and (4) Rick Williams - Hotel Owner & Manager (Williams Investment Company).

Mayor Gayle asked for nominations. Councilman Vickers placed in consideration the name of Rick Williams. There being no other nominations, Mayor Gayle closed nominations.

Mayor Gayle entertained a motion to re-appoint Rick Williams. The motion was unanimous (7-0) to re-appoint Rick Williams to serve a term of three years on the Valdosta-Lowndes County Conference Center & Tourism Authority.

Consideration of appointments to the Valdosta-Lowndes County Land Bank Authority.

Larry Hanson, City Manager, stated that the Valdosta-Lowndes County Land Bank Authority has two members, Councilman Robert Yost and Burke Sherwood, Sr., whose terms expired on January 31, 2016. Both Councilman Yost and Mr. Sherwood have expressed an interest in being reappointed. By legislation, Mayor Gayle will make the appointments to the Valdosta-Lowndes County Land Bank Authority. These appointments were advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. One of the appointments must be a City Councilmember. The applicants applying for the positions are listed below in no order of preference and their applications are attached for your review: (1) Willencia Greene - Master of Science Entertainment Business (currently seeking full time employment) - First Choice, (2) H. Burke Sherwood, Sr. - Lawyer (Sherwood & Sherwood, P.C.), (3) Councilwoman Sandra Tooley - Registered Nurse (South Georgia Medical Center), and (4) Councilman Robert Yost - Chief Operating Officer (Special Olympics Georgia).

Mayor Gayle stated that he would like to re-appoint Councilman Robert Yost and Burke Sherwood to serve on the Valdosta-Lowndes County Land Bank Authority.

Mayor Gayle entertained a motion to approve the re-appointments of Councilman Robert Yost and Burke Sherwood to Valdosta-Lowndes County Land Bank Authority. The motion was unanimous (7-0) to re-appoint Councilman Robert Yost and Burke Sherwood to serve a four year term on the Valdosta-Lowndes County Land Bank Authority.

## **CITY MANAGER'S REPORT**

Larry Hanson, City Manager, stated that on February 16, 2016, there will be a ribbon cutting for a house located at 912 Magnolia Street that was reconstructed through the Community Development Block Grant (CDBG) Program. This is one of six homes that have been reconstructed in the past year through this Program. Council is encouraged to attend.

On February 17, 2016, the Job Connections Program will host an event, Job Search Tips, which will be held in the City Hall Annex Building's Multi-Purpose Room from 11:00 a.m. to 1:00 p.m. Any citizen interested in learning about tips for searching for a job is welcome to attend.

On February 18, 2016, the Rotary Club will be sponsoring the Law Enforcement Appreciation Dinner at 6:00 p.m. at the James H. Rainwater Conference Center. The City will have a table for the event and Council is encouraged to attend in honor of the Law Enforcement Officers in our community.

On February 19, 2016, there will be an Arbor Day Celebration at the American Legion on Williams Street at 10:00 a.m. This will be a very special event in that the City will be honored as a Tree City USA for the 30<sup>th</sup> consecutive year. There are 536 cities in Georgia and only 9 cities have ever received this honor for 30 consecutive years. Valdosta State University will be honored as a Tree Campus USA and will receive their fourth consecutive designation as a Tree Campus. That makes them 1 of 12 colleges and universities in Georgia to receive that designation. Also, Georgia Power will be recognized as the only Utility Company in the State to be a Tree Line USA recipient for the eighth time. This shows the importance of trees to our environment and our community and Council is encouraged to attend.

On February, 24, 2016, the Bird Supper will be held at 5:00 p.m. at The Depot in Atlanta. Sementa Mathews had sent a reminder out recently about tickets for the event. There is always a big crowd from our community at the event to share the evening with our State Elected Officials, the Governor, the Lt. Governor, and members of the General Assembly.

Applications are currently being taken for City Government 101. There are eight citizens who have already applied. The seven-week Program will start April 4, 2016 and citizens are encouraged to sign up. Also, the Citizens Police Academy begins on March 17, 2016 and there are still ten slots available for the Program.

Georgia Power has completed both Phase 1 and Phase 2 of the LED Street Light Program and we are now one of only five cities in Georgia that had all of the primary street lights changed to LED. There has been a lot of positive feedback. They changed all of the 100 watt and 200 watt street lights. Georgia Power has been waiting on fixtures to come in for the 400 watt street lights that are on State routes and four-lane divided highway and those have now arrived. In the coming weeks they will be replacing the 400 watt street lights and at that point, 100% of the street lights in the City of Valdosta will be LED. Councilman Vickers inquired as to whether this would bring our electric bill down. Larry Hanson stated that it will bring the bill down over time because we have over 4,000 street lights in the City. Our bill is slightly down and will not be going up. Once those lights are paid for the energy usage will come down. Out of 4,000 street lights replaced we have had only five concerns which we have been able to work with Georgia Power to resolve.

The new website is going well and after two and half days, we have had almost 2,700 visitors. They have engaged in almost 3,400 sessions. They viewed over 16,000 pages on the website. We will have these new tools to available to let us know who we are reaching and how we can better reach them. Approximately 27% of the visitors were between the ages of 18 and 24 years old, 33% were between the ages of 25 and 34 years old, and 15% were between the ages of 35-44 years old. The visitors are viewing an average of five pages each session and they are spending almost five minutes in those sessions. Most of those are viewing from desktops and tablets (73%) and they are staying longer when they are viewing from a desktop than those who are using their smart phone. Approximately 60% of those are not bouncing around and they are engaged in the website. The Valdosta Click and Fix Program is going well and by 9:00 a.m. today we have had citizens using it. Just today we had 12 issues that had been reported and all had been acknowledged as received. Six of those have been closed and completed. There were five potholes concerns and all had been acknowledged with three of those repaired today. This has been favorably received by the community.

## **COUNCIL COMMENTS**

Councilman Carroll stated that he has had a lot of good feedback about the City's new website and he thanked Sementa Mathews, Public Information Officer, and her team for all of their hard work in bringing this about.

Councilman Yost thanked Sementa Mathews, Public Information Officer, and everyone who worked on the new website. Everything looks great and any questions he had about the new website have been addressed.

Dr. Michael Noll, President of the Wiregrass Activist for Clean Energy, stated that the information that has been shared at certain venues regarding the SABAL Trail Pipeline is far from over. A few years there was a Biomass Project where every permit was already in hand and ultimately they were able to turn this around. They do not know how all of the things will develop in the next few weeks and months, but there are several things that are in the making as he speaks. Dr. Noll thanked the Mayor and Council for passing a Resolution opposing the SABAL Trail which another entity also did but apparently they forgot about it recently. In the last two weeks things have turned out to be interesting when it comes to the Environmental Protection Agency (EPA) making a 180 degree turn along with another entity. This fight is not over and they will go as far as they can with it. They will be glad to work with the Mayor and Council and get feedback from them. They are concerned about property rights and the safety of citizens as well as a long term vision when it comes to the development of renewable sources of energy versus the finite and unnatural kinds of gases they are talking about these days.

John Robinson, 3227 San Juline Circle, Lake Park, stated that he wanted to speak about the Martin Luther King, Jr. (MLK) Corridor Project and the Valdosta Small Emerging Business Program (VSEB). Mr. Robinson stated that he understood that JWA was awarded the contract for the MLK Corridor Project. Larry Hanson, City Manager, stated that Standard Contractors was awarded the contract. Mr. Robinson inquired as to whether JWA would be doing any work on that Project. Larry Hanson stated that they would not. Mr. Robinson stated that he was misinformed. He had two gentlemen with him, Terry Kelly and John Stokes, and they were looking forward to working on that Project as a minority contractor. They were looking to have participation from minority vendors who are local. There needs to be some progression as far as the VSEB Program. It seems as if sometimes we lose focus on the vital issues pertaining to the validity of the construction in the City. We need something to be done economically that will help us in our communities. We have contractors who understand that there will be another hotel built here and they want to be involved in that process. We hope that we can be somewhat instrumental in the process when construction is started and they would like to meet with the person who will be involved in that. Mayor Gayle stated that the James Warren and Associates bid was disqualified and in the City the bidder is required to use a certain amount of VSEB work. Larry Hanson, City Manager, stated that the JWA bid was considered non-responsive because it did not meet the criteria.

A female citizen who resides at 518 Lee Street stated that she has been trying to get speed bumps on Lee Street. She lives between Martin Luther King Drive and Griffin Avenue. There is more traffic coming through there and everybody speeds. She has small children and grandchildren and was concerned for their safety. The citizen inquired as to the procedures that would need to be followed in getting a speed bump. Mayor Gayle stated that they would speak to Police Chief Brian and the Engineering Department. Larry Hanson, City Manager, stated that the Engineering Department could put some traffic counters down. The citizen stated that they did put some down but they were placed near Family Dollar and Martin Luther King, Jr. Drive where the traffic is not coming through. Larry Hanson stated that they put them on all streets at different times so that they can get counts throughout the entire City.

Vanassa Flucas, Neighborhood Development Manager for the City of Valdosta, stated that on Monday, February 15, 2016, there will be a ground breaking ceremony for the new Valdosta High School located at 4530 Inner Perimeter Road at 2:00 p.m. The Mayor and Council are invited to attend.

## 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 Payton, seconded by Councilman Carroll, was unanimously adopted (7-0) to adjourn the February 11, 2016 meeting of the Valdosta City Council at 6:47 p.m. and enter into Executive Session for the purpose of discussing real estate.

George Talley, City Attorney, stated that he would excuse himself from the Executive Session since his firm is involved in the possible real estate transaction.

Mayor Gayle reconvened the regular City Council meeting at 7:06 p.m. and stated that there was discussion of real estate in the Executive Session and action would need to be taken. This real estate involves the property

located off of Ashley Street and Crane Avenue and the City is going to sell the property to the Central Valdosta Development Authority (CVDA).

Mayor Gayle entertained a motion for that purpose.

A **MOTION** was made by Councilwoman Tooley to convey City-owned properties on Savannah Avenue between Lee Street and South Ashley Street, which is the closed portion of Crane Avenue between South Ashley Street and the overpass, and the vacant parcel at 108 South Ashley Street, to the Central Valdosta Development Authority (CVDA) for \$4.00 per square foot. Such properties are to be used for economic development and private investment Downtown. Proceeds from any sale to be paid to the City at such time the properties are sold or developed. Properties must be used for purposes as stated within two years or the City has the option to repurchase properties at the same price. Councilman Payton seconded the motion. The motion was unanimously adopted (7-0).

Mayor Gayle entertained a motion for adjournment.

A **MOTION** by Councilman Carroll, seconded by Councilman Yost, was unanimously adopted (7-0) to adjourn the February 11, 2016 Meeting of the Valdosta City Council at 7:08 p.m. to meet again in Regular Session on Thursday, February 25, 2016.

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City Clerk, City of Valdosta

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Mayor, City of Valdosta