

**MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 PM THURSDAY, MARCH 5, 2015
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 James Wright. The invocation was given by Pastor Stephen Johnson of Freedom Outpost Church and immediately followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

SPECIAL PRESENTATION BY DR. DEB L. MARCIANO, VALDOSTA STATE UNIVERSITY

Consideration of the March, 2015 Employee of the Month Award (Bryan Recinos-Mendez, Public Works Department).

Richard Hardy, Director of Public Works, stated that employee Brian Recinos-Mendez began his employment on April of 2011 as a Groundskeeper and was promoted in May of 2003 to Small Engine Mechanic/Welder, the position he currently holds. As the Small Engine Mechanic, Bryan completes maintenance on all small equipment, fabricates and strengthens parts need for repair of equipment and vehicles and performs welding on city vehicles, equipment and property in the maintenance shop and in the field. In addition, using his skill in metal working, Bryan repairs the side sheaves, lids and bottoms of commercial dumpsters to ensure they are returned into full service which has saved the City from purchasing countless new dumpsters. Several months ago, Bryan took it upon himself to design and build new service racks for two new service trucks purchased for the Utilities and Storm Water divisions. Historically, the City used the bid process to contract several outside machine shops for the service racks and during that time, numerous trucks would be down for weeks. After receiving the materials for this project, it took Bryan only two days to build and one day to install each service rack. Bryan's initiative and hard work ensured the trucks would be out of service for only a short period of time unlike previous downtimes that lasted up to eight days. Brian saved the City of Valdosta approximately \$4,000; and for these reasons and many others, the Employee Relations Committee nominates Bryan Recinos-Mendez as Employee of the Month.

PRESENTATION OF THE MUNICIPAL AUDIT FOR FISCAL YEAR 2014

Craig Moye of Mauldin & Jenkins presented the City's 2014 Audit Results which included Financial Statements, Reports, and other Deliverables. Mr. Moye communicated that the City's financials have been issued an unmodified and clean opinion which means that financials are materially correct in accordance with general accounting principles and governmental auditing standards. Financial statements prepared by the City also called a CAFER or Comprehensive Annual Financial Report are submitted to the Government Finance Officers Association and graded against certain parameters; each year Valdosta has been issued a Certificate of Excellence in financial reporting and is to be commended. It is the City's responsibility to provide Mauldin & Jenkins with financial statements and it is our responsibility provide an opinion and to audit those statements in accordance with auditing standards generally accepted in the United States and Government Auditing Standards issued by the Comptroller General of the United States. As of June 30, 2014, the City ended the year with \$309.3 million in total assets; a slight increase from the previous year. There was also an increase in total liabilities from \$73.5 in 2013 to \$79.3 in 2014. The City ended the year with a total net right at \$230 million; the change was a decrease of \$3.2 million. General Fund means main operating fund or funds used to provide city services. In the General Fund, total assets consisted of approximately \$7.3 million dollars; liabilities increased during the year to \$4.6 million which included \$2 million for accounts payable and \$2.6 million for total liabilities leaving a fund balance of \$2 million. The General Fund's total revenues were \$28.3 million, and total expenditures were \$29.9 million. Also, take into consideration the net outflow of financing sources are right at \$891 thousand which consist of transfers out vs. Transfers showing a decrease in fund balance right at \$2.5 million. Additionally, in the past the City has asked that we calculate the working capital in days. That has been done and the general fund's working capital in days calculated as of June 30, 2014 is 23 days. The City's Proprietary Fund shows operating revenues in excess of operating funds which means the charges for services are sufficient to cover the operating costs. The City's greatest

A **MOTION** by Councilman Carroll, seconded by Councilman Payton was unanimously adopted (7-0) to approve the recommendation of the Purchasing Agent under a Consent Agenda for Agenda Items 4a through 4i.

Consideration of a request to enter into a Lease Agreement with Dell Computers for Police In-Car Computers.

The Valdosta Police Department utilizes in-car computers for completing reports and other activities in the field. Police Chief Brian Childress stated that this is a process change where the City will stop purchasing in-car computers for patrol cars and will begin leasing instead from Dell Government Enterprises. This will include all software and mounting brackets. Technology changes so rapidly that after a few years the new computers are already outdated. The advantage with the three year lease is that at the end of the lease the City has the option to purchase the computers at a low cost or return them to Dell at no charge and start a new lease. Additionally, there is 100% accidental coverage with no maintenance fee. Councilman Vickers asked what would be the cost for the computers if the City decided to purchase them after the three year lease. Chief Childress stated that computers in the past have cost about \$4,500 purchasing outright. City Manager, Larry Hanson stated that it would be doubtful that the City would exercise the option to purchase after three years, he felt sure that a new lease would be entered into to receive all new equipment. Chief Childress further stated that the computers are fully loaded and more than capable of handling all video processing and other requirements needed.

A **MOTION** by Councilman Yost, seconded by Councilman Wright, was unanimously adopted (7-0) to approve the recommendation to authorize the Valdosta Police Department to enter into a lease agreement with Dell Computers for in-car computers.

LOCAL FUNDING AND REQUESTS

Consideration of a request to appeal the decision on a Certificate of Appropriateness by the Historic Preservation Commission for stacked-stone veneer on the front entryway on a house located at 111 East Park Avenue. This request was postponed at the February 19, 2015 Regular Council Meeting to the March 5, 2015 Regular Council Meeting.

Mayor Gayle stated Mr. Bo Sears, appellant, would present first followed by Matt Martin, Planning and Zoning Administrator, who would be stating the position of the Historic Preservation Commission after which Council would have three options to consideration. Mr. Sears stated that he purchased the property located at 111 East Park Avenue around September of 2014 and did not realize it was located within the Historic District. There was no information listed notating historic status on any of the closing documents; or the real estate listing, nor were signs posted identifying the area as a Historic District, therefore they began renovating the property. Mr. Sears states that about two-thirds way into the renovation process he received a visit from a City Code Enforcement Officer who informed him the property was located within a Historic District and work needed to cease immediately. He was further informed that he needed to visit the Zoning Office and speak with the Historic Preservation Commission. Mr. Sears stated on January 5, 2015, the Historic Preservation Commission approved material to be used as siding on the home and approved designs and dimensions for the window however; his request to keep the stacked stone veneer on the front was denied. Mr. Sears asked that Council consider two things: 1) the financial cost of \$2,500 to remove the stacked stone veneer, 2) the Historic Preservation Commission (HPC) did not specifically state that stack stone was not of the period or that it wasn't a permissible item just that it had never been brought to their attention before therefore, there were nothing to fall back on. Mr. Sears stated that he is asking that Council allow him to leave the stacked stone veneer in place so as not to incur the cost of removal. Additionally, the home looks good and does a lot to improve the look of the neighborhood.

Councilman Vickers inquired as to other materials that were approved for use on the home. Mr. Sears stated that the HPC approved the use of stucco veneer which is the material that was originally on the home before renovations were made. Councilman Vickers asked if Mr. Sears would be performing any more renovations on the property. Mr. Sears stated that at this time renovations were complete with the exception of this ruling. Councilman Yost asked Mr. Sears in meeting with the HPC or City staff, did anyone explain that the home had historical value or that it was in the historic district? Mr. Sears stated that he was made aware that the home was located in a Historic District but does not recall anyone mentioning that the home had historic value or using that term. Councilman Carroll asked Mr. Sears if the property located at 111 East Park was the first piece of investment property he'd purchased in the City. Mr. Sears stated that he had about 50 other rental properties; however this was the first time purchasing property in a Historic District. Councilman Carroll asked Mr. Sears if he'd performed

the 2008 Historic Resources Survey where historic determinations are made and the home was listed as a contributing historic resource in its former condition. Councilman Wright stated that he was trying to understand the term historic value. Mr. Martin stated that this is a home that is more than 50 years old and primarily in the same condition as when it was built. Councilman Wright asked if there were other homes within the district that contributed to the value of the register. Mr. Martin said that would depend on the definition of area. Looking at the map, everything in the hatched area is located in the Brookwood North National Register District and are all contributing historic resources. Outside of that district you might find office buildings that may not be, but most of the residential homes in that district are most certainly contributors. Councilman Wright stated that he was concerned and uneasy about telling citizens what they could and could not do with their property and that both Mr. Martin and the applicant alluded to discussion on the stone veneer and no written documentation against it.

Larry Hanson, City Manager, stated that this was a challenging case because the request for permission came after the fact. Had conversation been ahead of time, alternatives would have been set and the applicant would have been informed that stack stone veneer was not an appropriate material and would have therefore been provided other approved choices.

Councilman Norton inquired about street signs in Brookwood area and if there was a historic marker on top. Mr. Martin stated that some signs are marked but not all, informing Council that there have been discussions about renovating the signs to make it more obvious when entering historic districts. A part of the problem is that there was no permit pulled; had that process been utilized, the property would have been tagged in the system and a permit would not have been issued until approval from Planning and Zoning had been received. Councilman Norton asked what affect it would have on the home's value in the National Register if a non-conforming material is used. Mr. Martin stated that might be a chain of dominoes and would most likely distract from the historic character of the property. The property might be dropped from contributing status or at least make its status questionable which would weaken the district in the National Register. Council Carroll asked Mr. Martin if he felt the HPC had deviated and reached a level that the appeal is asking Council to take action on. Mr. Martin answered no and in particular since he was in attendance at the meeting and learned more about Historic Preservation. Everything was discussed in open discussion and the vote was not even unanimous, the decision was made on the historic context of the property. Councilman Carroll asked Mr. Martin if he felt the HPC was purposely punishing the applicant because he didn't follow the correct process and used material that was not in compliance. Mr. Martin stated no, this case was ultimately a code enforcement case that was running its course. Their goal was to ensure that the home was restored back to historic value. In fact, most of the discussion centered on the window design. Councilwoman Tooley asked Mr. Martin to explain why stacked stone was not appropriate material for the area. Mr. Martin stated that stacked stone veneer was not appropriate material for the 1950 time period when the home was built so to approve that would be to change the design and style of the home. Councilwoman Tooley stated that she had driven around the district and saw brick, stucco, veneer and other materials used on homes in the district, she asked if all of those materials were appropriate for that time period. Mr. Hanson and Mr. Martin both stated yes. Mr. Martin stated that there were homes with brick, wood, stucco and other materials which were all appropriate for that time period. Councilwoman Tooley asked if recommendations were made by staff and if so, since there are no guidelines in place to address using this material, can't new guidelines be added when they are brought forth. Mr. Martin answered yes and stated that the same process is used as when cases are brought to the Planning Commission; staff makes a recommendation that goes before the Planning Commission who then makes a recommendation to Council.

Councilman Yost stated that years ago, he was sure this same topic was discussed and felt sure that something was going to be put in or with the deed stating the property was in a historic district. Mr. Martin stated that putting a procedure like this in place could prove to be a difficult thing when dealing with private property because you're dealing with realtors. This information is noted in our system and will come up when the property is pulled up.

Mr. Hanson complimented Mr. Martin noting that he did an excellent job on educating himself during the interim and introduced Mr. James Horton who will serve as the new Historic Preservation Planner. Mr. Horton at one time served as HPC Planner and even served in the capacity of Main Street Director; the City is glad to have him back as part of the team. Mr. Martin further stated that Mr. Horton has been in historic preservation for 14 years and is far more capable in this area than he is.

Councilman Vickers asked if the City could put an automatic fine of \$250 in place to fine persons working without a permit or does the process require them to be cited and go to court. Mr. Hanson asked Mr. Martin, Community Development Director, if he was correct in stating that the ordinance says anyone found working without a permit would pay double the cost of the permit fee. Mr. Martin stated that was correct. Councilman Yost asked the cost of the permit. Mr. Hanson stated that the permit is based on the value of the work. Councilman Vickers stated that the procedure might warrant reviewing to see if it can be improved. Councilman Yost again urged staff to find other solutions and work with HPC to possibly expand the use of materials used in certain areas; otherwise Council could deny or overturn other recommendations. Councilman Payton stated that stucco was not the original material used and the decision should have included clapboard as an option. After a short discussion centering on HPC improvements, Mayor Gayle closed the discussion.

There were no citizens to be heard so Mayor Gayle entertained a motion to adjourn the Council meeting and enter into an Executive Session for the purpose of discussing real estate and litigation.

A **Motion** by Councilman Vickers, seconded by Councilman Wright, was unanimously adopted (7-0) to adjourn the March 5, 2015, meeting of the Valdosta City Council at 6:41 p.m. and enter into Executive Session.

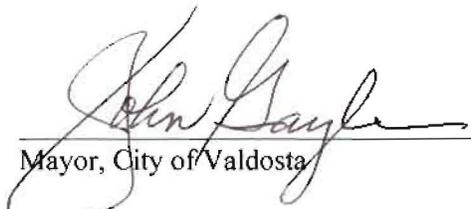
Mayor Gayle reconvened the regular City Council meeting at 7:19 and stated that there was discussion of real estate and litigation in the Executive Session and no action was taken. He then entertained a motion for adjournment.

ADJOURNMENT

A **Motion** by Councilman Carroll, seconded by Councilman Vickers, was unanimously adopted (7-0) to adjourn the March 5, 2015, meeting of the Valdosta City Council at 7:19 p.m. to meet again in regular session on Thursday, March 19, 2015.



Associate City Clerk, City of Valdosta



Mayor, City of Valdosta