

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., MONDAY, FEBRUARY 10, 2020
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

Mayor Pro Tem Tim Carroll called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Joseph “Sonny” Vickers, Ben Norton, Sandra Tooley, Eric Howard, Andy Gibbs, and Vivian Miller-Cody. Mayor Scott James Matheson arrived late at 6:05 p.m. The invocation was given by George Foreman, Grace City Church, followed by the Pledge of Allegiance to the American Flag.

APPROVAL OF MINUTES

Mayor Pro Tem Carroll entertained a motion to approve the minutes of the January 9, 2020 regular meeting.

A MOTION by Councilman Norton, seconded by Councilman Gibbs, was unanimously adopted (6-0) to approve the minutes of the January 9, 2020 regular meeting.

Mayor Pro Tem Carroll entertained a motion to approve the minutes of the January 23, 2020 regular meeting.

A MOTION by Councilman Gibbs, seconded by Councilwoman Tooley, was unanimously adopted (6-0) to approve the minutes of the January 23, 2020 regular meeting.

PUBLIC HEARINGS

Mayor Pro Tem Carroll stated that for those who are new to land use cases and Public Hearings, Staff will present the case to Mayor and Council and members of Council may have questions for Staff during that time. After Staff has made their presentation, we will call for those in favor of the request and they would come forward. We will then open it up to those in opposition. There is a time limit of 15 minutes for each side. If there are questions from members of Council for either party during the open period, the time clock will stop to allow time for those questions to be answered.

ORDINANCE NO. 2020-2, AN ORDINANCE TO REZONE 0.67 ACRES FROM SINGLE-FAMILY RESIDENTIAL (R-6) ZONING DISTRICT (0.50 ACRES) AND COMMUNITY-COMMERCIAL (C-C) ZONING DISTRICTS (0.17 ACRES) TO HIGHWAY-COMMERCIAL (C-H) ZONING DISTRICT

Consideration of an Ordinance to rezone 0.67 acres from Single-Family Residential (R-6) Zoning District (0.50 acres) and Community-Commercial (C-C) Zoning District (0.17 acres) to Highway-Commercial (C-H) Zoning District as requested by Pete's Otto (File No. VA-2020-01). The property is located at 401 East Ann Street and 1100-1102 Marion Street. The Greater Lowndes Planning Commission reviewed this request at their January Regular Meeting and recommended approval (10-0 Vote).

Matt Martin, Planning and Zoning Administrator, stated that Pete’s Otto Shop is requesting to rezone a total of 0.67 acres from Single-Family Residential (R-6) (0.50 acres) and Community-Commercial (C-C) (0.17 acres), all to Highway-Commercial (C-H). The property is located at 401 East Ann Street and 1100-1102 Marion Street. This is along the west side of Marion Street approximately 200’ south of East Ann Street. The applicant’s existing automotive repair business is located immediately north of these properties at the southwest corner of Marion Street and East Ann Street. The applicant has owned the C-C property for several decades and used it as accessory outdoor storage of vehicles. The applicant recently acquired the R-6 properties to the south and removed their existing residences which were in dilapidated condition. Last summer, the applicant was conditionally granted a Variance from the Valdosta-Lowndes County Zoning Board of Appeals (ZBOA) (File No. APP-2019-03) for a reduced minimum building setback along Marion Street to allow the recently-constructed building which is located

on the applicant's existing C-H property. The applicant is now proposing to expand the business southward into the R-6 area and wants to combine all these properties together under C-H zoning as one site. The new site plan has revisions from what was approved last summer for the new building construction and site work. This revised site plan includes the R-6 properties and excludes the applicant's vacant property located at the southeast corner of East Ann and Marion Streets. The property is located within a Community Activity Center (CAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of C-H Zoning. Although it does not front directly on North Ashley Street, the property is still considered part of the North Ashley commercial corridor. Pete's Otto is a successful growing business that has existed on the parent parcel for more than 40 years. The business's street address and front entrance are located along East Ann Street. The subject properties collectively are an expansion to the existing business and are considered to be its backyard in terms of general site layout. The applicant is planning to continue using the East Ann Street frontage as the primary entrance and front of the business. Marion Street is a residential street that serves as a general border between the commercial corridor of North Ashley and the residential development to the east. As shown on the conceptual site plan, the applicant is proposing to fence-off their entire Marion Street frontage and completely screen the interior of their site from view. Because this is a proposed expansion of an existing commercial business onto new property, which will function as an accessory outdoor storage yard, the applicant is required to fully screen the storage yard with an 8' opaque fence. The Marion Street access gate will also need to be opaque. A landscaped buffer yard will be required adjacent to the remaining R-6 property to the south. Street yard landscaping will also be required along the new Marion Street frontage in the same manner as it was required on the applicant's property to the north. 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 27, 2020 Regular Meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (10-0 vote).

Matt Phelps, 4560 Val North Drive, spoke in favor of the request. Mr. Phelps stated that he is the Engineer for the Project and was representing the applicant. Mr. Phelps stated that Staff did a wonderful job in summarizing the story behind this request and he would be glad to answer any questions that Council might have.

No one spoke in opposition to the request.

A MOTION by Councilwoman Tooley, seconded by Councilman Howard, was unanimously adopted (6-0) to enact Ordinance No. 2020-2, an Ordinance to rezone 0.67 acres from Single-Family Residential (R-6) Zoning District (0.50 acres) and Community-Commercial (C-C) Zoning District (0.17 acres) to Highway-Commercial (C-H) Zoning District as requested by Pete's Otto, the complete text of which will be found in Ordinance Book XIV.

AN ORDINANCE FOR A CONDITIONAL USE PERMIT (CUP) FOR A NEW TELECOMMUNICATIONS TOWER IN A SINGLE-FAMILY RESIDENTIAL (R-15) ZONING DISTRICT DENIED

Consideration of an Ordinance for a Conditional Use Permit (CUP) for a new Telecommunications Tower in a Single-Family Residential (R-15) Zoning District as requested by Verizon Wireless (File No. CU-2020-01). The property is a portion of the Valdosta Country Club's main property which is located at 3500 Country Club Road. The Greater Lowndes Planning Commission reviewed this request at their January Regular Meeting and recommended denial (6-3-1 Vote).

Matt Martin, Planning and Zoning Administrator, stated that Verizon Wireless is requesting a Conditional Use Permit (CUP) for a new Telecommunications Tower in an R-15 Zoning District. The property is a portion the Valdosta Country Club main property which is located at 3500 Country Club Road and is zoned R-15. The proposed site of the tower is within the northerly main portion of the Country Club. The tower site is a leased 100' x 100' portion of land with a connecting access easement around to the Bellemeade Drive cul-de-sac. The Valdosta Country Club House is zoned Community-Commercial (C-C). Aerial imagery shows that the tower site is a few hundred feet to the west of the residences of Bellemeade Drive. There is a cart path there which is the proposed means of access and the tree area is inside the dog leg of the golf hole. The site plans were provided by the applicant and the detailed drawings give the specifications of the lease area, the access easement, and topographic information which is all from their permitting package. It also gives the legal description of the property. There is

also included some tower schematics which is the cross-section view which gives the height. The proposal is a cellular telecommunications tower with four antennae arrays to be designed as a mono pine which resembles a large pine tree. The overall height is 159 feet tall which includes four feet at the top for the lightning rod. Otherwise, the tower is at 155 feet. There will be no tower lights or strobing beacons, and at this height, they are not required. It will have a customary compound at the bottom which will be fully screened with an opaque fence. The applicant provided a photograph of what the tower looks like and it is from one that was erected in Albany, Georgia approximately ten years ago at their Country Club. It is a mono-pine with dark tree trunk with branches. That one was 150 feet tall. At the Work Session, Council discussed in detail about the coverage areas. The GIS information shows existing towers in the northern Valdosta area and the north central part of Lowndes County. The closest tower to the proposed tower is called the Five Points tower and is in the area west of Oak Street, north of Ashley Street, and south of Inner Perimeter Road in a triangular area. It is located approximately one mile away from the proposed tower site. The towers on Bemiss Road are two to three miles away. There is a little bit of a coverage gap here and the applicant will go into this in detail; however, this is one of the main reasons they why they are looking at this area. The applicant has provided several maps which shows some of the towers nearby and the one that they are proposing. In terms of coverage of their service, maps have been provided for the Mayor and Council and are in the Agenda Packet. The applicant will go into more detail. They have a separate PowerPoint which shows a lot more graphic images. Matt Martin showed photographs of the Country Club entrance and the Club House area which is a long distance away from where the tower is proposed to be. The tower site is beyond the trees back to the left. At the north end of the Bellemeade Drive cul-de-sac, there is a cart path which is to be the access easement that bends around to the west for the applicant to maintain the tower. If walking west along the course, left and right is still Country Club property and down toward the end on the left is a grove of pine trees. Beyond these trees is a solid, eight-foot tall, wooden fence, and beyond that is a clearing within the trees and that is where they are proposing to put the tower. The Country Club has used the proposed site to store different materials outside. There are two homes that are closest to the proposed site on Bellemeade Drive. The Bellemeade North development is off of the northeast side of the cul-de-sac. They had also asked the applicant for advantage points. Staff's main concern is what will the tower look like. The applicant took a series of pictures from three different points on the golf course to show a before and after image. There is a lot of information in the Agenda Packet including the Staff Report and Recommendation as well as background information for the property. There is also a listing of two sets of Conditional Review Criteria, one that pertains to all Conditional Use requests and a separate listing regarding telecommunication towers. There are several maps in the Agenda Packet and a series of letters and petitions from those in favor of the request as well as those who are opposed. They have steadily been coming in since this was advertised. Staff compiled these letters as they went along and even after the Greater Lowndes Planning Commission, they added a few more for the Agenda Packet for City Council. The Planning Commission reviewed this at their January 27, 2020 Regular Meeting, found it inconsistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended denial (6-3-1 vote). The applicants are here tonight, and they have a few more things to present to the Council as well. Councilman Vickers inquired as to what Staff is recommending. Matt Martin stated that Staff recommended approval with conditions which are on the cover page of the Agenda packet.

Patton Hahn, 420 20th Street North, Birmingham, Alabama, 35203, spoke in favor of the request. Mr. Hahn stated that he is the Attorney who is representing Verizon Wireless and one of the big questions that people have asked is why they chose this particular location. The goal is to improve coverage and what they have here is the existing coverage. They are trying to deliver the coverage to people's homes and in their businesses. The area around the Country Club and south of it is poor in-building coverage. There is some in-car coverage and places where you are not going to get coverage in your car or in your house, so Verizon's Engineers then tried to create an area for coverage. They created a map showing the search ring that shows the places where they have to site the antennae to create the improved coverage. It shows the existing properties in that site area and the largest one by far is the Country Club. The others in yellow on the map were other suitable commercial properties so Verizon contacted the property owners. None of the property owners responded and were not interested. If you put the tower anywhere else on other non-Country Club property, you are putting it right on homes or on a residential lot. That is all that is in there. They approached the Country Club and the Country Club was interested. This is the only property on the Country Club that they are willing to lease to Verizon. This particular site as discussed by Matt Martin, Planning and Zoning Administrator, is in the interior of the Country Club in an existing area of trees. They have designed it to be as un-intrusive as possible esthetically. They do not want to interfere with the esthetic

environment of the Country Club, and they think they have done a very good job to the extent possible in disguising these antennae. He brought with him tonight, Brian Devine from General Dynamics, and he is the Site Development Consultant, as well as Glenn Fennick, a Radio Frequency Engineer, who can better explain how those propagation maps were developed.

Councilwoman Tooley stated that there is 15 minutes for each side and not each person. Mr. Hahn stated that he understood that. Councilman Norton inquired as to whether Mr. Hahn was saying that this one area at the Country Club is the only footage of property that the Country Club would lease to Verizon. Mr. Hahn stated it was the only one the Country Club was willing to lease. There is obviously some land to the far north part of the Country Club that they own. The map that he has shown with red lines shows the wetlands and the flood plain from the river basin that runs through there. There is also another map with green lines and those are actual wetlands. Mr. Brad Folsom, who is the Attorney for the Country Club, was at the Planning Commission Meeting but could not be here tonight. Mr. Hahn stated that he spoke with Mr. Folsom and that is consistent with what he said at the Planning Commission Meeting. Councilman Norton inquired as to how the other businesses were asked about this. Mr. Hahn stated that they were sent a letter, which he believes are part of the record. The letters indicated that Verizon was looking to develop a tower and looking at a release and none of them responded. Councilman Norton inquired as to whether there were any follow-up phone calls or contact in that manner. Mr. Hahn stated that he was not certain because Mr. Devine did those. Mr. Brian Devine stated that there was no response. Mayor Pro Tem Carroll stated that he wanted to follow-up on that line of questioning. He inquired as to whether they offered any of the potential prospective sites the same amount as they did to the Country Club. Mr. Hahn stated that Mr. Devine can come up and talk about that, but he did not know if they would have gotten into the payment terms unless they actually indicated a willingness to be interested. Mayor Pro Tem Carroll stated that it was his understanding that they did make a dollar amount proposal to these other property owners.

Brian Devine, Chamblee, Georgia, spoke in favor of the request. Mr. Devine stated that normally they do not get into negotiations regarding the dollar amounts until they have indicated that they are initially interested. Mayor Pro Tem Carroll inquired as to why there was a dollar amount included in the initial contact. Mr. Devine stated that it is not standard practice to offer a dollar amount and it is probably not good negotiating practice either to throw an amount out. Mayor Pro Tem Carroll stated that in other words, he did not know if they had gone back to them and said they were willing to pay \$2,000 per month instead of \$500 a month. They may have then said they would talk to them. Mr. Devine stated that they did not know that specifically. All they know is that they reached out to them several times and got no response. Mayor Pro Tem Carroll stated that his second question was whether elevation played an importance in locating this tower. Mr. Devine stated that elevation does always play a role and the Engineer could probably speak to that better than he could. Mayor Pro Tem Carroll stated that there is other property on the Country Club grounds and they have over 400 acres. For instance, the Club House area is 50 feet higher in elevation than this proposed site and Mayor Pro Tem Carroll inquired as to why was that not considered since it was a higher elevation. Mr. Devine stated that they did discuss several different locations with the Country Club and they even went out and walked the property with them. Mr. Hahn has a map showing a few of the locations that were looked at, but one thing to take into account is access because wherever the tower goes, there needs to be vehicular access to it so that Verizon can get into the compound and take equipment with them or do any maintenance work that is necessary. Depending on where it is located on the Country Club, it is possible that a road might have to be built that would disrupt the Country Club and they wanted to be as un-invasive as possible. Mayor Pro Tem Carroll stated that disrupting the neighborhood was a better option than disrupting the Country Club. Mr. Devine stated that there is an existing road that could be used. Councilman Norton stated that there is an existing driveway and parking lot right at the Country Club which is great access and is more accessible because of the brush and things that are growing around the proposed area than right near the Country Club. Mr. Devine stated that if the Country Club is unwilling to let them put it there then they cannot put it there. Councilman Norton stated that he understood that. Councilman Vickers stated that there was one thing that he thought they should address and that is the health issues because some of the residents were concerned about that. Mr. Devine stated that in response to some of the comments that were at the Greater Lowndes Planning Commission Meeting, there was some information that was put into the Packet from the Federal Communications Commission, the Federal Energy Commission, and the American Cancer Society. He is not a Physician, but it is his general understanding that radio frequency waves are not harmful to health. He is not a Doctor so they rely on the expert studies that they have submitted to the Council. Councilman Vickers stated that he was sure that Verizon has done some study on that

because it had to be coming up more than just this time. Mr. Devine stated that it has come up at many meetings that he has been at and they generally rely on the government's studies that they have submitted and in addition, the American Cancer Society work that they submitted to the Council. Councilman Vickers reiterated that they say there is no harm from it. Mr. Devine stated yes.

Mayor Pro Tem Carroll stated that he wanted the record to reflect that Mayor Matheson has just arrived at the Council Meeting and that the Mayor will now take the chair and that he would go back to being the City Councilman for District 5.

Mayor Matheson stated that they do not call it optional training for newly elected officials, but they call it mandatory so please excuse his tardiness to the Council Meeting on a very important situation that he actually got asked about at training in Tifton today. Councilman Carroll stated that they were still on those in favor of the rezoning request from Verizon and they still have a little time left. Mayor Matheson stated that they have seven minutes remaining and inquired as to whether anyone would like to speak in favor. Hearing none and seeing none, Mayor Matheson inquired as to whether there was anyone who would like to speak in opposition.

Jane Williams, 7 Bellemeade North, spoke in opposition to the request. Ms. Williams stated that for the last 26 years, she has lived at 7 Bellemeade North in one of the condos at the end of Bellemeade Drive. It is very close to where Verizon proposes to erect a 159-foot cell tower. A study by the National Institute for Science Law and Public Policy reported that 94% of 1,000 people who were asked said that cell towers in a neighborhood would impact their interest in the property and the price they would be willing to pay for it. She does not need a survey to tell her that property values would be hurt in her neighborhood. All it takes is a little common sense and a visit to the backyards of the two properties most affected at 3348 and 3350. In the presentation, they saw beautiful pictures of the street view of these two houses. They also saw a picture taken from the golf fairway looking at a distance toward the tower site where you could barely see a house. That was so misleading. Why were there no pictures shown with the view from the fenced area where the tower will actually be? The house at 3348 is so visible from there that you can see the windows on the house. The one at 3350 can be seen from the side also. Would you want to buy a house in either one of these locations with a backyard view of a cell tower? Most people would not. People in other areas of the country have had to deal with the situation and have had to lower their asking prices when they sell. Sometimes several reductions over a long period of time. The appraisal resale value of other houses along the street would be based on recent sales in the neighborhood including the sale prices of 3348 and 3350. This may make it harder for a homeowner to get the return on their investment. The Zoning Regulations in Chapter 218, Article 4, Section (C) say that telecommunication towers, when inappropriately located, have the potential to pose a danger to surrounding property owners and the general public and substantially detract from the beauty and appearance of the City. Regulations (C)(1), (C)(2), and (C)(4) say that telecommunication facilities should be avoided in residential areas whenever possible. They should be encouraged to locate in non-residential areas, and they should be encouraged to locate in areas where the adverse impact on the community is minimal. Approval of the Verizon Project would be inconsistent with all of these regulations. Ours is an overwhelmingly residential area in which the nearest commercial site is at least a one-mile drive from the site. They do not know the details of Verizon's Long-Term Lease and Easement Contract with the Valdosta Country Club. They produced a petition signed by some approving members, but many who signed do not live in the Bellemeade Plantation neighborhood. From the handwriting, it appears that one even incorrectly listed as his address as the address of the affected property at 3350 instead. They do not know how much effort Verizon put into finding commercial locations. According to their Affidavit, they sent letters to three non-residential landowners to discuss locating a tower on those properties but got no response. Those letters were sent on October 9, 2018. That was over a year ago. What happened to 2019? Were those letters sent certified? Were they followed up with a phone call or visit as any salesman knows to do? The Verizon tower will distract from the esthetics of the property near it, lower property values in residential areas, be contrary to City regulations, and set a precedent so that any neighborhood anywhere in Valdosta will be vulnerable to a similar request. For these reasons, Ms. Williams urged Council to deny without delay the Verizon request.

Randall Crews, 3325 Bellemeade Drive, spoke in opposition to the request. Mr. Crews stated that he wrote a letter that is in the Agenda Packet which included eight reasons that have nothing to do with health because of the law that is on the books right now as to why it should be denied. Mr. Crews showed pictures of other towers and

one was in a commercial-zoned area behind the Lowe's building. The one Verizon is proposing has some green decorations on it to make it look like a tree. There is one location near the Country Club where the elevation is 90 feet higher than where the proposed tower is going. Also, the top of the proposed tower is going to be above the tops of trees around it. Mr. Crews questioned whether this was the best location for the proposed tower. Bellemeade has a lot of sharp curves and turns and the vehicles they will use for constructing the tower will be traveling down this residential neighborhood loaded with equipment which will disrupt the neighborhood. There are no sidewalks on Bellemeade, and it is a small neighborhood. There are also several LDR violations in the original application some of which were supplemented after they had done the initial application. He has not seen a Phase 1 Environmental Assessment which is supposed to be included in the application. Suitability for telecommunication towers really does not have a lot to do with the operation of a golf course or the operation of a residential neighborhood. Property values have already been mentioned by Jane Williams. It makes sense to him because if you reduce the people wanting to buy something the value will tend to go down. Regarding the traffic, Bellemeade is a very curvy, minimum width neighborhood City street with a cul-de-sac dead end. The road contains several blind spots and does not have sidewalks for pedestrians. It is already loaded with normal residential traffic, but it is also the road that the Country Club uses for all of its grounds Staff to access the Country Club. They all go down to the very end of Bellemeade and enter into the golf course through a cart path. It is treated as if it is a commercial driveway when it is not. The only commercial driveways that the Country Club has are in the commercial-zoned area of the Country Club. Verizon is showing them some photo-shopped images, but those images are from very far away from all of those people who are near. It is a little bit closer to the houses at the back of Bellemeade, but it is not very far from the houses at the end of Plantation. All of those people are going to get a much closer view of this tower than what is being shown from the photos being 500 or 600 yards away. They will not be looking at a natural tree but a tower that has green decorations on it. Verizon's application brings into consideration by falsely stating that there are no wetlands at or nearby the Project site. Not only are there wetlands to the south, north, and northeast, there are also State waters including streams and creeks just north of the proposed tower that drain directly into the Withlacoochee River. Mr. Crews stated that they understand that the tower itself will not pollute the ground or groundwater, but they have generators running off of diesel fuel and there will be trucks accessing the area. It is kind of a sensitive area. The generators will also make a lot of noise along with the large service trucks. They are acting like the trucks will not be there very often, but they are. There was a document provided to him prior to the Council Meeting from the Georgia Department of Natural Resources that talks about preferred locations being away from river corridors. If the Project occurs in a high priority watershed, there are protected species. He would not want to not make progress because of a particular bird, but it is something from the Georgia Department of Natural Resources from an environmental standpoint to give valid reason to not do it.

Ray Chitty, 3325 Plantation Drive, spoke in opposition to the request. Mr. Chitty stated that he and his wife are members of the Country Club and they are Verizon customers. He is here today to speak on behalf of several homeowners, and he urged Council to accept the recommendation of the Greater Lowndes Planning Commission to deny the zoning request to allow the construction of a cell tower. In the Land Development Regulations (LDR), Section 218-22, Items (L), (M), and (N), it comes down to Verizon providing sufficient evidence that they exhausted all efforts to locate the cell tower in a commercial site, that they cannot provide adequate personal wireless communication without the use of a telecommunications facility at the specific location requested, and the tower constitutes the least intrusive means necessary to close significant gaps. He feels like Verizon failed to do so. Council heard earlier that Verizon sent three letters on October 9, 2018 and they got no response. It is now 2020 and he wondered why there was no follow-up to that which they do not know. They also know that the Valdosta Country Club provided five sites on the property for consideration but none on the property already zoned commercial. There was no contact from the Valdosta Country Club to the property owners that are here behind him. There was no communication nor was there any communication to the members of the Country Club regarding the cell tower. There were no other alternative sites offered by the Country Club. Mr. Chitty stated he spoke with Mr. Gray Murray today and Staten Plantation consists of more than 800 acres of land that is close to Valdosta Country Club. Same distance from one of the sites that they looked at to one of Mr. Murray's properties. No one contacted Mr. Murray. Mr. Murray proposed to talk to Verizon but that is between him and Verizon. As business owners, all of us have to comply with the LDR. That is what we do and that is all they are asking of Verizon tonight. They are not opposed to Verizon and they are not opposed to them putting up a cell tower, but it needs to be in a place that does not impact residential sites. In closing, all of us are business owners and we

**AN ORDINANCE FOR A CONDITIONAL USE PERMIT (CUP)
FOR A NEW TELECOMMUNICATIONS TOWER DENIED (CON'T)**

02/10/20 CONTINUED

purchase houses. Regardless of our income level or where the house is located, that is probably the biggest investment in our lives. We buy a home, we maintain it, and we pay taxes. We raise families and hope to make improvements to our homes so that there will be an appreciation of value over time. No one should be forced to sell their property or consider moving because of an intrusive cell tower. Mr. Chitty stated that he appreciated Council's consideration in denying the request.

Councilman Carroll asked for Mayor Matheson to bear with him for just a minute and he thanked the Mayor for his rush to get back to the Meeting. Mayor Matheson stated that he broke a few laws. Councilman Carroll stated that he was sure he did. Councilman Carroll stated that as Mr. Chitty mentioned, and several others have mentioned, we certainly are not anti-cell towers or certainly not anti-Verizon cell towers and like Mr. Chitty and his wife, he too is a Verizon customer and he has great coverage by the way. He does not live on Plantation or Bellemeade, but he lives close enough. So when you look at these kinds of things, they do not see this as no to Verizon anywhere within the City of Valdosta, but just perhaps no to this site. He thinks there are a lot of facts in connection to our Land Development Regulations and in particular, our Review Criteria that we use both those for general review for a CUP request, but also those specifically as they pertain to towers. He is not going to get into every single aspect of it, he could but it would take him a long while, but he found conflicts multiple times with the Review Criteria where the response of Staff and the response of the applicant could easily be an argument made in contrary to their positions. He will give one in particular and that is the very first one -- whether or not the proposed use is consistent with all the requirements of the Zoning District in which it is located including required parking, loading areas, setbacks, and transitional buffers. Both Staff and the applicant said yes that it is fine. He could guarantee that he can come up with an argument that says no it is not and so can our Attorney. This is R-15 Zoning. There is no cell tower on any piece of property in the City that is privately held in R-15 Zoning where a cell tower exists. Nowhere in our City. So this could be a precedent-setting action by this Council to allow this to happen. So that is a very grave and serious matter that we have to consider. He is not going into all the others, but he does have evidence that he has secured that speaks to the depreciation of property values. It was not hard for many to be able to go into Google and pull up multiple articles from professional real estate folks that this does have a negative impact on property values and certainly, I am sure neither you, nor them, nor I would like to see our biggest investment that we make, our home, get impacted negatively by a cell tower or any other commercial enterprise. Councilman Carroll stated that he is prepared to submit all of these various documents to the record and to the Caseload File. Mr. Mayor, with all that, I make a motion to deny the request based on its conflict with the Comprehensive Plan and the Conditional Use Criteria.

A MOTION was made by Councilman Carroll to deny the request for a Conditional Use Permit (CUP) for a new Telecommunications Tower in a Single-Family Residential (R-15) Zoning District as requested by Verizon based on its conflict with the Comprehensive Plan and the Conditional Use Criteria. Councilwoman Tooley seconded the motion. The motion was unanimously adopted (7-0) to deny the request.

AN ORDINANCE FOR A CONDITIONAL USE PERMIT (CUP) TO ESTABLISH A HALFWAY HOUSE FOR EX-OFFENDERS IN A RESIDENTIAL-PROFESSIONAL (R-P) ZONING DISTRICT WITHDRAWN

Consideration of an Ordinance for a Conditional Use Permit (CUP) to establish a Halfway House for ex-offenders in a Residential-Professional (R-P) Zoning District as requested by Natalie Bailey (File No. CU-2020-02). The property consists of 0.14 acres and is located at 4019 Forrest Run Circle. The Greater Lowndes Planning Commission reviewed this request at their January Regular Meeting and recommended denial (10-0 Vote).

Matt Martin, Planning and Zoning Administrator, stated that this request was advertised as a Public Hearing, so it is still listed on the Agenda. It will be reflected in the Minutes as withdrawn by the applicant and no action will need to be taken.

ORDINANCE NO. 2020-3, AN ORDINANCE TO REZONE 3.56 ACRES FROM RESIDENTIAL PROFESSIONAL (R-P) ZONING DISTRICT TO OFFICE-PROFESSIONAL (O-P) ZONING DISTRICT

Consideration of an Ordinance to rezone 3.56 acres from Residential-Professional (R-P) Zoning District to Office-Professional (O-P) Zoning District as requested by Travis Carter (File No. VA-2020-02). The property is

located at 3905 Inner Perimeter Road. The Greater Lowndes Planning Commission reviewed this request at their January Regular Meeting and recommended approval (10-0 Vote).

Matt Martin, Planning and Zoning Administrator, stated that Travis Carter is requesting to rezone 3.56 acres from Residential-Professional (R-P) to Office-Professional (O-P). The property is located at 3905 Inner Perimeter Road which is at the northwest corner of Inner Perimeter Road and Chadwyck Drive. The property is currently vacant. The applicant is proposing to construct a commercial Daycare Center which is not a permitted use in R-P Zoning but is an allowed use in O-P Zoning with a CUP approval. The applicant is also seeking concurrent approval of the CUP in a separate Agenda Item (File No. CU-2020-03). The applicant is seeking approval of both of these requests so that they can relocate their existing daycare facilities from Bemiss Road to a site that has possible room for future expansion. The property is located within a Neighborhood Activity Center (NAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of O-P Zoning. The property is also located within the Inner Perimeter Road Corridor Overlay District (IPR-COD) which has specific architectural and site design standards that pertain to all new development. This property was rezoned to R-P in the 1990's as speculation for either professional offices or residential apartments, as part of the overall master plan related to the approval of Chadwyck Place. The land was cleared as part of the Chadwyck Place construction, but it was never developed. The property is located outside the current FEMA designated 100-year floodplain; however, the adjacent Chadwyck Drive entrance road to the east has a long history of flooding concerns. It is believed that perhaps these concerns have generally hampered development proposals for the property in the past. Such concerns are applicable to any and all development, regardless of the zoning category or the development type. Staff believes that with effort and proper engineering design, development of this property is certainly do-able and any real or imagined concerns can be resolved. Details of the applicant's proposed use of the property are more fully discussed in the CUP Agenda Item. This portion of the Inner Perimeter Road corridor east of North Forrest Street has a much lower intensity of a development pattern than is reflected in the portions to the west toward Bemiss Road and beyond. This is reflected in a development pattern that is dominated by mostly residential and institutional uses with only a few offices or light commercial uses and also a lot of vacant land. This is also reflected in the policies of the Comprehensive Plan, whose Future Development Map labels this area with the less intensive Neighborhood Activity Center (NAC) instead of the more intensive CAC designations to the east and west. As implementation, this is further reflected in the existing zoning patterns of the area which are dominated by R-P and R-10/R-15 Zoning with some commercial zoning being located to the east. The proposed O-P Zoning fits in very well with all of these 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 27, 2020 Regular Meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (10-0 vote).

Travis Carter, 3922 Carolina Circle, spoke in favor of the request. Mr. Carter stated that he and his wife, Bree Carter, are the owner of Bree's Creative Learning Child Care Center and Bree's Creative Learning Pre-School. They have over 12 years of experience. His wife worked at a daycare facility for over six years and they took a leap of faith and decided that they could do that on their own. She had a home daycare that only allowed six children. In six months, they outgrew that and then found a building which they had to come before the City to get it commercialized. That was approved by the Council and then they outgrew that building. In 2018, they opened up their pre-school at another location and they are outgrowing that building. They are turning away children left and right every day. They are hiring people and creating jobs for the community and trying to make Valdosta great. Both centers are two-star quality rated care for the children. They are requesting to build a daycare big enough to hold at least 150 children so that they can consolidate into one daycare. Bree Carter stated that she would also like to work with children with disabilities, and in Valdosta, there are not a lot of facilities that do that. Where she is stationed now, they are not able to provide that quality care because they are so limited. They are in a commercial-building house that was rezoned to a commercial building. This property would be the perfect location for their new building, and they could have classes for children with Autism. They will do whatever the Planning and Zoning Department asks them to do. They would consolidate all of their facilities in this one location and close the other locations down.

Jimmy Cone, Architect, 1804 Plum Street, spoke in favor of the request. Mr. Cone stated that he is the Architect helping the Carter's with a new daycare. They have already got an Engineering firm on board, Lovell Engineering, and they have had a First Step meeting with the different City Departments. The Carter's are ready to

move ahead. Mr. Cone stated that he will also have additional comments when the proposal for the Conditional Use Permit is heard.

No one spoke in opposition to the request.

A **MOTION** by Councilman Howard, seconded by Councilwoman Miller-Cody, was unanimously adopted (7-0) to enact Ordinance No. 2020-3, an Ordinance to rezone 3.56 acres from Residential-Professional (R-P) Zoning District to Office-Professional (O-P) Zoning District as requested by Travis Carter, the complete text of which will be found in Ordinance Book XIV.

ORDINANCE NO. 2020-4, AN ORDINANCE FOR A CONDITINAL USE PERMIT (CUP) FOR A COMMERCIAL DAYCARE CENTER IN AN OFFICE-PROFESSIONAL (O-P) ZONING DISTRICT

Consideration of an Ordinance for a Conditional Use Permit (CUP) for a commercial Daycare Center in an Office-Professional (O-P) Zoning District as requested by Travis Carter (File No. CU-2020-03). The property is located at 3905 Inner Perimeter Road. The Greater Lowndes Planning Commission reviewed this request at their January Regular Meeting and recommended approval (10-0 Vote) with four conditions.

Matt Martin, Planning and Zoning Administrator, stated that Travis Carter is requesting a Conditional Use Permit (CUP) for a commercial Daycare Center in O-P Zoning. The property is located at 3905 Inner Perimeter Road which is at the northwest corner of Inner Perimeter Road and Chadwyck Drive. The property is currently vacant. The applicant is proposing to construct a commercial Daycare Center (7,500 square feet) to accommodate approximately 150 children. The applicant is also seeking concurrent rezoning of this property from R-P to O-P (File No. VA-2020-02) in order to make this CUP eligible under O-P Zoning. The applicant is seeking approval of both of these requests so that they can relocate their existing daycare facilities from Bemiss Road to a site that has possible room for future expansion. The property is located within a Neighborhood Activity Center (NAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of O-P Zoning. The property is also located within the Inner Perimeter Road Corridor Overlay District (IPR-COD) which has specific architectural and site design standards that pertain to all new development. This portion of the Inner Perimeter Road area has a much lower development intensity pattern than most other areas of Inner Perimeter Road particularly west of Bemiss Road. The areas around the property are mostly dominated by residential usage and residential zoning, but with some areas developed with offices and institutional uses such as schools and churches. There is also limited commercial development along the Inner Perimeter Road frontages to the east. Commercial daycare centers are typically found in light commercial areas that have good access to the street system. The property represents a generally good location for this, since it has frontage on both a 4-lane divided arterial, and a local street whose intersection with the divided arterial is at an existing median crossing. The property is located outside the current FEMA designated 100-year floodplain; however, the adjacent Chadwyck Drive to the east has a long history of flooding concerns. It is believed that perhaps these concerns have generally hampered development proposals for the property in the past. Such concerns are applicable to any and all development, regardless of the zoning category or the development type. Staff believes that with sound effort and proper engineering design, development of this property is certainly do-able and any real or imagined concerns can be resolved. At this point, the applicant's proposed site plan is still very conceptual due to many of the engineering variables still being unanswered; however, the overall site is significantly larger than is needed for the proposed facility and there is a multitude of ways to layout the site. The only land use concerns associated with this CUP, are to make sure there is compatibility with the adjacent houses (20' buffer yard required by the O-P Zoning) and that all applicable development standards and design requirements are followed including the special design guidelines of the IPR Overlay District. In this particular case, given the size and location of the property, Staff was not concerned with the final details of the site design, knowing that all of these will be adequately addressed during the Plan Review process. All that remains at this point is to place some upward limits and parameters for the development as a whole. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to the following conditions: (1) Approval shall be for a commercial Daycare Center in O-P Zoning, with a cumulative daycare and possible accessory educational facility not to exceed 10,000 square feet (building area). (2) Playground areas shall be set back at least 30 feet from the property lines of the Chadwyck Place neighborhood to the north. (3) The site shall provide at least two (2) points of access to the adjacent street systems, or as otherwise approved by the City Engineer or the Zoning Board of Appeals. (4)

Conditional Use approval shall expire after two (2) years from the date of approval if no Business License for the approved use has been requested by that date. The Planning Commission reviewed this at their January 27, 2020 Regular Meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to the following conditions (10-0 vote): (1) Approval shall be for a commercial Daycare Center in O-P Zoning, with a cumulative daycare and possible accessory educational facility not to exceed 15,000 square feet (building area). (2) Playground areas shall be set back at least 30 feet from the property lines of the Chadwyck Place neighborhood to the north. (3) The site shall provide at least two (2) points of access to the adjacent street systems, or as otherwise approved by the City Engineer or the Zoning Board of Appeals. (4) Conditional Use approval shall expire after two (2) years from the date of approval if no Business License for the approved use has been requested by that date.

Jimmy Cone, Architect, 1804 Plum Street, spoke in favor of the request. Mr. Cone stated that the Carter's want to build a daycare for 150 children and they had indicated that 7,500 square feet would be able to accommodate it. He has done several daycare facilities and it takes more than 7,500 square feet. It normally takes approximately 10,000 square feet to accommodate 150 children. Mr. Cone asked for Council's consideration in approving 15,000 square feet so that it will allow them room to expand. With the O-P Zoning, there are things that will control the area of the building and the parking lot. On Condition (3), they are still working on that. The Engineer has come up with an alternative to Chadwyck Place to put in a turn lane on Chadwyck Place. They realize there are some issues with that because of the requirement that a daycare center has to be located on a certain type of street and Chadwyck is not that type of street that it takes to put a daycare center. That is one of the reasons that they would have to put another drive on Perimeter Road. They would like the opportunity to explore putting a turn lane on Chadwyck Place which would require a variance for them to be allowed to do that. There is also some concern if they put a driveway onto Perimeter Road because traffic backs up on Chadwyck really bad and there is concern that the daycare center would be used as a shortcut to get from Chadwyck to Perimeter Road. They would at least like to have the opportunity to explore putting in a right turn lane on Chadwyck. Councilman Vickers inquired as to whether they would build the 15,000 square foot building in phases or do it all at one time. Mr. Cone stated that initially they would build the daycare center to accommodate 150 children and then they would like to have the opportunity to add to their facility without having to come back seeking permission to add to it in the future. Councilman Carroll stated that a lot of these details would be worked out during permitting and inquired as to whether these things are something that they should be concerned about. Matt Martin, Planning and Zoning Administrator, stated that Condition No. (3) is worded that way on purpose to allow the flexibility of design with the City Engineer and the Valdosta-Lowndes County Zoning Board of Appeals. There are the Supplemental Standards for Daycare, general engineering design concerns about traffic flow through the site, an Overlay District, and the Georgia Department of Transportation has custody of the State route. There are a lot of variables in the equation and the hope is to work out as much as possible administratively. The failsafe is to take the rest of it to the Zoning Board of Appeals. In terms of the turn lane, there is no variance needed for that because that is part of site design; however, it is the lack of a second driveway that might trigger a variance. There are some things in the Code that they can use to work it but with Condition (3), that might be enough for them. They are going to work with the Carter's the best they can. Councilman Carroll stated that if he lived in Chadwyck Place, he would be concerned because if it is hard to get out of there right now, just imagine if they had 150 children whose parents were trying to drop them off and pick them up. Councilman Howard inquired if the CUP would be for two years. Matt Martin stated that Condition No. (4) has a two-year expiration date. Mark Barber, City Manager, inquired as to whether they would have to expand within that two-year period or if they would have to come back before Council. Matt Martin stated that the Conditional Use would go live and then the conditions ride along on the coat tails. There is no time limit on future expansions.

No one spoke in opposition to the request.

A MOTION was made by Councilman Howard to approve the Greater Lowndes Planning Commission recommendation for a Conditional Use Permit for a commercial Daycare Center in an Office-Professional (O-P) Zoning District as requested by Travis Carter and allow them to build a 15,000 square foot facility with the following four conditions: (1) Approval shall be for a commercial Daycare Center in O-P Zoning with a cumulative daycare and possible accessory educational facility not to exceed 15,000 square feet (building area). (2) Playground areas shall be set back at least 30 feet from the property lines of the Chadwyck Place neighborhood to the north. (3) The site shall provide at least two (2) points of access to the adjacent street systems, or as otherwise

approved by the City Engineer or the Zoning Board of Appeals. (4) Conditional Use approval shall expire after two (2) years from the date of approval if no Business License for the approved use has been requested by that date. Councilwoman Miller-Cody seconded the motion. The motion was unanimously adopted (7-0) to enact Ordinance No. 2020-4, the complete text of which will be found in Ordinance Book XIV.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Mayor Matheson stated that if there was no objection from Council, Agenda Items 4(a) through 4(e) would be considered under a Consent Agenda. There were no objections from Council.

Consideration of bids for a Live Valve Insertion Machine for the Utilities Department (Bid No. 24-19-20).

Greg Brown, Purchasing Agent, stated that the Utilities Department is in need of a "live" valve insertion unit to be used around the City where Staff is not able to shut water off to the main line or fire hydrants. This machine allows for shut off valves to be installed on lines without interrupting customer service. Once the new valves are installed, it will allow for the water to be shut off in cases of emergencies where the pipe is leaking or ruptured. It is in the approved, current year Mayor and Council Budget. Sealed bids were received on January 28, 2020 with the low bid meeting specifications submitted by Hydra top in the amount of \$71,735.

Consideration of bids for a one-half ton Crew Cab Pickup Truck for the Police Department (Bid No. 25-19-20).

Greg Brown, Purchasing Agent, stated that the Police Department needs to replace a 2016 truck that was involved in an auto accident. This truck was used in the Detective Division for undercover purposes. The truck was a total loss and is not repairable due to the cost. The City Manager approved the purchase since the accident happened after the current year Budget was completed and is covered by insurance loss. Sealed bids were received on January 28, 2020 and the low bid meeting specifications was submitted by Langdale Ford in the amount of \$31,041.

Consideration of bids for five Traffic Cabinets for the Engineering Department (Bid No. 26-19-20).

Greg Brown, Purchasing Agent, stated that every year the City must restock its inventory of various specialized parts for traffic maintenance. This bid is for five traffic cabinets that control the traffic signals at each intersection. Sealed bids were received on January 28, 2020 with the low bid submitted by Control Technologies in the amount of \$46,245.

Consideration of bids for a Trailer-Mounted Mobile Televising Unit for the Utilities Department (Bid No. 27-19-20 A).

Greg Brown, Purchasing Agent, stated that the Utilities Department needs to purchase a trailer-mounted mobile televising unit. This unit is a robotic vehicle that is controlled by computer technology that allows the unit to go through water and sewer piping while sending a live picture back to the surface. Also, a recording can be taken while the unit is underground for further reference. This allows for the operator to know if there are any problems underground in the pipes so the appropriate response can be taken. This item is in the current approved Mayor and Council Budget for this Fiscal Year. Sealed bids were received on January 28, 2020 with the low bid meeting specifications submitted by CUES in the amount of \$129,770.

Consideration of bids for a Ford F-550 Truck with a Chipper Body for the Engineering Department (Bid No. 27-19-20 B).

Greg Brown, Purchasing Agent, stated that the Arborist Division of the Engineering Department needs to replace an existing vehicle (2034) due to major electrical problems and age (2005). Also, the mileage and maintenance costs have risen over time and the body has rust issues. This truck is being utilized to haul vegetation and debris to dump sites. There is \$60,000 in the Budget for this purchase. This is in the current Fiscal Year Mayor and Council approved Budget. Sealed bids were received on January 28, 2020 with the low bid submitted by Wade Ford in the amount of \$47,037.

A **MOTION** by Councilman Gibbs, seconded by Councilman Carroll, was unanimously adopted (7-0) to approve the Agenda Items 4(a) through 4(e) under a Consent Agenda.

BOARDS, COMMISSIONS, AUTHORITIES, AND ADVISORY COMMITTEES

Consideration of an appointment to the Central Valdosta Development Authority/ Downtown Development Authority.

Mayor Matheson stated that the Central Valdosta Development Authority and the Downtown Development Authority had a member, Dustin Van Fleet, who resigned due to personal reasons. His term will expire on December 31, 2020. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The only applicant to apply was Daniel Bayman, Owner of The Firm and Gud Coffee.

Mayor Matheson entertained a motion for an appointment to the Central Valdosta Development Authority and the Downtown Development Authority.

A **MOTION** by Councilman Carroll, seconded by Councilman Gibbs, was unanimously adopted (7-0) to appoint Daniel Bayman to fill the unexpired term of Dustin Van Fleet on the Central Valdosta Development Authority and the Downtown Development Authority.

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

Mayor Matheson stated that the Hospital Authority of Valdosta and Lowndes County has a member, John W. Langdale, Jr., whose term will expire on February 1, 2020. The Hospital Authority submitted the following three names for consideration: (1) John W. Langdale, Jr., (2) Cooley Hobdy, and (3) Rabbi Moshe Elbaz). Mr. Langdale has expressed an interest in being reappointed. This appointment was not advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council due to the Hospital Authority By-Laws which require the Hospital Authority of Valdosta and Lowndes County to submit three names to the City of Valdosta for consideration of Mr. Langdale's seat. The above applicants are listed in no order of preference.

Mayor Matheson asked for nominations.

Councilman Norton placed into consideration Cooley Hobdy. Councilman Vickers placed into consideration John W. Langdale, Jr. There being no other nominations, Mayor Matheson closed the nominations. John W. Langdale, Jr. received five votes and Cooley Hobdy received two votes. John W. Langdale, Jr. was reappointed to serve a term of five years on the Hospital Authority Appointment of Valdosta & Lowndes County.

Consideration of appointments to the Valdosta Historic Preservation Commission.

Mayor Matheson stated that the Valdosta Historic Preservation Commission has two members, Tommy Crane and Dr. Harry Hamm, whose terms will expire on February 13, 2020. Both Mr. Crane and Dr. Hamm have expressed an interest in being reappointed. These appointments were advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that were adopted by Mayor and Council.

Mayor Matheson entertained a motion for appointments to the Valdosta Historic Preservation Commission.

A **MOTION** by Councilman Norton, seconded by Councilman Carroll, was unanimously adopted (7-0) to reappoint Tommy Crane and Dr. Harry Hamm to serve a term of three years on the Valdosta Historic Preservation Commission.

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

Mayor Matheson stated that the Valdosta-Lowndes County Conference Center & Tourism Authority has a member, Rob Evans, whose term expired on December 31, 2019. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The only applicant to apply was Rob Evans, Architect and Owner of IPA Incorporated.

Mayor Matheson entertained a motion for an appointment to the Valdosta-Lowndes County Conference Center & Tourism Authority.

A MOTION by Councilman Carroll, seconded by Councilwoman Tooley, was unanimously adopted (7-0) to reappoint Rob Evans to serve a term of three years on the Valdosta-Lowndes County Conference Center & Tourism Authority.

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

Mayor Matheson stated that the Valdosta-Lowndes County Land Bank Authority has a member, H. Burke Sherwood, Sr., whose term expired on January 31, 2020. Mr. Sherwood has expressed an interest in being reappointed. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The only applicant to apply was Mr. Sherwood.

Mayor Matheson reappointed H. Burke Sherwood, Sr. to serve a term of four years on the Valdosta-Lowndes County Land Bank Authority.

Consideration of an appointment to the Metropolitan Planning Organization (MPO) Citizens Advisory Committee.

Mayor Matheson stated that the Metropolitan Planning Organization (MPO) Citizens Advisory Committee had a member, Dr. Richard Saeger, who resigned. Members on this Committee serve at will. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The only applicant to apply was Kathleen Hodges, Workshop Coach at Weight Watchers.

Mayor Matheson entertained a motion for an appointment to the Metropolitan Planning Organization (MPO) Citizens Advisory Committee

A MOTION by Councilwoman Miller-Cody, seconded by Councilman Carroll, was unanimously adopted (7-0) to appoint Kathleen Hodges to serve at will on the Metropolitan Planning Organization (MPO) Citizens Advisory Committee.

CITIZENS TO BE HEARD

Paul Hamilton, 2918 North Oak Street, stated that he was here with his ex-wife, Dr. Kathleen Coleman, who owns a residence at 319 Crestview, which is where her mother lives. It has come to their attention within the last month or so that there is a substance abuse treatment center house that is directly behind her home. There are eight men living in this facility. He did not think that they had applied for any type of Conditional Use Permit, and it is zoned Residential. He did not think it was permitted under the Land Development Regulations. He wanted to bring this to the attention of Council. He has previously spoke with Mayor Matheson as well as Matt Martin, Planning and Zoning Administrator. The enforcement mechanism is with the City as an authority to look into this situation. He looked at their website and actually spoke with someone. It is called Southern Cross Recovery and their website says they are a recovery house for those who want to get sober. They are running a facility in a residential neighborhood in the backyard where his children play. This is of great concern to them as parents and he hopes that it will be of great concern to the Council as well. He does not have anything against people who are going through recovery. He is a Criminal Defense Lawyer and he does not know if these people have criminal records; however, if they have a substance abuse problem then the chances are pretty good that they do. It comes with theft and things of that nature and they are very uncomfortable having this type of operation in their backyard.

There are people here tonight who do not want a cell phone tower in their neighborhood, and they do not want eight men with substance issues in their backyard. Dr. Coleman stated that she was concerned about safety because there was no barrier between that property and her mother's house and her children stay there after school every day. They can directly see into their backyard and vice versa. She routinely sees men walking around out there and she no longer feels safe to let her children play back there. Councilman Carroll stated that there are some who are looking to file an appeal on the administrative ruling for this particular piece of property. Technically it will not come before Council and it will go back before the Valdosta-Lowndes County Zoning Board of Appeals (ZBOA). Mr. Hamilton stated that he thought that had to do with whether they can rehabilitate the shelter that is in the back. Councilman Carroll stated that the use was an administrative decision by the Zoning Administrator and that is what is going to be challenged so it would go before the ZBOA. Mr. Hamilton stated that he thought they would have to ask for a Conditional Use Permit or something to operate in this fashion.

Kyla Page, 3103 Falling Leaf Lane, stated that she understands there is a future decision to be made about curbside recycling. As Vice President for Students for Change at Valdosta High School and an active member of the Recycling Club, they fought a hard game to get recycling bins at Valdosta High School. This issue is disheartening for her. She understands the reasons behind the decision. They have lost a major trading partner and recycling is very costly. Cost does not compare when your children and grandchildren will be living in a society that is not sustainable. There are signs across the City about making Valdosta glitter so there should not be a question when you are considering our landfills with more waste than necessary. There are possible solutions to help this situation such as installing areas around the City where citizens can dump their recycled goods. This will cut down on the amount of trucks sent out to pick up these materials. States like Virginia are taking action by establishing a plan where they passed a Bill that incentivizes large recycling beneficial use plants such as the paper mills and glassware companies. We do not have to be dependent on others to have a sustainable City. We have to be dependent upon ourselves. Without curbside recycling, we are removing convenience from the City of Valdosta. As human beings with busy, active lives, making recycling inconvenient will ultimately decrease the amount of recycling as a whole. That is not something that they want. Ms. Page stated that she hopes that in future meetings and discussion about this issue, the City Council will consider her frustration and how this will affect all citizens who participate in recycling. As a community, we want to work with Council on this matter so that we can come to a conscious decision that will benefit everyone.

Dr. Michael Noll, 2305 Glyndale Drive, stated that there were members in the audience who are concerned about recycling. They are proud to be citizens of Valdosta because there are so many programs that we already have that other communities do not. For example, the City has yard waste recycling near Valdosta State Prison where yard debris is turned into mulch and it is provided to citizens for free. The City has a drop off site at Gil Harbin Industrial Boulevard for hazardous waste such as old paint or other chemicals. There is a curbside recycling program that makes us special and that is something that there are very concerned about. Valdosta also stands out among other communities because we have more than six megawatts of solar power. On January 1, 2018, our biggest customer of recycling dropped off and it has put many communities in the United States and Europe into a situation where we are all struggling. Dr. Noll stated that he wanted to reach out to the Council and pull in students from Valdosta High School and Valdosta State University to help make the recycling program work. Every single bottle made from glass or plastic or any aluminum can that ends up in the landfill is a step in the wrong direction. Should we indeed come to the point where the curbside recycling program is cancelled, less people will do the recycling because it takes an effort to take it somewhere else. If they have to do that, they will have to use their own gasoline to get there. These are cost and logistical issues; however, there are lots of good ideas out there. Dr. Noll asked for Council's consideration in working together with them on this issue in order to find a solution.

Leigh Touchton, 610 Mack Drive, stated that she echoed everything that Dr. Noll said about the recycling program and wanted to add just a couple of things. If the Valdosta City Council could go out and find recyclers themselves, then they could bring them in as a business. That would be worthwhile to our community. They would produce a product like plastic two by fours that people could use to build decks. Another idea that other communities are doing, especially if they are on or near the ocean, is to ban the single use plastic bags. This will decrease the amount of refuse that has to go into the landfill and it also keeps our waterways clean.

Gretchen Quarterman, 6565 Quarterman Road, thanked the City of Valdosta for their 200-gallon wastewater spill that occurred today. She also wanted to say thank you for the Press Release that was sent out in a timely fashion.

CITY MANAGER'S REPORT

Mark Barber, City Manager, stated that there was a sewer discharge in front of Valdosta State University near McKey Park. There was a fats, oils, and grease clog that caused a 200-gallon discharge. The majority of that was cleaned up by the vacuum truck at the bridge on Oak Street. The Fats, Oils, and Grease Division was approved by the Council several years ago to address this issue and educate restaurants on this. There are some residences that do contribute to this, but it is mostly restaurants. Those who are caught dumping fats, oils, and grease down the drain are fined. All of the appropriate regulations for the spill today were followed in accordance with the Georgia Environmental Protection Division. The Press Release was sent out in a short period of time and City Staff will continue to monitor and post results on the City's website.

The Valdosta Youth Council will travel to Atlanta tomorrow for their Legislative Trip and photo op with Governor Brian Kemp. They will also be visiting the Martin Luther King, Jr. Memorial. It should be a great day for all of the students who participate in the Valdosta Youth Council.

There will be neighborhood walks with the Police Chief and Fire Chief beginning in District 2 in March. Citizens are encouraged to participate.

There is a "Love Downtown" Campaign and for every \$25 citizens spend they will be entered into a \$250 drawing for Downtown dollars. There is also a heart lock at the entrance to Bennie's Alley that is very popular and has received national attention.

The first official U. S. Census meeting will be held on Wednesday, February 12, 2020 at 3:00 p.m. in the City Hall Annex Building Multi-Purpose Room. We are hoping that we will have some key players involved along with our State Representative Thad Wright to speak to the group.

The Food Truck Thursday will begin March 19, 2020 and continue all the way to October 15, 2020.

Mark Barber, City Manager, stated that we are not doing away with recycling and it is not under consideration. Council has not even had an opportunity to discuss recycling, but that will be a topic of conversation at the Mayor and Council Retreat.

COUNCIL COMMENTS

Councilman Gibbs thanked Dr. Michael Noll and others for showing up tonight and stated that we will do everything we can to keep recycling in our community. We need citizens to take advantage of the recycling program. If everyone would do their part and quit complaining, then we would actually be able to do some things to make it worthwhile for other people to want to come in and get our recycling. Councilman Gibbs stated that a lot of times he sits back and does not say much when some things happen in our community, but he would like for people to press pause before they start throwing blame on other people and the City of Valdosta such as blaming the City for the 200-gallon sewage spill. If our businesses would utilize what they are supposed to and put the grease where it should go, we would not have this type of situation. To thank the City of Valdosta for having this type of spill is wrong when we are not the one causing the spill because we do not go pour grease down traps. We need to make sure that everyone understands that because we are all in this together. When people start pointing fingers at each other that is where the problems begin. We are all in this to try to make our community better and we need citizens to help us make it better by keeping everyone accountable for it. We do not need to throw blame on certain people for things that happen. Councilman Gibbs also thanked the Department Heads and the Public Information Office for making sure they keep Council up-to-date on the City's website and Facebook page. They have done a great job.

Councilwoman Tooley stated that she wanted to thank the Valdosta Police Department and the City Manager for deciding to have the Neighborhood Walk in her District in March. That was something she has been talking to the citizens about and they are looking forward to it so they can get to know each other and make our City better. Also, the volunteers at South Street Community Care House will be hosting a luncheon for City employees on February 28, 2020 from 11:00 a.m. to 1:00 p.m. at the Parks and Recreation Authority Office located at 1901 North Forrest Street. They like to give back to the City employees and show their appreciation for all of their hard work.

Mayor Matheson thanked Mayor Pro Tem Carroll for starting the Council Meeting for him tonight while he was traveling back from the newly elected officials training in Tifton.

ADJOURNMENT

Mayor Matheson entertained a motion for adjournment.

A MOTION by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (7-0) to adjourn the February 10, 2020 Meeting of the Valdosta City Council at 7:20 p.m. to meet again in Regular Session on Thursday, February 20, 2020.

City Clerk, City of Valdosta

Mayor, City of Valdosta