

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, OCTOBER 8, 2020
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

Mayor Scott James Matheson called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Joseph “Sonny” Vickers, Sandra Tooley, Tim Carroll, Eric Howard, and Vivian Miller-Cody. Councilman Ben Norton and Councilman Andy Gibbs were absent. Tim Tanner, City Attorney, was also absent and Attorney Jeremy Baker with Coleman Talley, LLP filled in for the City Attorney. The invocation was given by retired Pastor William Morgan, followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

Consideration of the October, 2020 Employee of the Month Award (Detective Dontrae Childs, Valdosta Police Department).

Police Chief Leslie Manahan stated that Dontrae Childs began his employment with the City of Valdosta in September of 2011. Detective Childs started his career as a Patrol Officer and then transferred to the Bureau of Investigations where he has been a Detective in the Burglary Unit. The Burglary Unit is responsible for investigating burglaries and motor vehicle thefts. Because of his outstanding investigative skills, Detective Childs has recently been transferred to the Person’s Crime Unit where he will now be investigating homicides, robberies, rapes, and aggravated assaults. Not only does Detective Childs serve his community as a Law Enforcement Officer, but he also serves his country as a member of the United States Army Reserves. Detective Childs was nominated by his Supervisor for going above and beyond to help a young family who fell victim to a crime. On July 28, 2020, Detective Childs was conducting a burglary investigation in which a mother and her five minor children were victims of a burglary. Through his investigation, he found out that this family had been homeless and had just moved into a home with Habitat for Humanity. The family did not have many belongings, but one of the items that was taken in the burglary was a television. This really hit Detective Childs hard and because of this, he took it upon himself to go to Target where he purchased the family a television out of his own personal funds. His actions, not only on this occasion but all the time, exemplify what public service is about. It is for this reason and many others that the Employee Relations Committee nominated Dontrae Childs as Employee of the Month.

APPROVAL OF MINUTES

The minutes of the September 24, 2020 Regular Meeting were approved by unanimous consent (5-0) of the Council.

PUBLIC HEARINGS

ORDINANCE NO. 2020-14, AN ORDINANCE TO REZONE TWO PARCELS TOTALING 14.39 ACRES FROM SINGLE-FAMILY RESIDENTIAL (R-10) TO COMMUNITY-COMMERCIAL (C-C) ZONING

Consideration of an Ordinance to rezone two parcels totaling 14.39 acres from Single-Family Residential (R-10) Zoning to Community-Commercial (C-C) Zoning as requested by Clayton Milligan (File No. VA-2020-10). The property is located at 2061 and 2131 East Park Avenue. The Planning Commission reviewed this at their September 28, 2020 Regular Meeting and recommended approval (10-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Clayton Milligan is requesting to rezone two parcels totaling 14.39 acres from Single-Family Residential (R-10) Zoning to Community-Commercial (C-C) Zoning. The property is located at 2061 and 2131 East Park Avenue, which is along the north side of the road between J. L. Newbern Middle School and Scintilla Charter Academy. The property is currently vacant, and the applicant is proposing to develop a 60-unit Assisted Living and Memory Care residential facility on the easterly parcel (7.39 acres). This facility is planned to be a campus setting consisting of three separate one-story buildings which will each house 20 residents. The westerly parcel (7.00 acres) currently has no plans for development, but

the rezoning is being requested in order to make its zoning consistent with adjacent properties as well as expand its marketability for the future. The property is located within a Neighborhood Activity Center (CAC) Character Area on the Future Development Map of the Comprehensive Plan, which allows the possibility of C-C Zoning when the property is located on a Collector or Arterial Roadway. This segment of East Park Avenue is classified as a "Minor Arterial." In terms of land use pattern, this portion of East Park Avenue is dominated by the J. L. Newbern Middle School, Scintilla Charter Academy, and also the west entrance to Valdosta High School. There is also an abundance of vacant land as well as a widely scattered development pattern consisting of churches, offices, a few single-family homes, and also some commercial businesses. In terms of zoning pattern, most of the properties are still zoned Single-Family Residential (including the three schools), but there is also some C-C and C-N zoned properties nearby with more intensive C-H Zoning located closer to Inner Perimeter Road and Jaycee Shack Road. Continued single-family development with direct access to East Park Avenue is no longer appropriate here. These existing R-10 and R-15 Zoning areas are "non-compliant" with the designated NAC character area on the Future Development Map, which calls for development to be of a little higher density or intensity of use. For the subject property, it is located within a pocket of land that is bounded on two sides by existing schools with the only means of access coming directly from East Park Avenue. C-C Zoning is acceptable here given this arrangement and the presence of other C-C and C-N Zoning that is adjacent or a short distance away. This corridor is certainly not planned to become an intensive commercial corridor, but a few light-commercial uses in these pocketed areas are appropriate for the overall characteristics of the area and would help serve future non-commercial development along the corridor. 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 September 28, 2020 Regular Meeting, found it inconsistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (10-0 vote).

Clayton Milligan, Civil Engineer, spoke in favor of the request. Mr. Milligan stated that Matt Martin, Planning & Zoning Administrator, did a great job in laying out what they are planning to do and how the properties will be used. Councilwoman Miller-Cody inquired as to how soon the Project would begin. Mr. Milligan stated that the design is already underway, and the team has been working on the actual floor plan for these units for quite some time. It is specifically designed for memory-care.

Kevin King, Developer, spoke in favor of the request. Mr. King stated that they are in the process of completing the design and anticipate that it will take 6-12 months to complete all of the buildings.

No one spoke in opposition to the request.

A MOTION by Councilwoman Miller-Cody, seconded by Councilman Howard, was unanimously adopted (5-0) to enact Ordinance No. 2020-14, an Ordinance to rezone two parcels totaling 14.39 acres from Single-Family Residential (R-10) Zoning to Community-Commercial (C-C) Zoning as requested by Clayton Milligan, the complete text of which will be found in Ordinance Book XIV.

LOCAL FUNDING AND REQUESTS

Consideration of a Request for Qualifications (RFQs) to provide a public transit system for the City of Valdosta.

Richard Hardy, Public Works Director, stated that for the past several years, it has been a goal of the Mayor, Council, and City Manager to provide the citizens of Valdosta with a public transit system. The City utilized the Request for Qualification (RFQ) Competitive Sealed Proposal method to procure transit services for the City of Valdosta. The RFQ was sent out July 10, 2020. There were two companies who expressed an interest. River North Transit, LLC, a subsidiary of Via Transportation (New York, NY), and HBSS Connect Corporation (Lowell, MA). The Selection Committee, which consisted of Mayor Scott James Matheson, Councilwoman Sandra Tooley, Councilman Eric Howard, Councilman Andy Gibbs, City Manager Mark Barber, Public Works Director Richard Hardy, Finance Director Chuck Dinkins, and the Valdosta-Lowndes MPO Transportation and Environmental Director Corey Hull, were provided an evaluation package and instructions on September 1, 2020. The Selection Committee read and scored each of the submittals separately. The Committee met on September 22,

2020 and River North Transit, LLC (Via) was determined unanimously to have the highest score. As required by the process, subsequent to the scoring, the sealed Transit Services fee was opened. The sealed fee submitted was \$766,000 for year-1 which consists of 9-months and \$1,082,000 for each additional year. The Committee met again on September 30, 2020 to conduct a final interview with River North Transit, LLC (Via). Following the interview, the Committee unanimously agreed to move forward with the recommendation of River North Transit LLC (Via) to provide transit services to the City of Valdosta. Public transit has been an ongoing goal of the Mayor, Council, and management and it is intended to provide City-wide transit services for its citizens. Communities that were researched have experienced great success with this concept. The 5307 Program is set up to fund 80% of eligible costs for local urban transit systems. For FY 21, the City is eligible for the Coronavirus, Aid, Relief, and Economic Security (CARES) Act funding which will fund 20% of local transit for a total of 100% for the current fiscal year. In Valdosta's case, the first year's program (which consists of 9 months and a total estimated cost of \$766,000) would be funded at \$612,800 (or 80% of \$766,000) by 5307 Federal Funding and \$153,200 (or 20% of \$766,000) by CARES assuming all costs are deemed eligible. In FY 22, which would be the first full year program, the City's transit would be funded \$865,600 (or 80% of \$1,082,000) by 5307 Federal Funding. The remaining \$216,400 would be the responsibility of the City. The portion of the City's responsibility can be mitigated via advertising, additional grants, in-kind service agreements, T-SPLOST, and fares for service. Richard Hardy, Public Works Director, recommended that Council approve the recommendation of the Selection Committee of River North Transit, LLC (Via) to provide transit services to the City of Valdosta.

Councilman Vickers inquired as to when the public transit would go into effect. Richard Hardy, Public Works Director, stated that once this is approved, they will enter into contract negotiations. They will work through the number of vehicles, drivers, hours, and staging area, and then bring the contract back before Council for approval. Councilman Vickers inquired as to how the citizens would get in touch with the service and what form of transportation would be used. Richard Hardy stated that citizens could call in for the type of service they needed such as wheelchair access and the vehicle that shows up would have that capability to provide for that type of need. They will have vehicles such as a Caravan, a Pacifica van, and a compact car. It would be based on the needs of the individual that calls for the service. Citizens will also be able to use an app on their cell phone or they could call in directly to Customer Service. Councilman Vickers inquired as to where the vehicles would be housed. Richard Hardy stated that was one of the discussion points that would be taken care of during the contract negotiations. Councilman Vickers inquired as to when the nine months would start. Richard Hardy stated that for FY 21, they were looking at October to July. They have already moved into October, but once they settle on the contract, Via will pro rate the amount based on the timeframe.

Mark Barber, City Manager, stated that the system they are looking at is called "on demand" or "micro transit" system. We are not starting out with a "fixed route" system because those are highly expensive to maintain, and they are somewhat antiquated now. There are a lot of communities moving to what we are doing; however, a "fixed route" is not being ruled out. Once the transit company gets here and gets settled, we will see where the ridership truly is and perhaps then we will have a "fixed route" that goes up Ashley Street and down Patterson Street to the hospital and doctor offices. There is a new thing called a "virtual bus stop" and if we have an area that has four or five people who have called in, the transit unit will ask them to meet the vehicle on the corner of a certain street and all four or five people will be picked up at one time. Mark Barber stated that tonight, we are asking Council to allow us to begin contract negotiations with Via Transit. There are a lot of details that still need to be worked out, but we need authorization from Council to begin that process. We will keep Council and the public informed each step of the way. If it is approved tonight, we will immediately have a "Frequently Asked Questions" series that will be placed on the City's website for people to look at. Councilwoman Miller-Cody inquired about the type of vehicles that will be used. Mark Barber stated that due to COVID-19 everything has been scaled down. Via Transit first presented to us a Pacifica mini-van for now. We have looked a lot at Wilson, North Carolina because they are very similar to us. They can only get two people in one of those vehicles. For handicapped people, we would have to have something larger than a Pacifica mini-van. Once the negotiations are complete, it will be a turnkey operation. We will not own the vehicles and we will not own the software. Via Transit will come into town the next morning and we will have public transit. Councilwoman Miller-Cody inquired as to whether we would negotiate the fee for riding. Mark Barber stated that would also be discussed. The only way that this will be successful is if people take public transportation because we cannot subsidize this with tax dollars or General Fund dollars. We will have to find ways to fill the \$216,000 gap that will happen next year;

however, this is very doable. In 2016, we did a survey and the gap was approximately \$750,000 which shut down the talk of public transportation. Councilwoman Tooley stated that we will be re-evaluating it every so often to see where we are at and how it is working. This is a start and we may need to make a few adjustments along the way. Councilwoman Miller-Cody inquired as to whether there would be a trial run like what was done in the past with the bus. She rode that one several times and it would transport people to work but when they got off of work that evening, they had to pay someone else to take them home because the transit people were not working at that time. Mark Barber stated that the beauty of this company is that citizens will be able to pre-plan their trip. For example, a company may have employees that need transportation to work, so we will ask the company to purchase vouchers through this public transit system so the employees will not have to worry about how they will get to work. Via is a world-wide transit system and they have experienced all of this. They also help with grants and marketing. Mayor Matheson stated that they will be reaching out to LARC and LAMP and other charities as well. LARC is talking about 20,000 rides a year. Mark Barber stated that he told the Selection Committee that this is our one shot to have public transit and it has to be successful. Councilman Vickers stated that this is something we have been looking at for years and this is the closest we have ever gotten due to the cost so we need the support of everyone.

A MOTION by Councilwoman Tooley, seconded by Councilman Howard, was unanimously adopted (5-0) to approve the recommendation of the Selection Committee of River North Transit, LLC (Via) for \$766,000 for year-1 which consists of 9-months and \$1,082,000 for each additional year to provide transit services to the City of Valdosta.

CITIZENS TO BE HEARD

Elsie Napier, 2319 Corey Drive, stated that she currently serves as First Vice President for the Concerned Clergy of Valdosta-Lowndes metropolitan areas. Their President is Pastor Bruce Francis and the Second Vice President is Pastor Bernard Robinson. Ms. Napier asked members of the Concerned Clergy who were present to please stand. Ms. Napier thanked the Mayor, City Councilmen, and the City Manager for allowing her to speak briefly about some of their concerns as it relates to the incident between Mr. Antonio Smith and Sgt. (now Lt.) Billy Wheeler. Some of you may be saying to yourselves, no, not again, but yes, again. They are here because they truly feel that accountability, transparency, and honesty are pillars essential to helping our great City to grow and to thrive. James 4:7 tells us that if anyone knows good, they ought to do it and if one does not do it, it is sin for them. The Concerned Clergy believe their request for accountability and honesty from our governmental and law officials is the right thing to do. For not to do so, especially in times as these, is a price they would rather not pay. The world witnessed earlier this year the actions taken by Lt. Wheeler against a citizen who was not posing a threat, not being aggressive in any way, and was complying with the Officers already on the scene. Lt. Wheeler's aggressive conduct towards Mr. Smith exemplified at the least, conduct unbecoming of an Officer. To their knowledge, Lt. Wheeler has not made any statement of remorse or shown any accountability for his actions. Thereby, the Concerned Clergy fervently request that he be demoted with a pay reduction and be restricted from working within the community at large. Lt. Wheeler's conduct violation not only set a poor example for the subordinates already at the scene, but also for other young recruits who will view that video. Lt. Wheeler's conduct and subsequent promotion gives the impression within our community that this type of Police violation is acceptable and even warrants rewards other than reprimands. She believes that she speaks for the vast majority of the citizens when she says that we need our Police Officers. We thank them for their service and for the sacrifices that they make sometimes putting themselves in harms way. Yes, they believe the vast majority of our City's proud Officers serve with great integrity, honesty, empathy, and the ability to make good choices even in stressful situations; however, one or two Officers who fail to use good judgment also reflects poorly on the entire Police force and needs to be rectified swiftly to maintain community trust. We cannot look the other way and keep silent when one is found blatantly in error. It only breeds more discontentment, disconnect, mistrust, and potential injustice towards the people whom we have sworn to protect. It is our fervent prayer that you strongly consider their recommendations.

CITY MANAGER'S REPORT

Mark Barber, City Manager, stated that there will be a River Clean Up on Saturday, October 10, 2020 and we are hoping to have 100 volunteers for this event.

The Makers Market will be held on Saturday, October 10, 2020 from 9:00 a.m. to 1:00 p.m. at the historic Lowndes County Courthouse Square. We will have over 30 vendors selling a variety of items.

The Valdosta Police Department and the Valdosta Fire Department will be hosting another Neighborhood Walk on Wednesday, October 14, 2020 from 3:00 p.m. to 5:00 p.m. in the Pineview Drive and Deborah Drive area. These Neighborhood Walks have been very successful.

COUNCIL COMMENTS

Councilman Howard stated that he would like for everyone to remain vigilant when it comes to COVID-19. It is not going anywhere, and everyone should continue to practice the things that are effective such as wearing a mask, social distancing, and washing your hands. Also, we need to be kind to others because we do not know who has gone through this. We need to be careful with our comments and continue to pray that we can get back to normal.

ADJOURNMENT

Mayor Matheson entertained a motion for adjournment.

A MOTION by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (5-0) to adjourn the October 8, 2020 Meeting of the Valdosta City Council at 6:07 p.m. to meet again in Regular Session on Thursday, October 22, 2020.

City Clerk, City of Valdosta

Mayor, City of Valdosta