

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, APRIL 8, 2021
301 EAST CENTRAL AVENUE

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, Ben Norton, Tim Carroll, Eric Howard, and Vivian Miller-Cody. Councilman Andy Gibbs was absent. The invocation was given by Pastor Martin Collins, Image of God Ministries, followed by the Pledge of Allegiance to the American Flag.

AWARDS AND PRESENTATIONS

Fire Chief Brian Boutwell stated that Lieutenant Robert Mercer was nominated for the Employee of the Month Award for actions above and beyond what is required and expected. Utilizing contacts made through outside training opportunities, Lt. Mercer was able to acquire specialized Hazardous Materials equipment at no cost to the City. These units will identify toxic industrial chemicals, narcotics, explosives, precursors, and more. This donation to the City of Valdosta Fire Department represents an approximate value of \$207,000. These items were donated after Lieutenant Mercer became aware of the pending cycling out of equipment from Naval Surface Warfare. The equipment was received three weeks after his first inquiry. These tools will greatly increase the ability of the Valdosta Fire Department to correctly and promptly identify unknown products and initiate mitigation procedures. They are also designed to be easily used while in protective clothing. Lieutenant Mercer’s effort to go above and beyond has raised the Valdosta Fire Department’s capabilities and will provide for safer hazardous material operations in the future. It is for this reason and many others that the Employee Relations Committee nominated Lt. Robert Mercer as the April Employee of the Month.

APPROVAL OF MINUTES

The minutes of the March 25, 2021 Regular Meeting were approved by unanimous consent (6-0) of the Council.

PUBLIC HEARINGS

ORDINANCE NO. 2021-2, AN ORDINANCE TO AMEND THE FUTURE DEVELOPMENT MAP OF THE GREATER LOWNDES COMPREHENSIVE PLAN AND CHANGE THE CHARACTER AREA DESIGNATION OF APPROXIMATELY 30 ACRES FROM NEIGHBORHOOD ACTIVITY CENTER (NAC) TO INDUSTRIAL ACTIVITY CENTER (IAC)

Consideration of an Ordinance to amend the Future Development Map of the Greater Lowndes Comprehensive Plan and change the Character Area designation of approximately 30 acres from Neighborhood Activity Center (NAC) to Industrial Activity Center (IAC) as requested by Inman Solar, Inc. (File No. VA-2021-01). The property is located on the east side of Ulmer Avenue between New Statenville Highway and South Patterson Street. The Planning Commission reviewed this at their March 29, 2021 Regular Meeting and recommended approval (5-4 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Inman Solar, Inc. is requesting to amend the Future Development Map (FDM) of the Greater Lowndes Comprehensive Plan by changing the Character Area designation of approximately 30 acres of land from Neighborhood Activity Center (NAC) to Industrial Activity Center (IAC). The properties are currently vacant and located along the east side of Ulmer Avenue, between New Statenville Highway and South Patterson Street. The properties are currently zoned Residential-Professional (R-P). The applicant is requesting this amendment in order to make these properties eligible for industrial (M-1 or M-2) Zoning, which is necessary for the applicant’s proposed development. The applicant is ultimately proposing to lease this property and construct a large solar array consisting of more than 20 acres, plus access roads, equipment, and buffer areas. If the FDM Character Area amendment is approved by City Council, then the applicant’s next step would be to seek rezoning of the property to either M-1 or M-2, which is required for the array but would allow for other industrial uses as well. It should be pointed out that this property is part of the proposed pathway

for the South Valdosta truck bypass route which will connect Gil Harbin Industrial Blvd with Clay Road and Howell Road. The final approved alignment of this route will likely affect the applicant's final proposed development. There have been numerous discussions between Staff and the Applicant regarding this proposed array, as well as the proposed truck bypass. The Applicant has gone to great lengths to incorporate some flexibility in their design, as well as leave open a 200' wide pathway traversing the eastern parts of the property for this truck bypass although this is not necessarily the final pathway that will be chosen by the Georgia Department of Transportation (GDOT). The Applicant has also indicated they are willing to leave a strip (at some reasonable depth) of the original NAC character area along the east side of Ulmer Avenue to further augment their proposed buffer between their array and the Little Miami neighborhood. This is very commendable; however, it should be made very clear that the current proposal is to amend the City's Land Use Policy as reflected on the Comprehensive Plan's Future Development Map for this area. It is not for direct consideration of an actual rezoning nor even the final use of the property, which is a large solar array, nor even the proposed layout plan for any type of potential future development. At this stage, it is strictly a proposed amendment to the Land Use Policy for this area. Because of the very sharp differences between these Character Areas, Staff's primary concern with the proposal is that it would open up all of this property for the possibility of industrial zoning and all of its potential uses even after the lease term for the solar array has expired. This proposal would also preclude the possibility of any future rezoning to Residential or light zonings such as O-P or C-N, whose development could be beneficial to the Little Miami neighborhood and the Ulmer Avenue corridor. Furthermore, there is simply no need for any additional Industrial Zoning areas in the City Limits, whether it be for the applicant's proposed use or any other use that is customary to M-1 or M-2 Zoning. The City currently has many hundreds of acres of undeveloped Industrial Zoning, as well as currently vacant industrial properties that are in severe need of redevelopment. Therefore, Staff is fundamentally opposed to this proposed change to create 30 acres of more Industrial Activity Center (IAC) Character Area at this time. Staff would also be very opposed to adding any industrial acreage in proximity to the Little Miami neighborhood and with direct access to Ulmer Avenue. Staff would further be opposed to consuming this much prime developable acreage (with public infrastructure already in place to support urban development), for use as a large solar array that should have ample alternative locations more appropriate and not displace this much potential development under the NAC Character Area guidelines. Staff found the request inconsistent with the Comprehensive Plan and the map amendment review criteria, and recommended denial. The Planning Commission reviewed this at their March 29, 2021 Regular Meeting, found it consistent with the Comprehensive Plan and the map amendment review criteria, and recommended approval to the City Council (5-4 vote).

George Garnett, 310 Kelly Drive, spoke in favor of the request.

Steve Sharello, Inman Solar, 790 Clement Drive, Atlanta, spoke in favor of the request.

No one spoke in opposition to the request.

A **MOTION** was made by Councilman Carroll to approve an amendment to the Future Development Map of the Greater Lowndes Comprehensive Plan and change the Character Area designation of approximately 30 acres from Neighborhood Activity Center (NAC) to Industrial Activity Center (IAC) as requested by Inman Solar, Inc. Councilwoman Tooley seconded the motion. The motion was adopted (4-2) with Councilman Vickers and Councilman Norton voting in opposition to enact Ordinance No. 2021-2, the complete text of which will be found in Ordinance Book XIV.

ORDINANCES AND RESOLUTIONS

AN ORDINANCE TO AMEND THE CITY OF VALDOSTA ALCOHOL ORDINANCE, CHAPTER 6 – ALCOHOL BEVERAGES, ARTICLE II – LICENSES, SECTION 6-37 – LOCATION OF ALCOHOLIC BEVERAGE BUSINESSES (FIRST READING)

Consideration of an Amendment to the City of Valdosta Alcohol Ordinance, Chapter 6 - Alcoholic Beverages, Article II - Licenses, Section 6-37 - Location of Alcoholic Beverage Businesses. (First Reading)

Mark Barber, City Manager, stated that the City of Valdosta is responsible for regulating the renewal and issuance of alcohol licenses, including Retail Package licenses, within the City Limits of Valdosta. Chapter 6, Alcoholic Beverages, of the City of Valdosta's Municipal Code regulates the sale of alcoholic beverages in

accordance with O.C.G.A. Title 3, Alcoholic Beverages. This industry has undergone significant changes in recent years and Valdosta has experienced growth in this sector. This has presented the City with the challenge of ensuring that the alcohol license process remains effective and continues to grant licenses appropriately. Appropriate licensing decisions are particularly important for retail package stores given their impact on the surrounding area. In October of 2019, the City Council adopted a Moratorium on the issuance of new alcohol licenses for Retail Package Stores within the City of Valdosta to allow City Officials time to study its current regulations and procedures to determine if these sufficiently serve the public interest. Locations of existing Package Stores within the Valdosta City Limits were inventoried and mapped. A comparative analysis was performed regarding the spacing requirements of these businesses and how Valdosta compares with other communities in Georgia. All of these issues and findings were discussed at the City Council's recent Strategic Initiatives Summit, and certain Amendments to the City of Valdosta Alcohol Ordinance are now being proposed. Mark Barber, City Manager, stated that this is the First Reading so no action will be taken by Council.

AN ORDINANCE TO AMEND THE CITY OF VALDOSA ALCOHOL ORDINANCE, CHAPTER 6 – ALCOHOLIC BEVERAGES, ARTICLE II – LICENSES, SECTION 6-37 – LOCATION OF ALCOHOLIC BEVERAGE BUSINESSES AND ADD SUB-SECTION D – DOWNTOWN VALDOSTA ENTERTAINMENT DISTRICT (FIRST READING)

Consideration of an Amendment to the City of Valdosta Alcohol Ordinance, Chapter 6 - Alcoholic Beverages, Article II - Licenses, Section 6-37 - Location of Alcoholic Beverage Businesses, and add Sub-Section D - Downtown Valdosta Entertainment District. (First Reading)

Ellen Hill, Main Street Director, stated that the Valdosta City Council made it a goal during the 2020 Strategic Initiatives Summit to revise the Entertainment Ordinance for Downtown Valdosta to accommodate Special Event privileges and an Action Item during the FY22 Strategic Initiatives Summit to present an Entertainment Ordinance for Downtown Valdosta to accommodate Special Event privileges. The purpose of the Entertainment District is to help support and sustain Downtown Valdosta's established arts and cultural activities and help promote and generate new arts and cultural activities. With our complementary mix of shops, restaurants, and entertainment venues that will support these uses, the Entertainment District is expected to generate more interest in Downtown Valdosta and attract more arts and cultural events. The boundaries of the Entertainment District will be defined as the public space, streets, sidewalks, open areas, and all parcels and tracts of real property in the known as the Central Valdosta Development Authority District, and West Hill Avenue between Toombs Street and South Briggs Street, as well as both sides of South Briggs Street between West Hill Avenue and West Savannah Avenue. In addition, along the Southeastern corner of Central Avenue and Lee Street known as Lee Street Park (location of the amphitheater) as well as Patterson Street North to the Annette Howell Turner Center for the Arts shall be included. Outside consumption of alcoholic beverages by the drink shall be permitted within the Downtown Valdosta Entertainment District under the following conditions: (1) The business must possess an alcoholic beverage license for on premises consumption in good standing with the City of Valdosta and the State of Georgia, (2) The business must dispense alcoholic beverages in a designated cup (not to exceed 16 oz.) with the City's approved logo for consumption outside of the premises, (3) Cups shall be purchased from the Main Street office or their designee, (4) Business still has to maintain food to alcohol ratio per the City's alcohol permit, (5) Outside consumption is limited to the hours of 11:00 a.m. to 12:00 a.m. (midnight) Monday through Saturday unless approved by Mayor and Council for a special event, (6) Property owners have the right to not allow open container drinks on/in their property, and (7) There will be special provisions for residents of Downtown. Ellen Hill, Main Street Director, stated that this is the first reading of the proposed Ordinance so no action will be taken by Mayor and Council.

LOCAL FUNDING AND REQUESTS

Consideration of a request to approve the Valdosta On-Demand Safety Plan in accordance with the Federal Transit Administration (FTA) when expending 5307 Grant Funds.

Richard Hardy, Deputy City Manager of Operations, stated that the City of Valdosta's Safety Program is governed by the City's General Self Inspection Program and the City of Valdosta Safety Committee Manual revised October 19, 2018. The Valdosta On-Demand Safety Plan assigns responsibilities, provides guidance,

establishes policies and procedures, and outlines safety procedures required by FTA and Georgia Department of Transportation (GDOT) when expending 5307 Grant Funds. This Plan is applicable to all transit employees directly engaged in operations of FTA Federally-funded vehicles and equipment. The City applied for and was approved for a 5307 Transit Grant and needs to ensure this Plan is adopted prior to launch of transit services. The FTA administers 5307 Grants. GDOT receives these and passes them through to the cities and counties in the State that provide transit service to urbanized areas. The FTA has certain safety related requirements that the City needs to adhere to for expending 5307 Federal dollars. The proposed Plan will allow the City to adhere to GDOT's and FTA's safety requirements while retaining current practices for non-Federal dollars. Richard Hardy, Deputy City Manager of Operations, recommended that Council approve the Valdosta On-Demand Safety Plan.

A MOTION by Councilwoman Tooley, seconded by Councilman Norton, was unanimously adopted (6-0) to approve the Valdosta On-Demand Safety Plan in accordance with the Federal Transit Administration (FTA) when expending 5307 Grant Funds.

CITIZENS TO BE HEARD

Lorraine Randolph, 1300 Bethune Street, stated that her neighbor at 1303 Partridge Place has a dead pine tree in their yard and she is worried about it falling on her house. The property owner does not want to do anything about the tree. She had contacted the City Marshals and the Magistrate Court and they cannot do anything about it. She asked Council for any assistance that they could provide in getting the dead tree removed.

Sementha Mathews, Executive Director of the Turner Center for the Arts, 406 Conway Circle, thanked the Mayor and Council for their support of the Arts Center. They are excited about the new addition of a Children's Arts Center, and they are proud to be a part of the Downtown area.

Daniel Bayman, Chairman of the Central Valdosta Development Authority, 118 North Patterson Street, stated that he is excited about all of the changes going on Downtown and he is looking forward to bringing more people to the Downtown area.

CITY MANAGER'S REPORT

Mark Barber, City Manager, stated that there will be a Maker's Market on Saturday, April 10, 2021 beginning at 9:00 a.m. There will also be a Sidewalk Chalk Competition Event beginning at 10:00 a.m.

The Spring Electronics Recycling Event will be held on Saturday, April 10, 2021 at 9:00 a.m. at the Public Works facility located at 1017 Myrtle Street.

The COVID-19 numbers are down and the threshold per capita is at 75.

COUNCIL COMMENTS

Councilwoman Miller-Cody stated that she was excited about having the Council Meeting outside today.

ADJOURNMENT

Mayor Matheson entertained a motion for adjournment.

A MOTION by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (6-0) to adjourn the April 8, 2021 Meeting of the Valdosta City Council at 6:14 p.m. to meet again in Regular Session on Thursday, April 22, 2021.

City Clerk, City of Valdosta

Mayor, City of Valdosta