

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, JUNE 24, 2021
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, Ben Norton, Eric Howard, and Andy Gibbs. Councilwoman Vivian Miller-Cody was absent. The invocation was given by Pastor Lonnie Grant, Chaplain with the Valdosta Police Department, followed by the Pledge of Allegiance to the American Flag.

APPROVAL OF MINUTES

The minutes of the June 10, 2021 Regular Meeting were approved by unanimous consent (6-0) of the Council.

PUBLIC HEARINGS

ORDINANCE NO. 2021-15, AN ORDINANCE FOR PLANNED DEVELOPMENT APPROVAL OF A MIXED-USE DEVELOPMENT IN COMMUNITY-COMMERCIAL (C-C) ZONING

Consideration of an Ordinance for Planned Development approval of a Mixed-Use Development in Community-Commercial (C-C) Zoning as requested by John Sineath (File No. VA-2021-06). The property is located at 3350 Country Club Road at the northeast corner of the intersection of Country Club Road and Noble Way. The Greater Lowndes Planning Commission reviewed this request at their April Regular Meeting and recommended approval (10-0 Vote) with seven conditions.

Matt Martin, Planning & Zoning Administrator, stated that John Sineath is requesting Planned Development approval of a mixed-use development in Community-Commercial (C-C) Zoning. The property is located at 3350 Country Club Road which is at the northeast corner of the intersection of Country Club Road and Noble Way. This is the large vacant tract of land immediately west of Summit Pointe and is the same property where the applicant is proposing to rezone to C-C (File No. VA-2021-05). The applicant is proposing to develop this property as a physical extension and continuation of the Summit Pointe development, but with different architecture and site layout patterns. This new development is proposed to consist of three, two-story buildings with a total of up to 25,000 square feet of commercial retail/services on the ground floors, and a total of 16 two-bedroom apartments on the 2nd floors. The parking lots of this development and those of Summit Pointe will interconnect. As part of the new development, the applicant will also shift the existing Summit Pointe entrance along Country Club Road farther westward to line-up with the existing entrance to Chick Fil-A across the street. This will become a new boulevard style entrance with median and will serve as the new main entrance that’s shared by both. The new development will consist of a Property Owners Association and restrictive covenants. 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-C Zoning. It should be noted that this property is located immediately outside the Urban Commercial Corridor Overlay District (UCCOD). Planned Development Approvals are reviewed and considered in much the same way as a Conditional Use, but pursuant to Land Development Regulations (LDR) Chapter 212-Planned Development Approval instead. In this case, consideration of this proposed Planned Development was fully contingent upon successful approval of the Rezoning to C-C. Staff is supportive of that proposed Zoning change. The surrounding development pattern is dominated by light commercial, offices, and high-density residential development. The proposed development seeks to blend all of these types of uses into one cohesive development plan. The overall pattern is that of a small urban village with small parking lots, mostly interior-facing buildings, and ample pedestrian access throughout. The only deviations of this Development from the City’s Development Code involve the Supplemental Standards for Multi-Family Development. These include items relating to the apartments not being on their own parcel of land, the screening of parking lots from public streets, standard spacing between buildings, and non-pitched roofs. All of these deviations are justified and appropriate in a mixed-use development in an office/commercial setting where the focus is non-residential. It should also be noted that some of the minimum required number parking (eight spaces) for this development will be shared from Summit Pointe, which has 20 sharable parking spaces by Code and would be allowed anyway without any special approvals. All other Standard Development Codes applicable to C-C Zoning

will be followed, including landscape, stormwater, and open space. Staff found the request consistent with the Comprehensive Plan and the Planned Development Review Criteria, and recommended approval subject to the following seven conditions: (1) Approval shall be granted for a mixed-use development consisting of multi-family residential, office and commercial uses in general accordance with the submitted layout plan. Buildings shall be limited to two-story, developed on individual building pad parcels, and surrounded by a pedestrian-oriented Common Area that is maintained by a Property Owners Association and governed by protective covenants. (2) Non-residential uses shall be limited to only the ground floor areas of buildings and shall not exceed 26,000 square feet of indoor space for the entire development. These uses shall be limited to all those non-residential uses permitted in C-C Zoning, but excluding the following: animal clinic or boarding, automotive uses (such as gas station, repair shop, taxi), child daycare center, telecommunications tower, and utilities substation. There shall be no outdoor storage. Outdoor seating areas and temporary outdoor display of merchandise is allowed. Residential uses shall be limited to live-work units, loft dwellings, or multi-family dwellings with no more than four bedrooms per unit. Overall residential development shall not exceed 32 bedrooms and unit floor areas shall comply with C-C Zoning requirements. (3) Exterior building designs shall be consistent with the submitted schematic drawings. The northerly façade of the larger building facing Noble Way shall have a residential appearance. (4) Internal walkways with crosswalks connecting to the Summit Pointe development shall be provided in at least two locations. (5) Permanent freestanding signage shall be monument-style only, with entrance signs as shown on the submitted master plan but adhering to all applicable setback and intersection visibility standards. Other signage (including wall signs and temporary signage) shall be in accordance with multi-tenant facility standards of C-C Zoning. (6) All other development standards and general building requirements shall be followed as applicable. (7) From the date of final approval, the development shall commence within three years (request for permits). Otherwise, Planned Development approval shall automatically expire. The Planning Commission reviewed this at their April 26, 2021 meeting, found it consistent with the Comprehensive Plan and the Planned Development Review Criteria, and recommended approval subject to the following seven conditions (10-0 vote) [modification only to Condition (2)]: (1) Approval shall be granted for a mixed-use development consisting of multi-family residential, office and commercial uses in general accordance with the submitted layout plan. Buildings shall be limited to two-story, developed on individual building pad parcels and surrounded by a pedestrian-oriented Common Area that is maintained by a Property Owners Association and governed by protective covenants. (2) Commercial uses shall be limited to only the 1st floor areas of buildings. Offices or residential uses may be on either the 1st or 2nd floor. All non-residential uses shall not exceed a maximum cumulative total of 26,000 square feet of indoor space for the entire development. Commercial uses shall be limited to all those permitted in C-C Zoning, but excluding the following: animal clinic or boarding, automotive uses (such as gas station, repair shop, taxi), child daycare center, telecommunications tower, and utilities substation. There shall be no outdoor storage. Outdoor seating areas and temporary outdoor display of merchandise is allowed. Residential uses shall be limited to live-work units, loft dwellings, or multi-family dwellings with no more than four bedrooms per unit. Overall residential development shall not exceed 32 bedrooms and unit floor areas shall comply with C-C Zoning requirements. (3) Exterior building designs shall be consistent with the submitted schematic drawings. The northerly façade of the larger building facing Noble Way shall have a residential appearance. (4) Internal walkways with crosswalks connecting to the Summit Pointe development shall be provided in at least two locations. (5) Permanent freestanding signage shall be monument-style only, with entrance signs as shown on the submitted master plan but adhering to all applicable setback and intersection visibility standards. Other signage (including wall signs and temporary signage) shall be in accordance with multi-tenant facility standards of C-C Zoning. (6) All other development standards and general building requirements shall be followed as applicable. (7) From the date of final approval, the development shall commence within three years (request for permits). Otherwise, Planned Development approval shall automatically expire.

No one spoke in favor of the request.

No one spoke in opposition to the request.

A MOTION was made by Councilman Carroll to approve the request for a Planned Development approval of a Mixed-Use Development in Community-Commercial (C-C) Zoning for property located at 3350 Country Club Road which is at the northeast corner of the intersection of Country Club Road and Noble Way as requested by John Sineath with the seven conditions as recommended by the Planning Commission. The motion was seconded by Councilman Gibbs. The motion was adopted (6-0) to enact Ordinance No. 2021-15, the complete text of which will be found in Ordinance Book XIV.

ORDINANCE NO. 2021-16, AN ORDINANCE TO AMEND THE ORDINANCE FOR ESTABLISHING PROMOTIONAL PROCEDURES FOR THE VALDOSTA FIRE DEPARTMENT (SECOND READING)

Consideration of an Ordinance to amend the Ordinance for Establishing Promotional Procedures for the Valdosta Fire Department. (Second Reading)

Fire Chief Brian Boutwell stated that this is the Second Reading for the proposed changes to the Ordinance for Establishing Promotional Procedures for the Valdosta Fire Department in order to bring it up to the current standards and to make it fair and equitable. Councilman Howard inquired about the Bachelor's Degree requirement. Chief Boutwell stated that what was presented to him in the succession plan is for the Fire Chief to develop someone to take the place of the Fire Chief and have a Bachelor's Degree. The Deputy Chief position does require a Bachelor's Degree and the Battalion Chief is an Associate Degree.

A MOTION by Councilman Gibbs, seconded by Councilman Norton, was unanimously adopted (6-0) to enact Ordinance No. 2021-16, an Ordinance to amend the Ordinance for Establishing Promotional Procedures for the Valdosta Fire Department, the complete text of which will be found in Ordinance Book XIV.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of bids for civil and electrical improvements to Well #2 and Well #8.

David Frost, Assistant Utilities Director, stated that to improve its Well field's reliability and capacity needs, the City of Valdosta implemented a Well Field Evaluation and Rehabilitation Program. The Program elements included the assessment and minor civil and electrical improvements of Well #2 and Well #8. Well #2 was last upgraded in 2003 and Well #8 in 1993. The Utilities Department Staff developed the contract documents, project specifications, and provided general coordination. The work to be performed includes: (1) Replacing the existing electrical and control components, (2) Painting, (3) Minor civil improvements, (4) Installing a new generator connection box, and (5) Pole-mounted lighting. The electrical improvements will allow for integrating the existing Well flow meter and other instruments into the Water Treatment Plant's SCADA system. On April 21, 2021, the Utilities Department advertised for bids for the Project to upgrade the electrical systems for Well #2 and Well #8 and to provide minor civil improvements. A mandatory pre-bid conference was held on May 12, 2021 with two potential bidders attending. Instructions were given to the bidders to submit a base bid that included both Wells with SCADA System and services included under the general contractor (GC). One bid was received from Standard Contractors, Inc. and opened on May 27, 2021. Their initial base bid was \$419,922. Because they were the only Bidder, the Utilities Department Staff met with Standard Contractors and requested they consider engineering alternatives that would lower the bid without compromising the Well improvements. They submitted a revised bid of \$398,922. David Frost, Assistant Utilities Director, recommended that Council approve the base bid submitted by Standard Contractors, Inc. in the amount of \$398,922 plus a 10% contingency (\$39,892.20) to handle any unforeseen circumstances for a total of \$438,814.20.

A MOTION by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (6-0) to approve the base bid submitted by Standard Contractors, Inc. in the amount of \$398,922 plus a 10% contingency (\$39,892.20) to handle any unforeseen circumstances for a total of \$438,814.20 for civil and electrical improvements to Well #2 and Well #8.

Consideration of bids for the replacement of the switchgear at the Water Treatment Plant.

David Frost, Assistant Utilities Director, stated that while we have a very reliable electric grid to provide power consistently, there are times when sustained power outages occur, usually as a result of storms. During these outages, the Water Treatment Plant utilizes two standby generators to ensure continued water production. The transfer of power from the commercial electrical grid to the Water Treatment Plant's generators is performed manually by Plant Staff. This manual transfer requires an Operator to insert a metal throw-rod into a slot connected to switchgear within an electrical panel to de-energize the commercial power supply. The rod is then inserted into a second panel to energize the standby generator. The process is repeated in reverse upon switching back to commercial power. The procedure is unsafe and exposes the Operator to potential electrical shock and an arc flash incident. Staff determined the best way to eliminate this hazardous situation was to replace the manual switchgear

with automatic switchgear. The automatic switchgear will allow electrical power to transfer automatically while removing the need for personnel to enter or be near the electrical panels for power transfers. A critical operational benefit of the automatic switchgear is that it allows for uninterrupted Plant operation during power outages. The City contracted with CDM Smith, Inc. to provide professional engineering services that included developing the contract documents, project specifications, and general coordination. The work to be performed consists of demolishing the existing switchgear, constructing the new automatic switchgear, and all necessary electrical work and coordination with Georgia Power. On May 3, 2021, the Utilities Department advertised for bids to replace the switchgear at the Water Treatment Plant. A mandatory pre-bid conference was held on May 24, 2021 with multiple potential bidders attending. Instructions were given to potential bidders to submit a base bid to replace the switchgear, the cost for an alternate bid item No.1, an alternate bid item No. 2, and a combined bid that included the two alternate bid items with the base bid. Alternate bid item No.1 includes the replacement of the two existing generator controllers with new controllers. Alternate bid item No. 2 includes replacing the leak/level detection panel for each of the two generator fuel tanks. Bids were received from two bidders and opened on June 10, 2021. The low bidder was Cook Industrial Electric Co., Inc. with a base bid of \$1,267,454. Cook Industrial Electric Co., Inc. was also the low bidder for the combined alternate bid, including bid alternate No.1 (\$72,802) and bid alternate No. 2 (\$78,377) with a bid of \$1,418,633. David Frost, Assistant Utilities Director, recommended that Council approve the combined alternate bid submitted by Cook Industrial Electric Co., Inc. in the amount of \$1,418,633 which includes a 5% contingency for the replacement of the switchgear at the Water Treatment Plant.

A MOTION by Councilman Carroll, seconded by Councilman Gibbs, was unanimously adopted (6-0) to approve the combined alternate bid submitted by Cook Industrial Electric Co., Inc. in the amount of \$1,418,633 which includes a 5% contingency for the replacement of the switchgear at the Water Treatment Plant.

CITIZENS TO BE HEARD

Gerald Hiers, Irrigation Contractor, stated that he represents Ms. Vicky Ray who is a resident of 3103 Huntington Ridge which is off of Green Meadow Drive. Ms. Ray contacted him a couple of weeks ago to help her find out why water was running down her driveway into the street. They found out that it was not the irrigation system so he called the City. After three or four calls, the City finally sent a couple of guys out who told him that it was the irrigation. He had the irrigation isolated and he even cut the water meter off so he knew it was not the water meter in front of the water meter. They have all been told over the years that the City owns it up to the water meter, including the water meter, and then after that, the homeowner was responsible. By the water meter being turned off, they realized that was not the problem. After three days, the City sent three employees out to work on it. They brought shovels and dug it up with a big vacuum machine and they discovered that the water line was incorrectly installed and it originally went under her driveway. Now the water is boiling out of her driveway and they want to get help from the City in getting it repaired.

Dr. J. C. Moore, 5150 Calvary Circle, stated that he is the Minister of the West Hill Church of Christ which is located on Highway 84. They encounter several transients walking by and he counsels these gentlemen. Many of them are addicts and they are stuck in a vicious cycle of addiction. He has little success in helping them get off of it because they go back into the community that created the addicts. He has been trying to purchase a house so that he can house these gentlemen; however, he was told by Zoning that he could not purchase the house to house the addicts. Dr. Moore stated that he was seeking some support in his efforts to purchase a home and place these addicts in the home. He will not conduct any programs there and will use it only as a house. All of the programs will be conducted at the Church as it has been in the past. The house he is looking to purchase is located at 200 College Street.

Gracie Bacon, 708 Holly Drive, stated that nothing has changed on her street except that it has gotten worse. At 710 Holly Drive, the back, front, and side yards are filled up with junk and it changes every day. There are three houses on that street that have more junk than anyone and the City of Valdosta is not doing anything about it. This week, she had Lowe's, Home Depot, and Window World at her house and each one of them asked her about the junk yard on this street. Ms. Bacon told them that she did not know why they had it. Her neighbor repairs cars at his house and the City does not do anything about it. The City has said they cannot do anything about him having a junk yard and an automobile repair place right here in the City. They City needs all the taxes they can get because they send her a bill every time she looks around. Her neighbor does not get a tax bill, but she does. She is not getting the treatment of a citizen but is being treated like she is nobody. Her street is becoming

another Wisenbaker Lane. It did not start out that way, but it is that way now. She knows that she is only one person and can only speak for herself, but she does not like all the junk. She does not like all the traffic going through there and everyone coming to have their cars repaired. She is tired of and she does not understand why the City of Valdosta cannot stop it. Her neighbor is a renter and she wanted to know why the landlord has not been contacted. Ms. Bacon stated that she is asking for some help. They are going to keep on going until it gets worse and worse every day, but enough is enough. Ms. Bacon asked for the City to do something about Holly Drive. She is still a citizen and a taxpayer and her neighbor is not.

George Boston Rhynes, 5004 Oak Drive, stated that he found out today that the powers that be do not fly a Georgia flag over the City and County buildings because they do not want to, and it is not an issue. That is what someone who manages a government agency told him this evening. Mr. Rhynes stated that he wanted to talk about the 1860 City Charter that he asked to be removed years ago and it was. At the June 10, 2021 Council Meeting, three minutes was allowed for citizens to speak under Citizens to be Heard. Four people spoke and they used less than 14 minutes. The Elected Officials never offered a motion to expand the time. He goes all over the State of Georgia and this is a routine procedure. Someone at the Council Meeting will ask the Mayor for a motion to give them one or two minutes, they vote on it, and it is granted or they disapprove it by the hand of the voter of the Elected Official who voters put into office. At the last Council Meeting, the City officials who were voted in by the people took the power from the people and granted it all to the Mayor. A lot of people were dissatisfied about it. Some people are asking that some of the Council Member not run in the next election. A black Pastor stood before the Council and he was almost asked to leave the Council Meeting if not arrested. He has documentation along with others that there is a double standard. Some people are given more time than others and this is not a figment of his imagination. He has it on video camera and he has witnesses. Valdosta might as well buckle down, and he means that. It may take litigation to change Valdosta, but he is here to say, as a humble and retired military Veteran, that something must change. Many of the Council Members know that something must change because they say it behind closed doors but not in public. The 1860 Charter said that the Mayor and Council shall pass all property and laws for the control of slaves and free persons of color and to control, suppress, and abate all nuisances arising from hogs, dogs, horses, and other livestock in Valdosta. We are in 2021 and that Charter was removed but it seems as if that mentality remains the same.

CITY MANAGER'S REPORT

Mark Barber, City Manager, stated that Valdosta On Demand has hit 10,000 rides since April 27, 2021 and if you think back to when we did some pilot programs with MIDS, we would maybe hit 10,000 rides in a year. We are very proud that the citizens are taking part of the Valdosta On Demand and we are looking at getting some additional vehicles. Councilman Vickers inquired as to how many cars we currently have. Mark Barber stated that we currently have seven vehicles and we are trying to get three more with some supplemental CARES funding this year and then possibly three more the next year. If the ridership continues to increase, it will become a necessity. Right now, because of the Pandemic, we started with the smaller mini-vans and there is currently a limit on the number of riders in one vehicle; however, when that expires, it will allow us to get one or two of the larger vehicles and build the fleet in that manner. Councilman Vickers inquired as to whether we were charging for the rides. Mark Barber stated that we are charging \$2.00 a ride. Councilman Vickers inquired as to whether the ten free rides were ten per person. Mark Barber stated that it was ten free rides per person through July 1, 2021. Councilwoman Tooley inquired as to what it would take to put the two standby vehicles in service now. Mark Barber stated that we would have to renegotiate the contract because we entered into a contractual relationship with Via, the Department of Transportation, and the Georgia Department of Transportation. Right now, we can only run seven vehicles and that is why we are working on trying to get the funding for the additional three and then re-work the contract. Also, the app has had over 4,000 downloads which is amazing.

The Valdosta-Lowndes County Land Bank Authority will host a Land Bank 101 Community Meeting on June 30, 2021 at 5:30 p.m. to 6:30 p.m. at the City Hall Annex Building in the Multi-Purpose Room. This will be open to all citizens. We are currently looking at revamping the Land Bank Authority and looking at where we need to be in the future. We were one of the first communities in Georgia to create a Land Bank Authority in 1999 so we felt this would be a good opportunity to have a meeting which would be open to the public to explain what the Land Bank is all about and how it benefits our entire community.

There were no Council comments.

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 June 24, 2021 Meeting of the Valdosta City Council at 6:03 p.m. to meet again in Regular Session on Thursday, July 8, 2021.

City Clerk, City of Valdosta

Mayor, City of Valdosta