

**MINUTES**  
**REGULAR MEETING OF THE VALDOSTA CITY COUNCIL**  
**5:30 P.M., THURSDAY, APRIL 7, 2022**  
**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: Sandra Tooley, Vivian Miller-Cody, Tim Carroll, and Ben Norton. Councilmen Joseph “Sonny” Vickers, Andy Gibbs, and Eric Howard were absent. City Attorney Tim Tanner was also absent and Annika Register, Attorney with Coleman Talley, LLP, filled in for him. The invocation was given by Pastor Jay Williams, Victory Church, followed by the Pledge of Allegiance to the American Flag.

**APPROVAL OF MINUTES**

The minutes of the March 24, 2022 Regular Meeting were approved by unanimous consent (4-0) of the Council.

**PUBLIC HEARINGS**

**ORDINANCE NO. 2022-5, AN ORDINANCE FOR CONDITIONAL USE PERMIT FOR A DAYCARE CENTER EXPANSION IN A CONDITIONAL NEIGHBORHOOD-COMMERCIAL (C-N)(c) ZONING DISTRICT**

Consideration of an Ordinance for a Conditional Use Permit for a Daycare Center expansion in a conditional Neighborhood-Commercial (C-N)(c) Zoning District as requested by Danielle Chappell (File No. CU-2022-03). The property is located at 2408 Bemiss Road. The Planning Commission reviewed this request at their March 28, 2022 Regular Meeting and recommended approval with three conditions (10-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Danielle Chappell is requesting a Conditional Use Permit (CUP) for a proposed Daycare Center expansion in a conditional Neighborhood-Commercial (C-N)(c) Zoning District. The property consists of 1.03 acres located at 2408 Bemiss Road which is along the west side of the road about halfway between the intersections of Habersham Road and Randolph Street. The property is currently developed as the Brilliant Minds Academy daycare center (2,484 square feet) and is approved and licensed as a Group Daycare Center with up to 18 children. The applicant is proposing to expand this capacity to 34 children with the knowledge that the State has approved the facility for up to 36 children. The CUP is required in C-N Zoning for Daycare Centers having 19 or more children. The special zoning condition on the property dates back to when the property was rezoned to C-N in early 2005 and is inconsequential to this CUP request. The condition states that all non-residential lighting be directed downward and away from surrounding residential properties (File No. VA-2005-01). This zoning condition will remain applicable to this property regardless of any non-residential use thereon, and it will be monitored through the Plan Review process. The property is located within a Neighborhood Activity Center (NAC) Character Area on the Future Development Map of the Comprehensive Plan. The property is part of the low intensity stretch of the Bemiss Road corridor between the more intensive commercial nodes of the Castle Park shopping center and the Northside Drive intersection areas. This portion of the corridor is characterized by mostly professional offices and multi-family development and is reflected on the maps by the NAC Character Area. Most all of the properties in the portion of the corridor are zoned R-P which allows both the professional offices and high-density residential uses. Only this property has commercial zoning, albeit “conditional” C-N(c) zoning. This gives the property an advantage by allowing some range of lower intensity commercial uses, but also allows the commercial size of a Daycare Center (19+ children) with a CUP approval whereas the surrounding R-P Zoning does not. However, in considering the overall nature and history of the Bemiss Road corridor, a Commercial-sized daycare facility in this location makes good sense, as long as the size does not become so great that it has a negative impact on the adjacent neighborhood to the west, nor overloads the existing site in terms of vehicle stacking for drop-off/pick-up of the children. So far, the site is able to handle the existing size of 18 children as a Group daycare. Expansion to the maximum capacity of the existing building (39 children) should also be fine, but expansion beyond this number should be re-evaluated under its own CUP process at that time. 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 granted for

a Commercial Daycare Facility in C-N(c) Zoning for a size not to exceed 39 children as a maximum licensed capacity. (2) Existing opaque fencing and landscaped buffer yards shall be maintained per LDR requirements along the abutting property lines. (3) Conditional Use approval shall expire after two years from the date of approval if the Daycare Facility licenses have not been updated to reflect the increased capacity by that date. The Planning Commission reviewed this at their March 28, 2022 Regular Meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to these same three conditions as recommended by Staff (10-0 Vote).

No one spoke in favor of the request.

Ivy Pettigrew, Valdosta State University student, spoke in opposition to the request. She stated that it was a good idea in theory but that is just too much land for such a small number of children.

**A MOTION** was made by Councilman Carroll to approve the Conditional Use Permit for a Daycare Center expansion in a conditional Neighborhood-Commercial (C-N)(c) Zoning District for property located at 2408 Bemiss Road as requested by Danielle Chappell with the following three conditions: (1) Approval shall be granted for a Commercial Daycare Facility in C-N(c) Zoning for a size not to exceed 39 children as a maximum licensed capacity. (2) Existing opaque fencing and landscaped buffer yards shall be maintained per LDR requirements along the abutting property lines. (3) Conditional Use approval shall expire after two years from the date of approval if the Daycare Facility licenses have not been updated to reflect the increased capacity by that date. The motion was seconded by Councilwoman Miller-Cody. The motion was unanimously adopted (4-0) to enact Ordinance No. 2022-5, the complete text of which will be found in Ordinance Book XIV.

#### **ORDINANCE NO. 2022-6, AN ORDINANCE TO REZONE 0.23 ACRES FROM HEAVY INDUSTRIAL (M-2) TO A HIGHWAY-COMMERCIAL (C-H) ZONING DISTRICT**

Consideration of an Ordinance to rezone 0.23 acres from Heavy Industrial (M-2) to a Highway-Commercial (C-H) Zoning District as requested by Yahir Deanda (File No. VA-2022-04). The property is located at 203 Smith Avenue. The Planning Commission reviewed this at their March 28, 2022 Regular Meeting and recommended approval (10-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Mr. Yahir Deanda is requesting to rezone 0.23 acres from Heavy Industrial (M-2) to Highway-Commercial (C-H). The property is located at 203 Smith Avenue which is along the south side of the street approximately 500 feet west of South Patterson Street. The property contains an existing single-family residence (846 square feet) which has been a non-conforming use (and a non-conforming structure) on this industrially-zoned property for a long time. The applicant is proposing to demolish the existing residence and rebuild a new residence of similar size. The property is located within an Industrial Activity Center (IAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of C-H Zoning. The applicant's stated reasons for the rezoning are that the applicant grew up in the residence on the subject property, the home has become dilapidated over the years, and the applicant wishes to rebuild. No use of the property will change from its original residential use. M-2 Zoning does not allow residential uses, and the property's location in an Industrial Activity Center Character Area does not allow any form of Residential Zoning. The applicant is, therefore, seeking rezoning to C-H which allows usage of the property as a single-family residence and is compliant with the existing Character Area. The zoning patterns of the surrounding area are dominated by C-H Zoning along the South Patterson Street corridor, as well as Industrial Zoning in the areas to the west of the corridor. Land use patterns in the area are dominated by older heavy commercial uses along South Patterson Street, as well as a very large salvage yard adjacent to the subject property. There is also an abundance of vacant lands in the area that have a mixture of zoning types. In addition to the subject property, there are other existing single-family residences along Smith Avenue and all of these are in Non-Residential Zoning Districts which renders each of them non-conforming. Based on land use, Smith Avenue is not quite the industrial corridor that the zoning pattern portrays. A down-zoning to C-H would not only allow the construction of the proposed new residence, but it would also serve as a means to reduce some of this over-abundance of Industrial Zoning in the immediate area. Given the presence of the large salvage yard and other intensive uses, it is not likely this area will fill in with a lot of residential growth and, therefore, support a Character Area change; however, placing Commercial Zoning on the property will allow the possibility of future non-industrial development here in

the form of a commercial business or residential. 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 March 28, 2022 Regular Meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval of C-H Zoning (10-0 Vote).

Jack Langdale, Attorney, 701 North Patterson Street, spoke in favor of the request. Mr. Langdale stated that he represented the owner of the property, Claudia Sanchez and her son Yahir Deanda. They would like to tear down the current house and put up a slightly larger one than what is on the property now. The property is not currently eligible for a residential structure to be built in the current zoning and that is why they are asking for the C-H Zoning that is compatible with the area. They would like to continue the residential use that has been there for 70 years. They do not feel that granting this request would cause any impact on the services or utilities because it would just continue as the same use that it is now. Mr. Langdale asked Council's consideration in approving the request.

No one spoke in opposition to the request.

**A MOTION** by Councilwoman Miller-Cody, seconded by Councilman Norton, was unanimously adopted (4-0) to enact Ordinance No. 2022-6, an Ordinance to rezone 0.23 acres from Heavy Industrial (M-2) to a Highway-Commercial (C-H) Zoning District as requested by Yahir Deanda, the complete text of which will be found in Ordinance Book XIV.

#### **AN ORDINANCE TO REZONE 0.57 ACRES FROM SINGLE-FAMILY RESIDENTIAL (R-10) TO A MULTI-FAMILY RESIDENTIAL (R-M) ZONING DISTRICT DENIED**

Consideration of an Ordinance to rezone 0.57 acres from Single-Family Residential (R-10) to a Multi-Family Residential (R-M) Zoning District as requested by Jamey Dewar d.b.a DPI Holdings LLC (File No. VA-2022-05). The property is located at 1613 Williams Street. The Planning Commission reviewed this at their March 28, 2022 Regular Meeting and recommended approval of "conditional" R-M(c) zoning with one condition (6-5 Vote).

Matt Martin, Planning & Zoning Administrator, stated that on behalf of DPI Holdings LLC, Jamey Dewar is requesting to rezone 0.57 acres from Single-Family Residential (R-10) to Multi-Family Residential (R-M). The property contains an existing rental residence and is located at 1613 Williams Street. This is along the east side of the street and is approximately 200 feet south of the intersection with East Moore Street. This is immediately south of the Tree Loft Apartments building (also owned by the applicant) along the south side of East Moore Street and directly across from the Carolyn Apartments along the west side of Williams Street. The applicant is proposing to keep the existing rental residence and also construct a two-story apartment building with four dwelling units (five bedrooms total) in the front yard of the property with parking located behind the new building. The property is located within an Established Residential (ER) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of R-M Zoning. The property is also located within the City's local Historic District which means the proposed development will require approval from the Historic Preservation Commission (HPC). The property is part of the Brookwood North neighborhood which contains a mixture of residential types in a mostly older built-out pattern. Policy decisions were made many years ago to no longer promote any more redevelopment or infill of new Multi-Family Residential uses; however, this particular property is one of only a very few locations where this type of redevelopment can arguably make sense. The property is surrounded on the north and west by existing apartment complexes (one of which is owned by the applicant). To the south, there is an existing Duplex, and to the east there is an existing Single-Family Residence which faces Iola Drive. This surrounding pattern alone, presents a compelling argument for conversion of the subject property to at least a Duplex level of density. Given the one-half acre size of the property, it being under the same ownership as one of the adjacent apartment complexes, and its design being controlled by the HPC, there is strong argument for Multi-Family here as well. The proposed zoning change is compatible with the use of the adjacent properties and the overall land use pattern along this portion of the Williams Street. Furthermore, with the proposed design drawings, the applicant is demonstrating sensitivity to the surrounding neighborhood by designing the proposed building and site to greatly resemble a two-story historic Single-Family residence. This design represents the best

of both worlds by giving a Multi-Family dwelling density while keeping the appearance of something (Single-Family) that currently exists on the property. 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 March 28, 2022 Regular Meeting, found conditional R-M(c) Zoning consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval of conditional R-M(c) Zoning, subject to the condition that there be no more than six dwelling units on the property (6-5 Vote).

Councilman Carroll inquired about the rear of the property where the Single-Family dwelling is located. He stated that based on calculations, it is approximately ten feet off the rear property line and they would not be able to expand on that existing footprint. Matt Martin stated that they could expand only if the expansion complied with rear setbacks which means going sideways or to the front. He was curious about the history of that building which caused him to look at the Sanborn maps from the 1930's and 1940's. This block building pre-dates many of the other buildings in the area. At the time that it was built, the lot spanned from Williams Street all the way over to Iola Drive. This building actually sat in the center of its property. The other property line came along later (probably before the mid-60's) when Valdosta adopted zoning because they would not have allowed that short of a distance at least not for a primary dwelling. It was built there first and everything else built up around it so it has always had a large front yard. It is one of those houses that you do not notice unless you are really looking for it deep in the yard; hence, the applicant's proposal to put the building in the front.

Councilwoman Tooley stated that she liked the design and if the motion is approved, the applicant would have the approval to go ahead and expand the number of beds to a total number of eight or nine. Matt Martin stated that the applicant is proposing is five dwelling units that have eight bedrooms total with four units in the front of the new building and five bedrooms in the existing house in the back with three so that is where the eight comes from. They are showing at least that many for parking spaces so it meets code. Without a condition of limiting the number of dwelling units, the applicant could add actual dwelling units. It is possible to add more bedrooms in terms of expansion to the buildings and get more bedrooms on the property, but that would not necessarily change the dwelling unit count. Councilwoman Tooley stated that they could possibly look at other areas in that District and add other buildings like this. She inquired about the options if the request was not approved by Council. Matt Martin stated that the property is zoned R-10 which does not allow duplexes. It only allows Single-Family residences so the applicant could keep the property as is, renovate the existing building, or expand the existing building in the back. Single-Family does not put a limit on bedrooms. They put a limit with Duplexes and apartments. There is plenty of room to expand the new building. The applicant will tell you like he did at the Planning Commission that the integrity of the existing building is still in question. It may need to be replaced rather than renovated. That is a decision that he wants to make later. In the short term, he wants to proceed with getting a nicer building in the front yard and then determine what to do with the back yard. The local Historic District requires that any new construction would have to be approved by them and that includes appearance. Some of the things that Staff thought about is that if there are ten dwelling units, you add four to the front and one in the back and there is still room for four more. It is possible that another house could be built in the back; however, in historic neighborhoods with a Single-Family residence in front of another Single-Family residence is not exactly a compatible scenario so there may be some resistance there. Matt Martin stated that he did not think that was what the applicant was proposing anyway.

Councilman Carroll stated that Staff may be looking at this as perhaps a good in-fill development on an under-utilized exiting lot. Matt Martin stated that Staff has had quite a bit of thought on this one and it really stems from the map. In-fill development of a kind is really like one of very few areas in this historic neighborhood where they would even consider adding Multi-Family. In this case, it is simply because it is adjacent to two existing apartment buildings that are much larger than what is being proposed here. On the south side is a Duplex and the property to the east is a house but it is zoned to possibly be a Duplex. What is being proposed is an in-between density particularly with this condition. It is not the maximum density allowed by R-M but it is more dense than the R-10. It is between apartments on two sides and an existing Duplex. In Staff's view, what is being proposed at this density, and particularly the appearance, fits very well in this location. It looks like a Single-Family but has a little more density than a Single-Family. It is a little piece of both worlds and there are very few places where they would even consider this. Councilman Carroll inquired as to whether Matt Martin believed that there was a high likelihood that this property would ever be redeveloped as a Single-Family home. Matt Martin stated that it has not

yet. The house that is there has been there a long time and it has been in need of some care for a long time. There has been no movement up until now to do anything with that property. A lot of people looking to building Single-Family residences do not necessarily want to be next to an existing apartment building let alone two. In terms of land use and zoning patterns, the R-M fits here. If this were a block or a few lots to the south into the R-10 area, it would be absolutely no. Here next to the existing transitional density as proposed with oversight by the Historic Preservation Commission as to how it looks, Staff is very comfortable with it.

Mayor Matheson stated that in the interest of time, he will limit each side to 15 minutes total and asked that anyone who was in favor of the request to come forward at this time.

Jamey Dewar, Palm Springs, California, spoke in favor of the request. Mr. Dewar stated that he was originally from Valdosta and lived here for 20 years. He currently owns three apartment properties in Valdosta. He owns Castlewood Apartments and Park Place Apartments on East Park Avenue. He developed and built Park Place in 2008 which was actually the home of where his grandmother lived. It was rezoned and sits on a five-lane road. That has been a very nice apartment property which has been very successful. Castlewood Apartments were built by his father in 1972. They still manage that one. He has always liked Tree Loft on Moore Street and in 2019, it came up for sell. Someone told him about it so he decided to buy Tree Loft. It is 20 apartment units and it was in considerable disrepair. It had never been updated in 50 years. They did a major renovation to both the inside and the outside. The owner of the little house behind Tree Loft reached out to him several times because he wanted to get out of the property because it was too much trouble for him. He thought about purchasing the property and then decided not to. The property owner called him back about six months later and asked him again if he would like to buy the property because he wanted to get out. He thought about it and decided that it would be a good idea to purchase the property because it affects his apartments to the north. That is how he got into this. The property is at a turning point in his opinion. It is a concrete block house that was built in the 30's. It has moisture and mildew problems on the inside and cracks on the exterior block walls. Also, there is no central heating in the house. They had gas heating but it was disconnected by the gas company because it was not up to code. That was done under the previous ownership. When he purchased the property, there was a nice family living there and they have been there approximately two years. They started calling about all of the problems with the house so he went and performed an inspection. It is in bad enough condition in his opinion that he asked them to move out. They will be moving out within the next couple of months. For now, he really just wanted to focus on the front of the property because until they move out, he cannot get into the house to really access the condition of it and whether it could be renovated or torn down. He spoke to a previous Property Manager who managed that property and she recommended that the house be torn down. He looked at something that he could do that might get approval and that would complete his apartments to the north and would be a benefit to the Tree Loft property and the neighborhood. He came up with a small building that is designed to look like a Single-Family home and just like the historical homes directly to the south and north. His original concept was little Tudor houses that are two or three blocks north where Alden Avenue comes into Williams Street. This little building through time will be historic and he would have to work with the Valdosta Historic Preservation Commission which he welcomes. He is very much interested in historic preservation. That will be a very positive thing. It will be nice to put a historic looking building that will act as a transition from the 1950's and 1970's apartment buildings at the corner. That will transition over to the Single-Family homes directly to the south of it although there is a Duplex on the south property line. They are essentially going from 20 apartments to 4 with the option of doing up to 2 more in the back. It is a way to create a soft transition from Moore Street and it would be historically themed. It would have historical archways and pattern tile floors. The second-floor units have their own entry foyer downstairs which is six feet wide and is large enough to keep a bicycle there or put a piece of furniture there. Then there is an internal staircase so it makes it feel more like a house having its own stairway inside the apartment unit. They would also do landscaping on the property. There is an existing palm tree where the house sits and he would like to move it to the front yard. They would like to do a really nice job with the landscaping to make it feel like it is a Single-Family home. The exterior would be stucco with a shingle roof, and the balcony on the front would be stained wood. It would have sort of a Mediterranean look like Valdosta State University (VSU) and some of the older historical buildings in the area. It is also within walking distance to VSU and it would be a great location for a Professor, a graduate student, an employee of VSU, or somebody who works at the hospital. It would be something for someone who is not looking for a Single-Family home that they would have to keep up or maintain or they really do not want an apartment.

Councilman Carroll inquired as to what the applicant was thinking by locating the parking behind the building. Mr. Dewar stated that was another way of making it feel like a Single-Family home that is similar to the other ones in the neighborhood. None of houses on Williams Street have parking lots in the front. In the older homes, you typically have driveway to the side or there may be a garage located further back. He wanted to get the parking completely out of view so that it would not be seen. In fact, the driveway would be narrower and it would only be 16 feet wide so that it would feel more like a residential driveway as opposed to the 22 feet that you typically get with parking lots. He is calling it an alley which, per the Ordinance, can be as small as 14 feet.

Nickie Summers, 309 Oak Street, spoke in favor of the request. She looked at the renderings and did some research of the area to see if it would affect them and their property values. From what she has found, it will enhance them. She looked at some other DPI Holding properties and the areas that they are in are not the best areas, but they are the ones that are the best kept up versus the ones down the street. It is the same thing with Tree Loft on the corner. It looks so much better than the other ones since the past couple of years with the things they are doing. There is more to go but they are getting there. She feels that this will bring up their property values and will give the students in area more housing. There is not enough housing in the City and you hear that constantly. This will be a great asset for the City of Valdosta.

Ron Borders, 1718 Williams Street, spoke in opposition to the request. Mr. Borders stated that this is across the street from this property and just north about a half a block. On the way to the City Council Meeting, his wife, Tammy Borders, asked him if he was going to speak. He told her that he would talk as long as it takes to convince them to support the neighborhood. He knows Jamey Dewar and his father and grandfather. They are all great people. He is here speaking for the Brookwood North Neighborhood Association. The Board of Directors took a vote and they unanimously oppose this. He is not here to speak about whether Mr. Dewar is a competent Architect or that he can hire good builders and build a beautiful building. He will go ahead and concede that. Mr. Dewar is a great Architect and he will build a wonderful building. It will be the best building in Valdosta. The Neighborhood Association is not here about the character of the building. They understand that it can be built nice. Here is what they are here for and Matt Martin brought this up at the Planning Commission Meeting. He said that the City Council has always put the brakes on development in historic neighborhoods. Mr. Borders stated that he can tell you when in 1992 that prompted the City Council and he can tell you how they got there; however, that will take up a lot of his time and eat up the 15 minutes. This is the City of Valdosta Land Development Historic Preservation rules. The first one states that the purpose of this Chapter is to support and further the findings and determinations made by the Mayor and City Council. That the historical, cultural, and aesthetic heritage of the City of Valdosta is among the most valued and important assets. That the preservation of this heritage is essential to the promotion of the health, prosperity, and general welfare of the community. They do not believe that it is in the interest of this community or our neighborhood to have more apartment buildings. Since 1992, the Council has said that they do not believe that it is in the best interest of the City of Valdosta or the neighborhoods to have these apartment buildings in there. In his 39 years of selling property in Valdosta, he has never had someone come to him and say, "Ron, I am looking for a place to raise my family and children. Can you find me an apartment building that has a house next to it?" They do not want to do that and we do not want to do that. The Historic District does not want to do that. Mr. Borders stated that in R-10, there is 10,000 square feet per lot which means that you could have 4 units on an acre. With R-M Zoning, which is what the applicant is asking for, there is 43,560 square feet and you could put 18 units. If you allow this person to jump from R-10 to R-M and you ignore the other two Zoning classifications of R-6 and DR-10, then how do you in the future deny anyone else who has R-10, DR-10, or R-6 that they cannot have R-M. Between these two, you have more restrictive zoning classifications. There is a concept that each and every person is familiar with and that is eminent domain. You use that authority granted to you by the Constitution of the State of Georgia derived from Title 43 of the U.S. Code. That says that if you unconstitutionally take someone's property that is called an unconstitutional taking and you owe them money. That is the taking of property. There is another side to that coin and that is called regulatory unconstitutional taking. It is very rarely used but when it is used, it is always successful. You don't take my property but you take the value of the property through the misuse of regulations. If you allow someone to jump from R-10 to R-M and you deny anyone else that has a classification that is more restrictive, then what you have done is a regulatory unconstitutional taking and you will owe them the value of the property. A realtor called him this afternoon and told him that if this passes tonight, he had a client that has three lots and he is going to apply for Multi-Family. If they jump those two, then they have to give it to him. The property is located at the corner of Ann Street and Williams Street. The realtor told him that was not his client so that means he is the second person that if this passes

who will apply for the same thing. He could not blame them. Mr. Borders stated that he wanted to address a question that someone had about what you could do with the house in the back. Would it be feasible to go ahead and put another Single-Family house in the back and two houses on there? He did not think it would be either. If you look at the house that is in the back, on the north of it is a small addition that is leaking. He has been in this house many times. This same scenario has been run before with this piece of property and it was denied. You could easily take that piece of protrusion off of the north end of the existing building and build a nice house and have a guest house in the back for your friends and family. He has a guest house in the back of his house of 1714 Williams Street and a guest apartment at the house at 1718 Williams Street. You are not depriving him of any value. The only thing you do by granting this is depriving the neighborhood of their right that you have granted them as stated in the Ordinances. You are going to enrich a single individual at the expense of your friends and neighbors and he is asking Council not to do that. He was not going to take all of the 15 minutes as he wanted to leave some time for others because there is a big crowd here tonight. Councilman Carroll stated that Mr. Borders has been in the real estate business for a long time and he has developed some parcels and inquired as to whether putting two Single-Family homes on this property would be a viable option. Mr. Borders stated that if a person came to him and said that they could do a little bit with the house in the back, make it a small efficiency, get some money out of it, put two single family homes there, and get an exception on the 60 foot requirement on the right-of-way for each house, there is a lot of value on that lot without it having to be apartments. No one really wants any more apartments in their neighborhood.

Lamar Cole, 1417 Williams Street, stated that he lived a few blocks down from the property in question. There is one big issue that he sees and several subsidiary things. It is as if the property around there is changing because immediately south is a Duplex and it was not always a Duplex. He has lived on Williams Street for almost 50 years and raised several children there. He knew when that house was not a Duplex. Just a few years back, it was converted but it looks exactly the same and nothing was altered on the outside. It still appears to be a Single-Family residence. He has no complaints with Mr. Dewar and he does good work. They have seen the drawing from afar and it looks almost like a Single-Family but it is not. The driveway right beside it will be 16 feet wide which is much wider than a normal driveway. It is wide enough for two cars to pass and is almost like a road to the back. There will be a lot of paving back there. The applicant has in mind two apartment houses and not one. You can pack a lot of people in there. It could very likely be college students who are our life blood around here. They will have visitors so there will be a lot of traffic in and out of there. It is not a Single-Family residence and it is not going to look like one or act like one. The real main point is that in order to give this gentleman his wishes, which is to make money and it will be to his advantage, it will be to their disadvantage of about 50 families in this area who have relied for 30 years on the classification of R-10. The Duplex has been a good life there for families and children. It is a jewel of a neighborhood and there is no need to down grade it. Jumping two classifications will be a detriment to all of these people. They were told at the Planning Commission Meeting to not stand up so they do not have a lot of the people here to stand up; however, they have been depending on the reliability of this classification for decades. A crack in the dam is not going to stop and this will be a downward spiral. Are the rights of the one or the rights of the many more important here? If you change the rules that this community has been relying on for 30 years for the benefit of the one guy, then you are diminishing the rights of everybody else out there and they are not going to appreciate it.

A **MOTION** was made by Councilwoman Tooley to deny the request to rezone 0.57 acres from Single-Family Residential (R-10) to a Multi-Family Residential (R-M) Zoning District as requested by Jamey Dewar d.b.a DPI Holdings LLC. Councilman Carroll seconded the motion. The motion was adopted (3-1) with Councilman Norton voting in opposition.

#### **ORDINANCE NO. 2022-7, AN ORDINANCE TO REZONE 11.64 ACRES FROM HIGHWAY-COMMERCIAL (C-H) TO A COMMUNITY-COMMERCIAL (C-C) ZONING DISTRICT**

Consideration of an Ordinance to rezone 11.64 acres from Highway-Commercial (C-H) to a Community-Commercial (C-C) Zoning District as requested by Integrity Development Partners (File No. VA-2022-06). The property is located at 401 Griffin Avenue. The Planning Commission reviewed this at their March 28, 2022 Regular Meeting and recommended approval (10-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Integrity Development Partners is requesting to rezone 11.64 acres from Highway-Commercial (C-H) to Community- Commercial (C-C). The property is located

at 401 Griffin Avenue, which is at the southeast corner of Griffin Avenue and South Troup Street. The property is currently vacant and the applicant is proposing to develop the property as a Tax Credit Multi-Family Residential complex, with an initial construction phase of 80 dwelling units on the western 6 acres of the property. The development will contain a mixture of one bedroom, two bedroom, and three bedroom family units in both two-story and three-story buildings with lots of on-site amenities. This development is planned to be similar in design as one of the applicant's other such developments in the community such as Freedom Heights located on Bemiss Road. The remaining 5.6 acres will be reserved for future phases of the residential development, or perhaps one of the wide ranges of other uses allowed in C-C Zoning. The subject 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. The property has a very long history of being developed with very large tobacco warehouses and surrounded by other similarly intensive uses. The warehouses were demolished about five years ago and many of the surrounding uses ceased to operate while some of the properties struggled to redevelop. The subject property itself has been vacant for several years and has only contributed to an overall blighted condition of the surrounding area. In an effort to start a revitalization trend of new development in the area, the applicant is proposing to down-zone and convert two of these large vacant tracts to Multi-Family Residential usage with 80 dwellings (at least as a phase 1), which is a land use not previously seen in this immediately area. By introducing this as a quality form of dense new development located near the center of this overall empty/blighted area, and inserting this level of onsite population that will start to attract other supportive uses, it is believed that this will serve as a catalyst for even more growth and redevelopment of the area in the near future. 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 March 28, 2022 Regular Meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval of C-C Zoning (10-0 Vote).

Ivy Pettigrew, Valdosta State University student, spoke in favor of the request. Ms. Pettigrew stated that she was with the Valdosta State University Spectator and was doing this for her news writing class. She thinks that this is a really good idea because it reminds her of Section 8. As a young black woman, she knows that young black women with families often fill out applications to get into apartments such as this because they like the community for their children.

Oscar Coronado, IDP Properties, spoke in favor of the request. He has been working for IDP Properties for the past six years and they develop properties in different cities and states, especially in Georgia. They are proud to bring this Project to Council for consideration. They have seen a lot of development going on in the City but they have not seen anything going on in the southern portion of town. They realize there is a need for redevelop in this area. They are excited for the investment that the Library announced. They also have Payton Park next to the property, two churches in the area, and South Georgia Medical Center across the street. They think that this could be a great impact in the community. He has personally met with a couple of residents in the area. They say that it would be a great asset to the community. They have been looking for something new in the area. There has been a concept of industrial and manufacturing use throughout the corridor, but this portion is more residential. Their development would provide an option for people to leave work and play within the same area. All of that brings about positive results in this community. They are applying for tax credits on this property and they are proposing 80 units. A portion of that would be based on the income of the families who would be living there. To live there you have to qualify based on income. The rent is reduced and they do not have any vouchers. Councilwoman Miller-Cody inquired about the upkeep of the apartment complex. Mr. Coronado stated that by compliance, they have to own the property for at least 15 years. IDP has been owning and managing all of its properties. They are based in Valdosta and their commitment to those cities in which they have developments is to be a part of the communities. They will have a Property Manager, a Maintenance person, and being so close, they will take very good care of this property. They will look at it as a treasure for them as well. They are taking the concept of the property on Bemiss Road and taking it to the other side of town.

No one spoke in opposition to the request.

**A MOTION** by Councilwoman Miller-Cody, seconded by Councilman Carroll, was unanimously adopted (4-0) to enact Ordinance No. 2022-7, an Ordinance to rezone 11.64 acres from Highway-Commercial (C-H) to a Community-Commercial (C-C) Zoning District as requested by Integrity Development Partners, the complete text of which will be found in Ordinance Book XIV.



Consideration of bids for replacement of a box culvert located beneath Lake Park Road at Dukes Bay Tributary.

Pat Collins, City Engineer, stated that over time, the City has observed that the concrete culvert beneath Lake Park Road at Dukes Bay Tributary has cracked and spalled. Staff found that there was no rebar in the damaged portions which brought concern for the remaining portion. Staff inspected the rest of the culvert, and no visible failures were found. This street is classified as a major collector, and based on this classification, the roadway handles a significant volume of traffic including heavy vehicles. The roadway intersects with and serves East Hill Avenue (State Route 38) and South Patterson Street (State Route 7). In addition, the street serves Pinevale Elementary School which is located about one block north of the box culvert location. Thus, it is highly recommended that we replace this box culvert as soon as possible. The Project was properly advertised in the local newspaper and on the City's website opportunities. On March 2, 2022, a mandatory pre-bid meeting was held. On March 29, 2022, sealed bids were received from two companies. The low bid was submitted by RPI Underground in the amount of \$591,978.00. Pat Collins, City Engineer, recommended that Council approve the low bid submitted by RPI Underground in the amount of \$591,978.00 plus a 10% contingency (\$59,197.80) to handle any unforeseen circumstance for a total amount of \$651,175.80 for replacement of the box culvert beneath Lake Park Road.

**A MOTION** by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (4-0) to approve the low bid submitted by RPI Underground in the amount of \$591,978.00 plus a 10% contingency (\$59,197.80) to handle any unforeseen circumstance for a total amount of \$651,175.80 for replacement of the box culvert beneath Lake Park Road.

Consideration of an Intergovernmental Agreement with the Valdosta-Lowndes County Development Authority for City sewer service in the Westside Industrial Park.

David Frost, Utilities Director, stated that Westside Industrial Park currently has City water service but does not have City sewer service at the property. To support new industries moving into the Industrial Park, sewer service must be available. The Valdosta-Lowndes County Development Authority (VLDA) approached the City about partnering on a Project to provide the necessary sewer infrastructure for Westside Industrial Park and the surrounding area. The Project includes the engineering and construction of a lift station, force main, gravity main, and manholes. This new section of sewer system will allow for further development of the Industrial Park and the surrounding area. The VLDA agreed to contribute \$250,000 towards the Project. They will bear responsibility for the cost of engineering services prior to construction and a portion of the construction cost. The City will be responsible for all remaining construction related costs to include inspection services. Bids for the Project were submitted and the lowest bid was in the amount of \$2,173,335.45. With the VLDA contributing \$250,000 for the engineering and construction costs, the City's financial contribution to the Project is \$1,953,747.45 plus a 10% contingency cost. Once the Project is complete, the City will take ownership of the new lift station and sewer mains. David Frost, Utilities Director, recommended that Council approve the Intergovernmental Agreement with the VLDA to cover a portion of the cost for the sewer system.

**A MOTION** by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (4-0) to approve the Intergovernmental Agreement with the VLDA to cover a portion of the cost for the sewer system.

Consideration of bids for construction of a Lift Station at Dukes Bay.

David Frost, Utilities Director, stated that the City of Valdosta is partnering with the Valdosta-Lowndes County Development Authority (VLDA) on a Project to provide sewer infrastructure for Westside Industrial Park and the surrounding area. The Project includes the construction of a lift station, force main, gravity main, and manholes. The VLDA agreed to contribute \$250,000 towards pre-construction engineering services and the construction cost. After engineering costs (\$30,412), their maximum contribution for the construction portion is \$219,588. The City will be taking responsibility for all remaining construction related costs to include inspection services. The project to construct the Dukes Bay lift station was advertised for bid in February, 2022 and the pre-bid conference held on March 1, 2022. Bids were received from two bidders and opened on March 17, 2022. The lowest responsive and eligible bidder was James Warren & Associates, Inc. (JWA) in the amount of \$2,173,335.45.

With the VLDA responsible for its portion, the City's cost for the Project is \$1,953,747.45 plus contingency costs for any unforeseen circumstances. David Frost, Utilities Director, recommended that Council approve the base bid submitted by James Warren & Associates, Inc. in the amount of \$2,173,335.45 plus a 10% contingency (\$217,335.55) for a total Project cost of \$2,390,669.00 for construction of a Lift Station at Dukes Bay.

**A MOTION** by Councilman Norton, seconded by Councilman Carroll, was unanimously adopted (4-0) to approve the base bid submitted by James Warren & Associates, Inc. in the amount of \$2,173,335.45 plus a 10% contingency (\$217,335.55) for a total Project cost of \$2,390,669.00 for construction of a Lift Station at Dukes Bay.

## LOCAL FUNDING AND REQUESTS

Consideration of a request to approve the conveyance of Right-of-Way by Deed to the Georgia Department of Transportation for the Five Points Round-Abouts Project.

Pat Collins, City Engineer, stated that on July 24, 2018, the Georgia Department of Transportation (GDOT) completed the Development Concept approval for replacement of signalized intersections at Five Points with dual two-lane roundabouts. Preliminary Road Plans and a public open house were completed in 2020. Right-of-Way Plans final approval was made on May 4, 2021. Right-of-Way acquisition began on March 3, 2021 and is expected to finish by August 8, 2022. Final Plans are programmed to be completed by September 20, 2022, and construction is scheduled to be bid out on April 15, 2023. Given the City of Valdosta is the owner of the tract of land through which SR-7 (a.k.a. Ashley Street) at Brookfield Road and Oak Street has been laid out, this Agenda Item seeks authorization to convey the necessary right-of-way and deed to GDOT for construction of dual roundabouts at Five Points. If approved, said right-of-way to be conveyed to GDOT consists of 0.400 acres, more or less. In exchange for the conveyance, GDOT will pay the City of Valdosta \$234,300.00 based on the current market's appraisal value. Pat Collins, City Engineer, recommended that Council authorize the Mayor, City Attorney, and City Manager to exercise the necessary closing documents and to convey the necessary right-of-way at Five Points to GDOT on behalf of the City of Valdosta.

**A MOTION** was made by Councilman Carroll to approve the conveyance of Right-of-Way by Deed to the Georgia Department of Transportation for the Five Points Round-Abouts Project and authorize the Mayor, City Attorney, and City Manager to exercise the necessary closing documents with GDOT on behalf of the City of Valdosta. Councilwoman Tooley seconded the motion. The motion adopted (3-1) with Councilman Norton voting in opposition.

Consideration of a request to approve the American Rescue Plan Act (ARPA) proposed Projects and allocation amounts.

Mark Barber, City Manager, stated that the Coronavirus State and Local Fiscal Recovery Funds (SLFR), a Part of the American Rescue Plan, delivered \$350 billion to State, Local, and Tribal Governments across the Country to support their response to and recovery from the COVID-19 Public Health Emergency. The City of Valdosta total allocation is \$16,254,682 with half of the allocation being received in June 2021. The City of Valdosta has spent \$3,214,584.73 in 2021 as Premium/Retainage Pay to the lower hourly paid employees. Much discussion took place the last day of this year's Strategic Initiatives Summit regarding the best and most responsive use of the City's allocated ARPA amount. Staff presented 55 to 60 projects that were available through ARPA and they included thing such as letters that we received from others asking for funding. It was the consensus of Mayor and Council to narrow it down 12 projects. Following are the projects discussed as well as the allocation: (1) Griffin Avenue Housing Project - \$3,300,000, (2) City of Valdosta (Facilities, Technology, etc.) - \$1,300,000, (3) AARPA Project Manager - \$250,000, (4) Land Bank Funding (4 Years for Executive Director) - \$120,000, (5) Land Bank Authority Seed Funding - \$250,000, (6) Purchase of Properties on South Patterson & Surrounding Parcels - \$1,300,000, (7) Small Business Development - \$1,000,000, (8) Valdosta On-Demand - \$500,000, (9) Neighborhood Rehab - Housing Rehab (Paint, Weatherization, etc.) - \$300,000, (9) Mildred Hunter Center (Lighting & Court Replacement) - \$245,000, (10) Non-Profit Allocation - \$955,000, (11) Premium Pay to Employees - \$3,214,584, (12) Savannah Avenue Train Project - \$ 3,500,000. The total ARA allocation is \$16,234,584. Mark Barber stated that this approval will not set anything in concrete or stone. Things can still be changed, rearranged, added, or deleted; however, he needs some type of formal approval from the Mayor and

Council to move forward so we can start some preliminary work to make sure that we meet every letter of the law of what ARPA's spirit and intent is.

Councilwoman Tooley stated that she has had a question from day one about the amount for the Savannah Avenue Train Project. She feels that this is an excessive amount and to her that is an abuse of the amount for the funding. That is the one thing that she wished they could have adjusted. She does not know how the Council feels about it, but she would like to vote on each one of those Projects separately. She could make a motion whether the Council agrees to it or not. Attorney Annika Register stated that she was not sure. Councilman Carroll stated that he had an objection to this. This was not in the spirit of the discussions that took place at the recent Strategic Initiatives Summit. They collectively agreed in principal to that list and allocation. He understands that we do not always get exactly what we want and he appreciates the fact that Councilwoman Tooley has an item on there that she does not like or want, but we cannot let that action hold the whole list hostage. Therefore, he would like for it to be on record that he is against any motion to approve these item by item. Councilwoman Tooley stated that she needs to clarify that because you are saying that at the Summit that it was collectively. There was opposition about the amount that was on there. He may have gone out of the room to cough or sneeze and did not hear it when she said it, but she did oppose that amount. When they were talking about it, she had asked that they put a question mark by it so they could discuss the amount. She did say that and she was not agreeing to it. Councilman Carroll stated that he was not arguing that she said it. Councilwoman Tooley stated that he said they agreed collectively to that. Mayor Matheson stated that collectively is by consensus and that means the majority vote. Councilwoman Tooley stated that she understood that but what he is saying is that it was all of them and it was not. She is not trying to be argumentative about but rather simply stating her opinion about it and that she has an objection to the amount. She has had the objection from the beginning and she felt like they should have left some money available for other projects that were needed. She just wanted it on record that she felt like that was an excessive amount for that Project. Mayor Matheson stated that the list was publicized for an Agenda Item so he believes that it has to be approached as a single vote. Councilwoman Tooley stated that she has been in meetings before where people have asked to make a motion whether they get a second or not and she was simply asking if that could be a possibility. Attorney Annika Register stated that she was waiting on confirmation on Councilwoman Tooley's specific question and as far as she knows, she agreed with what the Mayor said and that would be to make a motion to approve the Projects with the exception of the line item about the Savannah Avenue Train Project. Councilwoman Tooley stated that in the opinion of Ms. Register that she was agreeing with the Mayor. Mayor Matheson stated that Councilwoman Tooley could make a motion if she so chose. Mark Barber, City Manager, stated that what the Attorney is saying is that Council can make a motion to achieve what you want besides taking a vote on each of the line items, and accept all of them except for the Savannah Avenue Train Project or they could do them all and then reallocate funds. Councilwoman Tooley stated that was not what she was asking. They have done it before on this Council like when they voted on a lot of vehicles and you ask if they want to vote on one or do it collectively. That is all she was asking is whether they could do like they have done in the past. Mark Barber stated that the vehicle situation is a little different because each of those is already a separate Agenda Item so perhaps you may say to take all of these Agenda Items and vote on all of them at one time. This vote is not in concrete and we have until 2024 to commit to Projects. All he is trying to do is to get some guidance on what was discussed at the Strategic Initiatives Summit so that we can move forward and start some preliminary actions. Just because Council approves this tonight it does not mean that they are going to stay like that or the allocated amount.

Councilman Norton inquired about the priority of this list as it now stands and if it is approved or with the rejection of one or more items. Mark Barber stated that right now, the total allocation that the City of Valdosta received was \$16.2 million for the two years. In June of 2021, we received \$8.1 million that has been sitting in a bank account because we have been waiting for the final regulations to come out. We were under interim rules and the advice we received was do not move forward. Finally, in February of this year, we received the final regulations so the only thing that we had spent any money on out of that was to pay our employees for working during the Pandemic. They deserved it and they actually deserved more than what we gave them. There is a lot of rumors on the street that we have already spent some of this money which is absolutely not true. We have the \$8.2 million in the bank account and right now we have approximately \$4 million. We also have \$13 million in projects on the list so once Council gives approval for some of these projects, he will prioritize it financially because we will not get the second installment until the end of June or early July. There has to be prioritization of these projects but

he does not want to do that until he gets some kind of formal agreement from Council as a team that this is how we want to move forward. Mayor Matheson stated that there was baby step made tonight with the \$3.3 million allotment for the very first line item which is the Griffin Avenue Housing Project. Councilwoman Tooley inquired as to how they are connected. Mark Barber, City Manager, stated that the Agenda Item that Council approved tonight is for the Griffin Avenue Project. That is some financial input that we have got to do in order to help the Developer get points from the Georgia Department of Community Affairs.

A **MOTION** was made by Councilman Carroll to approve the request as presented for the American Rescue Plan Act (ARPA) proposed Projects and allocation amounts. Councilman Norton seconded the motion. The motion was adopted (3-1) with Councilwoman Tooley voting in opposition.

### **CITIZENS TO BE HEARD**

George Boston Rhynes, 5004 Oak Drive, stated that he had three items to discuss. Mr. Rhynes inquired as to who oversees the potholes in the City and repairing them. He has been getting a lot of phone calls about them. He will have a video about them very soon. The second thing is about the Executive Order. He inquired as to how many public meetings have been given to the citizens of Valdosta concerning the Executive Order issued by President Biden. There are cities who are filing legal actions against cities who are having problems on dispersing and meeting with citizens in the communities. He goes to Douglas a lot and those citizens are on top of it. He is amazed on what he sees in Valdosta because he does not see that many people who are concerned about it. The third thing is that we have a case in the City that is around the world. It is not just Georgia or the United States. The KJ case is an international case now and they are going tomorrow to Washington, D.C. to talk with some people who are in high levels of government. They want justice in the death of their son because they say they cannot get it here in Valdosta. If you go to Boston GBR on his channel, you will see where he interviewed the father and this is a hot item. It has been all over the newspaper and television stations. He wanted Council to hear it from him because it is all over the television station and he reports what others ignore.

David Jonathon (D.J.) Davis, 2004 Fallingleaf Lane, stated that he is the Vice President of ACTION which is the Sociology Club at Valdosta State University. ACTION sees the diversity in the City and growth in the City; however, we have a street that is only 30 feet long that honors a female African America. The City also has one that is 100 feet long and those streets are named for Ruth Council and Minnie Martin. They want to petition the City to show inclusiveness and diversity by erecting a women's statue. The statue would consist of all the women, black, white, or Latino, who have contributed to our City. There is going to be a Committee put together that will be headed up by Dr. A. J. Rameriz who is now the new Coordinator for the Women's and General Studies at Valdosta State University. He would like for the Committee to consist of community members and have a town hall meeting where every citizen in Valdosta can have their portion heard about who they would like to honor. They would like to have the statue placed near Mathis Auditorium where the old F-19 Airplane used to be. Some of the names that have been mentioned are Sally Querin Turner, Myrna Ballard, Ruth Council, and Minnie Martin. They are thinking about honoring four white and four black females. The brass statue will be expensive and their deadline is March of 2024. The Committee will be responsible for raising the money for the statue and maybe everyone in our community will have a chance to be a part of this inclusiveness.

Minnie Kellogg, 2909 Dogwood Circle, thanked everyone who is in attendance at the Council Meeting tonight. She has truly been enlightened by the Meeting and as she sat there, she wished that every citizen could come to a City Council Meeting. It would be such a great asset. She is honored to be here tonight. Ms. Kellogg stated that she has a complaint about the Dogwood area. The City has done a great job in getting it paved; however, the family who lived in the house that burned up on East Park Avenue has now migrated to in front of her door. It is horrible every night trying to sleep in her neighborhood. She thanked the Valdosta Police Department for policing that area and she is grateful to them. They have not had any Police Officers in that area for a while and she asked that they continue to send Police Officers to her neighborhood. It is getting really bad in her neighborhood. She has been there for 12 years and has never experienced anything like it is now. There are fire burnings, dogs running loose, and they live in a neighborhood with people who just don't care. She even considered moving out of her neighborhood because of how bad it is; however, she came to the conclusion that she is not going anywhere and she is not going down without a fight. No one is going to run her out of her territory. She asked that the Police Department continue to canvas that area because there are drugs in the area. It is really

bad when you wake up in the morning and you smell pot all over the neighborhood. It is just horrible. She thanked the Mayor and Council for listening to her tonight and it was a pleasure being here just to see how the City operates.

Darren Neal, 1402 East Hill Avenue, stated that he wanted to piggyback off of the Councilwoman's comments and extend the conversation to where he thinks it should go. At this time, he believes that a dinner train is definitely not something that is going to benefit the City of Valdosta at this point. This money that was given by the American Rescue Plan was to help disenfranchised people, the underserved, and the infrastructure of the City. A dinner train is a long-term project and there is no one in this room who is more qualified to speak about railroads considering that he is a Conductor, Engineer, and former District Boss for CSX Railroad. He is very acquainted with the Sam Railroad in Cordele as he has operated those trains before. They operate through a private company but they have substitute driven for them as well. That structure of the rail was set up for a dinner train. The infrastructure is great for it. Approximately ten years ago, he was on a Committee to run east/west traffic across this area and run high speed rail. The rail that is out on Highway 84 is terrible rail and it will require a lot of work to be done. The second thing is that the Sam Railroad ran into trouble with is that if you look at the fiscal reports that are on-line, they have only garnered about \$226,000 per year in excess of their operating cost. That is not a whole lot. When they purchased that railroad, it was \$1.6 million to get it started but there was an additional \$2-\$3 million in which they had to hire permanent Staff which turned into temporary Staff. They also had to have someone maintain those engines and they got their engines from GDOT. They have the HOG Railroad which provides their railcars and then they had to purchase railcars. The problem was maintaining all of what they had purchased subsequently after the fact. That is where the problem comes in. All those costs will fall upon the City which will now in turn be a deficit. Every railroad that he has researched has either ceased their railroads or they are very miniscule in nature because they you have to continuously pay the permanent employees even though people may not use those trains. There are times when those trains will operate and people will use them and there are times when they do not use them. Regardless of that fact, you are still going to have to maintain the locomotives, the cars, the permanent personnel, and the rail. He is not even spoke about a derailment. If there is a derailment, this will become a liability to the City if someone dies and there is the improper operation of the train. He stands before you right now because he was hit in a head-on collision by another train as he sat in a train on the rail. He hopes that Council will reconsider this.

Catherine Smith, Thomasville/Thomas County, stated that she is one of three candidates running in the Superior Court race for the Superior Court Judge of the Southern Judicial Circuit. Since this impacts Lowndes County and the City of Valdosta, she wanted to introduce herself to a somewhat captive audience. She has been in law practice for 25 years or longer. She started in private practice where she did all of the normal things as an Attorney would do such as real estate, wills, adoptions, child custody, divorces, personal injury, and indigent defense work. It was there that she received a lot of Court room experience. She learned how to talk to people from different backgrounds and educational levels. She found a real love for people. During that time, she became death qualified which meant that she was experienced enough to be asked to be Co-Counsel in two death penalty cases. One of those cases was in Thomas County and the other was in Colquitt County. She has learned from some excellent Attorneys in this area. She also tried two Federal, full length, jury trials one of which was criminal and one was civil. When the Public Defender's Standard Counsel opened the Public Defenders Office in this Circuit, she was asked to be the Chief Assistant Public Defender for the entire Circuit. She worked doing State service for indigent defendants for over two years. She then transitioned to the District Attorney's Office where she now serves as the Senior Assistant Attorney for the Southern Judicial Circuit in the Thomasville Office. In that Office, she has specialized in prosecuting crimes against women and children, her heart for the community and the people that she works with has poured into another area. In that role, she also worked closely in her community to create their Children's Advocacy Center in Thomas County. She is so proud of the work that the Advocacy Center's do in all of the counties across the Circuit. She has had an opportunity to meet many of you already and many of you she looks forward to having an opportunity to meet and introduce herself. She thanked them for the opportunity to attend tonight. She has tried to attend all of the City Councils and County Commissions across the Circuit because she thinks that it is vital that our local leaders know what is going on in each of our communities.

## **CITY MANAGER'S REPORT**

Mark Barber, City Manager, stated that the Citizens Academy has been a popular program over the years with the City of Valdosta and it begins on Monday, April 11, 2022 at 5:30 p.m. in the Council Chambers.

They have 18 people registered who want to learn more about the City and how it operates.

Makers Market will be held on Saturday, April 9, 2022 from 10:00 a.m. to 2:00 p.m. at the old Courthouse square. There will also be a merchants' sidewalk sale in conjunction with the Makers Market.

Next week is Neighborhood Development Week and Anetra Riley, Neighborhood Development & Community Protection Manager, has several events planned. They will tour three homes that were recently rehabilitated.

Mark Barber, City Manager, thanked the Mayor and Council for the zoning change for the Griffin Avenue Project. That is a Project that he has worked on for approximately three years now and we are hopeful that the Developer will get the points to make that happen. This will be a catalyst for that community along with the Southside Library and hospital.

### **COUNCIL COMMENTS**

Councilwoman Miller-Cody stated that last Tuesday evening you missed a treat because as Mayor Pro Tem, she got a chance to be the Mayor at the Work Session and sit in his seat. She said it was very challenging and different. When you are sitting in the seat as a Council person, you feel more comfortable; however, she did not realize it would be that much difference. She thanked the City Manager, Council Members, Department Heads, and everyone that was present in making her feel welcome and that she had done a great job. She was elated to have the opportunity.

### **ADJOURNMENT**

Mayor Matheson entertained a motion for adjournment.

**A MOTION** by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (4-0) to adjourn the March 10, 2022 Meeting of the Valdosta City Council at 7:13 p.m. to meet again in Regular Session on Thursday, April 21, 2022.

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City Clerk, City of Valdosta

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Mayor, City of Valdosta