

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, SEPTEMBER 8, 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: Andy Gibbs, Sandra Tooley, Vivian Miller-Cody, Tim Carroll, Eric Howard, and Ben Norton. The invocation was given by Councilman Tim Carroll, followed by the Pledge of Allegiance to the American Flag.

APPROVAL OF MINUTES

The minutes of the August 25, 2022 Regular Meeting were approved by unanimous consent (6-0) of the Council.

PUBLIC HEARINGS

ORDINANCE NO. 2022-20, AN ORDINANCE TO REZONE 1.92 ACRES FROM SINGLE-FAMILY RESIDENTIAL (R-6) TO A HIGHWAY-COMMERCIAL (C-H) ZONING DISTRICT

Consideration of an Ordinance to rezone 1.92 acres from Single-Family Residential (R-6) to a Highway-Commercial (C-H) Zoning District as requested by Justin Moore on behalf of West Hill Church of Christ (File No. VA-2022-11). The property is located at 1416 West Hill Avenue. The Planning Commission reviewed this at their August 29, 2022 Regular Meeting and recommended approval (6-0 Vote).

Matt Martin, Planning Administrator, stated that Justin Moore, on behalf of West Hill Church of Christ, Inc., is requesting to rezone 1.92 acres from Single-Family Residential (R-6) to Highway-Commercial (C-H). The property is located at 1416 West Hill Avenue which is along the north side of the street about 700 feet east of the intersection with North St. Augustine Road. The property is currently a split-zoned parcel (3.53 acres total) with existing C-H Zoning for the southerly portion abutting West Hill Avenue, and R-6 Zoning for the northerly portion in the rear of the property. The property contains an existing church which is proposing to expand their facilities with a new building (approximately 16,000 square feet) and associated new parking area. This rezoning is being proposed in order for the entire property to be zoned C-H so that the church can expand on site as a Permitted Use. The property is located within a Community Activity Center (CAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of C-H Zoning. This property has a long history of being used as a Church and it has been split-zoned this way since the City adopted Zoning in 1966. The surrounding zoning pattern of the area is dominated by C-H for the properties along the West Hill Avenue frontage with R-6 in the areas to the rear which are older neighborhoods in many places. However, in this case, there is no neighborhood to the immediate rear and the adjacent side street (Stewart Street) is a short dead-end road. All of the properties to the east and west are development with intensive commercial uses (hence the C-H Zoning). The large tract to the rear is mostly vacant and wooded and is separated from the property by a powerline easement. Given these existing patterns and also the CAC Character Area, consolidating all of the Church's property under one zoning classification makes logical sense. Staff found the request consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommended approval of C-H Zoning. The Planning Commission reviewed this at their August 29, 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 as requested (6-0 Vote).

Dr. Justin Moore, Minister of the West Hill Church of Christ, 1416 West Hill Avenue, spoke in favor of the request. Dr. Moore stated that the congregation has experienced a great amount of growth and they are proposing to build a \$2.8 million building next door. Dr. Moore asked for 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 (6-0) to enact Ordinance No. 2022-20, an Ordinance to rezone 1.92 acres located at 1416 West Hill Avenue from Single-Family Residential (R-6) to a Highway-Commercial (C-H) Zoning District as requested by Justin Moore on behalf of West Hill Church of Christ, the complete text of which will be found in Ordinance Book XIV.

ORDINANCE NO. 2022-21, AN ORDINANCE TO REZONE 1.44 ACRES FROM SINGLE-FAMILY RESIDENTIAL (R-10) TO A HIGHWAY-COMMERCIAL (C-H) ZONING DISTRICT

Consideration of an Ordinance to rezone 1.44 acres from Single-Family Residential (R-10) to a Highway-Commercial (C-H) Zoning District as requested by Hamilton Dickey on behalf of Culbreth Family Limited Partnership (File No. VA-2022-12). The property is located at 1705 Ellis Drive. The Planning Commission reviewed this at their August 29, 2022 Regular Meeting and recommended approval (6-0 Vote).

Matt Martin, Planning Administrator, stated that Hamilton Dickey, on behalf of Culbreth Family Limited Partnership, is requesting to rezone 1.44 acres from Single-Family Residential (R-10) to Highway-Commercial (C-H). The property is located at 1705 Ellis Drive which is along the east side of the street about half-way between North St. Augustine Road and Baytree Road. The property previously contained a single-family residence, which has been recently demolished. The properties immediately to the east facing Gornto Road are under the same ownership and formerly contained the Astro Exterminating business whose buildings have also been recently demolished. The applicant and the owners are proposing to market all of these properties together for future commercial development. There is currently no proposed specific use nor proposed site plan for this property. The property is located within a Community Activity Center (CAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of C-H Zoning. The existing R-10 Zoning is non-compliant in the CAC Character Area and it needs to be upgraded to something a little more intensive to match the future development policy of the area. The surrounding zoning patterns include C-H on properties facing the commercial corridors along Gornto Road to the east and North St. Augustine Road to the south. The patterns to the north and south include both residential and office-professional, on properties facing Ellis Drive and Springhill Place which are non-commercial. The surrounding land use patterns reflect the zoning patterns. These include hotels and general commercial development to the east and south, multi-family (Heather Glenn Condos) to the west, and a single-family residence (rental) to the immediate north with offices and another residence beyond. The property is located in the border fringe area between these two patterns. The applicant's request is purely speculative, with no proposed site plan nor specific use(s) being proposed. It should be noted that although the property is bordered by C-H Zoning, the commercial land uses on these properties are all C-C type uses. It should also be noted that although the property is planned to be marketed simultaneously with the adjoining vacant property facing Gornto Road, this property is still its own parcel of land (1.44 acres) and can certainly stand on its own for future development and have its only access coming from Ellis Drive. Given the nature of Ellis Drive and its lower intensity zoning and development patterns, Staff is concerned about placing the more intensive commercial zoning of C-H (or even C-C) on this bordering property. C-H Zoning is intended to be along higher-classification roadways, and its potential for heavy commercial uses would certainly be out of character for Ellis Drive. C-C Zoning would be more compatible and deemed consistent with the existing use patterns on these neighboring commercial properties. However, given the existing lower-intensity patterns along Ellis Drive and the very speculative nature of this request, Staff believes that C-N Zoning would be more appropriate at this time. The last two pages of this report are a use comparison chart showing all three of these commercial Zoning Districts with the different land uses that are allowed in each. For speculation purposes, C-N Zoning would allow most of the likely commercial uses to be developed here while also protecting Ellis Drive from possible commercial uses that would be too intensive for this location. Staff found the request for C-N Zoning consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommended approval of C-N Zoning instead of C-H. The Planning Commission reviewed this at their August 29, 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 (6-0 Vote).

Hamilton Dickey, 5 Moss Trail Circle, spoke in favor of the request. Mr. Dickey stated that he had been asked to represent the Culbreth family in this rezoning request. The property is surrounded by C-H Zoning and they would like to sell the property as one property. They do not want to subdivide it. Everyone who has approached them has asked about the R-10 Zoning and everyone around the property is already commercial. Astro

Exterminating actually used this as commercial property prior to this. They parked their trucks there and there was a vacant house there that they tore down. Mr. Dickey asked for Council's consideration in approving the request.

No one spoke in opposition to the request.

A **MOTION** by Councilman Gibbs, seconded by Councilman Carroll, was unanimously adopted (6-0) to enact Ordinance No. 2022-21, an Ordinance to rezone 1.44 acres located at 1705 Ellis Drive from Single-Family Residential (R-10) to a Highway-Commercial (C-H) Zoning District as requested by Hamilton Dickey on behalf of Culbreth Family Limited Partnership, the complete text of which will be found in Ordinance Book XIV.

ORDINANCE TO REZONE 0.32 ACRES FROM SINGLE-FAMILY RESIDENTIAL (R-15) TO A RESIDENTIAL-PROFESSIONAL (R-P) ZONING DISTRICT DENIED

Consideration of an Ordinance to rezone 0.32 acres from Single-Family Residential (R-15) to a Residential-Professional (R-P) Zoning District as requested by Chaz and Kari Anne Bowden (File No. VA-2022-14). The property is located at 202 Wayne Avenue. The Planning Commission reviewed this at their August 29, 2022 Regular Meeting and recommended denial (6-0 Vote).

Matt Martin, Planning Administrator, stated that Chaz and Kari Anne Bowden are requesting to rezone 0.32 acres from Single-Family Residential (R-15) to Residential-Professional (R-P). The property is located at 202 Wayne Avenue which is along the north side of the street about 150 feet west of North Toombs Street. The property contains an existing single-family residence (1,720 square feet) and the applicants are proposing to either convert this building or redevelop the entire property as a regular professional office for their law firm. The property also contains existing residential driveways accessing both the front and rear yards. The applicants have not produced a site plan showing how these features might change. As a conventional office, the site will be required to have a standard parking lot with at least six parking spaces (based on the current building size). The property is located within a Transitional Neighborhood (TN) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of R-P Zoning. This property is part of the very short Wayne Avenue corridor which is only two blocks long and runs between North Oak Street and North Patterson Street. Ignoring the corner properties which face either Oak Street or Patterson Street, all of the properties facing Wayne Avenue from the north are zoned R-15 while all the properties facing from the south are zoned R-P with one vacant lot being zoned DR-10 instead. The applicant's main rationale for requesting R-P for their property is the prevalence of R-P Zoning along the south side of the road; however, in spite of the existing R-P Zoning, the development pattern along the south side is very much dominated by single-family residential uses with only one of the properties being used for a professional office and one being used for a duplex (total count = 13 houses, 1 duplex, 1 small office). Although the housing pattern is more dense along the south side of the road (as allowed by R-P Zoning), this is still very much a residential corridor and the road seems to divide the more intensive pattern to the south (toward West Park Avenue) from the larger lot R-15 neighborhood to the north along North Toombs Street. Therefore, rezoning any of the properties along the north side of Wayne Avenue should be seen as an encroachment into this well-established stable neighborhood and inconsistent with the surrounding land use patterns. As further background, it should also be noted that the property immediately to the east (200 Wayne Avenue) went through the same kind of request for R-P Zoning in 2009 for a proposed Real Estate Office (File No. VA-2009-23). Staff and the Greater Lowndes Planning Commission both recommended denial (7-0 Vote), and the request was withdrawn before it reached City Council. Staff found the request inconsistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommended denial. The Planning Commission reviewed this at their August 29, 2022 Regular Meeting, found it inconsistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended denial (6-0 Vote).

Kari Anne Bowden, Applicant, spoke in favor of the request. Ms. Bowden stated that she and her husband own the property and they are both practicing Attorneys. They practice in separate offices and have no plans for starting a new practice right now; however, that is something that they have talked about wanting to do one day. They are in the very early stages of discussing that and they disagree with the Planning Commission's findings that it is inconsistent. The Character area of this neighborhood is transitional and it is not residential. The particular block that they are attached to has several Single-Family Residential homes; however, the nature of the general area

is a mixture of both residential and businesses. The zoning on their property is currently R-15 and they are requesting R-P. Across the street from their property is all R-P. At the Planning Commission Meeting, there were three people (neighbors) who spoke against the request. All but one of those are already zoned R-P and even one of those may not be the owner of record. The other one does not even live there and she rents out the property. All of this is zoned R-P and they are Single-Family Residential homes, but technically, they could go and rent one of those and have a business there because it is already zoned R-P. The only thing that is different is that the street is the buffer. On their block, there is already property that is zoned R-P. There are a multitude of businesses already in the area. This is not a traditional neighborhood that you would think of where there is only residential zoning there. R-P Zoning does allow for residential use and that is still what they intend to do for the foreseeable future. She and her husband practice at different firms and they do not have plans to change to a business tomorrow if this is approved. At the Planning Commission Meeting, they discussed the existing structure and they have no plans to demolish it and rebuild. There is plenty of space to make a parking lot if that became necessary. Some of the people who brought up concerns said that it would be an eyesore and that the safety of the neighborhood would be in jeopardy, but that is not true. She believes that keeping owner-occupied property in the area is actually beneficial. If they do not get this rezoned and move out, they are going to either rent it or sell it. A few years ago, someone broke into their home and their neighbor's home on the exact same day in broad daylight. A month later a vehicle across the street was stolen. She feels that having a presence there is only going to help increase the safety of the neighborhood. They believe that this rezoning is completely in line with the transitional neighborhood. They are not the first in the block to do this and it is not setting a negative precedent because there is already R-P Zoning all around. They believe that this is perfectly consistent. Ms. Bowden asked Council's consideration in approving the request despite the Planning Commission's recommendation.

No one spoke in opposition to the request.

A **MOTION** was made by Councilman Gibbs to deny the request to rezone 0.32 acres located at 202 Wayne Avenue from Single-Family Residential (R-15) to a Residential-Professional (R-P) Zoning District as requested by Chaz and Kari Anne. Councilman Howard seconded the motion. The motion was adopted 4-2 to deny the request with Councilwoman Miller-Cody and Councilwoman Tooley voting in opposition.

ORDINANCE NO. 2022-22, AN ORDINANCE TO REZONE A TOTAL OF 4.94 ACRES FROM SINGLE-FAMILY RESIDENTIAL (R-6) TO MULTI-FAMILY RESIDENTIAL (R-M) AND 2.19 ACRES FROM SINGLE-FAMILY RESIDENTIAL (R-10) TO MULTI-FAMILY RESIDENTIAL (R-M)

Consideration of an Ordinance to rezone a total of 4.94 acres from Single-Family Residential (R-6) to Multi-Family Residential (R-M) and 2.19 acres from Single-Family Residential (R-10) to Multi-Family Residential (R-M) as requested by HM Valdosta LLC (File No. VA-2022-15). The properties are located along both sides of Baytree Drive, east of Wainwright Drive. The Planning Commission reviewed this at their August 29, 2022 Regular Meeting and recommended approval (6-0 Vote).

Matt Martin, Planning Administrator, stated that HM Valdosta LLC is requesting to rezone 11 different parcels of land totaling 7.13 acres as partial neighborhood buyout for purposes of developing an apartment complex. The request is to rezone from Single-Family Residential (R-6) to Multi-Family Residential (R-M) (4.94 acres), and from Single-Family Residential (R-10) to Multi-Family Residential (R-M) (2.19 acres). The properties are located along both sides of Baytree Drive just east of Wainwright Drive. Each of the properties currently contain a single-family residence, and the applicant is proposing to redevelop all of these properties together as an apartment complex consisting of 124 dwelling units. The complex will consist of 4 different residential buildings, which vary from 1-story to 3-stories each, and the apartments will be a mixture of 2-bedroom and 3-bedroom units. As part of their overall development plan, and as a completely separate review process, the applicant is also petitioning to close and vacate the portion of Miramar Street right-of-way that is south of Baytree Drive. The property is located within a Transitional Neighborhood (TN) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of R-M Zoning. In 2004, a similar rezoning request was submitted and approved for portions of this neighborhood. That request was to rezone from R-10 to R-6 for purposes of redeveloping the properties as a multi-phase apartment complex consisting of about 144 units. Unlike today, the Zoning Ordinance in 2004 allowed apartments in R-6 Zoning and the R-M Zoning District did not yet exist. After the rezoning, the developer at that time went ahead with the planned apartments on the northerly

portions only, and these are currently called “The Gates” apartments (formerly known as College Station). When the City adopted its new Land Development Regulations (LDR) in 2009, multi-family was deleted from the allowable uses in R-6 and the R-M Zoning District was created (all of the City’s existing large apartment complexes were then rezoned to R-M in 2009). The remaining R-6 properties were never redeveloped and have been sitting as-is ever since. Now, a new applicant has come along and is essentially proposing to complete the redevelopment project that was started in 2004, but under a completely new (& better) development plan. Given the recent history of the neighborhood, the now-existing apartments on properties to the north, and the compact geography of this new proposal, Staff is supportive of this request. Staff found the request consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommended approval of R-M Zoning. The Planning Commission reviewed this at their August 29, 2022 Regular Meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (6-0 Vote).

Bill Kent, Innovate Engineering & Surveying, 2214 North Patterson Street, spoke in favor of the request. Mr. Kent stated that he represented the Developers and a lot of thought and effort has been put into planning this Project. They are aware of the development challenges that are inherent with every development and they are currently constructing another student housing development in the City. Mr. Kent asked Council’s consideration in approving the request.

No one spoke in opposition to the request.

A **MOTION** by Councilman Gibbs, seconded by Councilman Norton, was adopted (6-0) to enact Ordinance No. 2022-22, an Ordinance to rezone a total of 4.94 acres from Single-Family Residential (R-6) to Multi-Family Residential (R-M) and 2.19 acres from Single-Family Residential (R-10) to Multi-Family Residential (R-M) located along both sides of Baytree Drive east of Wainwright Drive as requested by HM Valdosta LLC, the complete text of which will be found in Ordinance Book XIV.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 2022-23, AN ORDINANCE TO AMEND THE REFUSE COLLECTION AND DISPOSAL ORDINANCE (SECOND READING)

Consideration of an Ordinance to amend the Refuse Collection and Disposal Ordinance. (Second Reading)

Anthony Musgrove, Public Works Administrator, stated that the City suspended curbside recycling due to COVID-19 on April 7, 2020 and opened up three mobile recycling drop locations. In early 2020, the Public Works Department completed an audit of the City’s recycling program. The audit identified and outlined that of the 17,398 homes in the City, only 3,694 (21%) participated in the City’s recycling program. In 2019, curbside recycling collection averaged 80 tons monthly. In 2020, the drop-sites averaged 77 tons monthly. Data compared from the curbside collection process and the drop-off process, outlined from May 1, 2021 to January 31, 2021, highlighted a monthly decrease of 3 tons in collection using the drop-off process; however, in 2021, the utilization of the drop-off sites climbed to an 84-ton monthly average, a 4-ton monthly average over the 2019 curbside collection. During this time, the audit and evaluation of both processes has allowed the City to validate operational needs to transition from curbside collection to mobile recycle drop sites. Over the past several years, residents were required to call Public Works and schedule a special pickup for junk piles. This became a major issue because many residents were not calling to schedule a special pickup and were placing junk items everywhere on City rights-of-way. City leadership, along with the Mayor and City Council, decided to change the special pickup policy. With this change, there is no need to call for a special pickup. Items are required to be placed out no earlier than noon the day before their scheduled sanitation pickup. There is no charge to dispose of bulk item piles that are smaller than 4 x 8 x 5 and placed on the right-of-way. There is a charge for bulk item piles that are larger than 4 x 8 x 5 and that will be added to the sanitation billing for that address. The new term for special pickups is “bulk items.” The current Ordinance has not been updated to reflect these changes and needs updating to reflect the new recycle and bulk collection services. This amendment to the Ordinance outlines the collection procedures and creates standards based on the needs of the recycling program and bulk item collection. Anthony Musgrove, Public Works Administrator, recommended that Council approve the Ordinance to amend the Refuse Collection and Disposal Ordinance.

A **MOTION** by Councilman Carroll, seconded by Councilman Gibbs, was adopted (6-0) to enact Ordinance No, 2022-23, an Ordinance to amend the Refuse Collection and Disposal Ordinance, the complete text of which will be found in Ordinance Book XIV.

AN ORDINANCE TO AMEND CHAPTER 6 – ALCOHOLIC BEVERAGES, ARTICLE II – LICENSES, SECTION 6-36 – WINE ONLY ESTABLISHMENTS, WINE TASTINGS, AND RETAIL TOBACCO STORES OF THE CODE OF ORDINANCES FOR THE CITY OF VALDOSTA TO ADD PROVISIONS FOR MALT BEVERAGE ONLY ESTABLISHMENTS (FIRST READING)

Consideration of an Ordinance to amend Chapter 6 - Alcoholic Beverages, Article II - Licenses, Section 6-36 - Wine Only Establishments, Wine Tastings, and Retail Tobacco Stores of the Code of Ordinances for the City of Valdosta to add provisions for Malt Beverage Only Establishments. (First Reading)

Matt Martin, Planning Administrator, stated that since 2011, the Alcohol Ordinance has contained special provisions for Wine Only Establishments on a City-wide basis which exempt these Establishments from the food service requirements that pertain to other establishments that serve alcoholic beverages in the form of malt beverage (beer) or distilled spirits (liquor). In April of 2021, the Alcohol Ordinance was amended to define and add provisions for the Downtown Valdosta Entertainment District (DVED) which allowed off-premises consumption of alcoholic beverages within the DVED defined area. Since that time, there has been ongoing discussion among property owners and business owners within the DVED area who desire to have a Beer Only Establishment within this same DVED area. The purpose of the DVED is to help support and sustain Downtown Valdosta's established arts and cultural activities and help promote and generate new arts and cultural activities. With the DVED's complementary mix of shops, restaurants and entertainment venues that support these uses, the DVED provisions are expected to generate increasing interest in Downtown Valdosta and attract more arts and cultural events. Most of the City's existing Wine Only establishments are within the DVED area, and these seem to be operating successfully. It is unclear how the addition of Beer Only Establishments might affect the overall pattern and operation of establishments City-wide which serve alcoholic beverages; however, with the DVED already containing most of the Wine Only Establishments, this area seems like a good testing ground to help determine what these affects might be.

Councilwoman Tooley inquired as to whether they had done any studies or surveys to see how having wine only or beer only might affect the area and if it would bring a big crowd. Matt Martin stated that the Central Valdosta Development Authority (CVDA) has talked about this for several months and in their view, it is something to broaden the possibility of some mixed-use type businesses in the Downtown area. Something that is a trend today is the ax-throwing business and they would like to serve beer. There is another business that will be opening soon that will have a bowling alley as well as some snacks and they are also interested in serving beer. It is for those types of businesses where it is not just either food and beverage only or something else but a mixture. They have seen this in other cities and they think it might be a good thing for Valdosta. The recommendation is to focus on the Downtown area and Entertainment area rather than open it up City-wide. Councilwoman Tooley stated that she was wondering if they were looking at certain age groups in order to liven it up. Matt Martin stated that he has been to the ax-throwing place more as a spectator rather than a participant but his family enjoys it. It is popular with the young people.

Councilman Howard inquired as to whether it would be malt only. Matt Martin stated that it would be wine only or malt only or wine and malt. It would completely exclude distilled spirits which is commonly known as alcohol. Mark Barber, City Manager, stated that serving liquor would still have the restaurant requirements. Matt Martin stated that was correct and that there have been no changes to that part of the Code.

Councilwoman Miller-Cody stated that there was a study done 20 years ago and they need to go back and discuss the other locations that were open but we closed them down. She is thoroughly offended because they are talking about doing this now. The previous Council shut them down within 48 hours.

Mayor Matheson stated that this is the First Reading and no action will be taken tonight.

Consideration of a Utility Easement Agreement for the placement of underground utilities at the Valdosta-Lowndes County Parks and Recreation Freedom Park located on Guest Road.

Jason Barnes, Superintendent of the Guest Road Water Treatment Plant, stated that the Freedom Park sports complex on Guest Road was built 15 years ago. Freedom Park is operated by the Valdosta-Lowndes Parks and Recreation Authority (VLPRA) and is situated on property owned by the City of Valdosta. The construction featured five softball fields, a concession stand, and restrooms. The concession stand and the restrooms discharge their wastewaters into an onsite septic tank. The septic tank has required inconvenient regular maintenance and the costs associated. VLPRA is proposing to install a small lift station and force main that will pump the concession stand and bathroom waste discharge through a new sanitary service line to the City's gravity sewer main that is located on property owned by East & West Investments (adjacent to Freedom Park). A small portion of property where VLPRA will have to traverse with this new sanitary sewer service line will require the granting of a utility easement by East & West Investments, Inc. to the City. Per code, the facilities will be within a 20-foot wide utility easement. East & West Investments, Inc. has agreed to grant the City a utility easement to provide new service to Freedom Park for the sum total of \$3,500. The easement remains the property of the owner; however, it is accessible to the City in perpetuity. Jason Barnes, Superintendent of the Guest Road Water Treatment Plant, recommended that Council approve the Utility Easement Agreement for the placement of underground utilities at the Valdosta-Lowndes County Parks and Recreation Freedom Park located on Guest Road.

A MOTION by Councilman Howard, seconded by Councilman Gibbs, was adopted (6-0) to approve Utility Easement Agreement for the placement of underground utilities at the Valdosta-Lowndes County Parks and Recreation Freedom Park located on Guest Road.

LOCAL FUNDING AND REQUESTS

Consideration of a request to approve the purchase of GIS survey equipment, software, and training for the Utilities Design/GIS Division from Trimble Navigation as the sole source provider.

Jason Barnes, Superintendent of the Guest Road Water Treatment Plant, stated that the GIS Division in the Utilities Department is currently operating survey equipment and software purchased over ten years ago. Funding for this GIS equipment, software, and training was approved for the 2023 Fiscal Year Utilities Budget. The new survey equipment and software will allow field personnel to collect GIS and survey data at significantly increased satellite network connection times (400-500% improvement) allowing connection to previously unavailable constellation of Galileo satellites and improved efficiency. The new Trimble Antenna and handheld receiver is designed specifically for more challenging environments such as heavy tree cover, tall buildings, and other conditions which limit direct overhead satellite reception. The Utilities GIS Division has a significant number of water and sewer assets for survey, updates, and tracking of repairs and maintenance locations and the new equipment will increase the accuracy and efficiency of the surveying workflow. The current GIS survey equipment is now unsupported for repair or replacement parts. Their newest GIS data collector is non-operational, and they are using their oldest backup data collector that is also outmoded. Jason Barnes, Superintendent of the Guest Road Water Treatment Plant, recommended that Council approve the purchase of GIS survey equipment, software, and training for the Utilities Design/GIS Division from Trimble Navigation as the sole source provider in the amount of \$36,696.65.

A MOTION by Councilman Carroll, seconded by Councilman Gibbs, was adopted (6-0) to approve the purchase of GIS survey equipment, software, and training for the Utilities Design/GIS Division from Trimble Navigation as the sole source provider in the amount of \$36,696.65.

Consideration of a request to approve the purchase of utility detection radar equipment, software, and training for the Utilities Department from Leica Geosystems Territory Dealer as the sole source provider.

Jason Barnes, Superintendent of the Guest Road Water Treatment Plant, stated that the Utilities Department, the Engineering Department, GIS Division, and the Locates and Inspection Division is currently in the need of acquiring a Utility Detection GPR (Ground Penetrating Radar) to assist in finding difficult underground water and sewer system assets. Funding for this GPR equipment, software, and training was approved for the 2023

Fiscal Year Utilities Budget. The new GPR utility detection equipment and software will help locator field personnel to identify water and sewer pipes that do not have tracer wire attached to them or are difficult to find using other magnetic or radio frequency locating equipment. The Utilities GIS Division has a significant number of 811 locate tickets that are processed each month to locate water and sewer assets to protect them from damage from developers, builders, underground utilities contractors, or other utilities owners work within the City's rights-of-way or easements. The Utilities Department does not currently own any GPR utility detection locate equipment. Jason Barnes, Superintendent of the Guest Road Water Treatment Plant, recommended that Council approve the purchase of the sole-source equipment from the Leica Geosystems Supplier in the amount of \$17,995.

A MOTION by Councilman Howard, seconded by Councilman Norton, was adopted (6-0) to approve the purchase of utility detection radar equipment, software, and training in the amount of \$17,995 for the Utilities Department from Leica Geosystems Territory Dealer as the sole source provider.

Consideration of a request to purchase two new Sutphen Fire Engines for the Valdosta Fire Department.

Fire Chief Brian Boutwell stated that as they discussed on Tuesday night at the Work Session regarding the purchase of Fire Engines, these are replacement Engines. We were fortunate earlier this year to buy a Demo at a much lower cost and at a faster build time. Under the current economic environment, we are looking at 22 to 24 months build time and an increase in price quarterly instead of annually. In the FY23 Budget, they approved \$734,454 for an Engine. With an increase, the Engines are \$813,148. If we have approval to proceed with this purchase and we have a Purchase Order issued by September 14, 2022, we will be able to purchase them at \$813,148. After September 14, 2022, each Engine will go up to \$838,148. These are replacement Engines for No. 1 and No. 5. This is a sole source purchase using the Sourcewell Contract for two Sutphen Engines in the amount of \$813,148 each for a total cost of \$1,626,296. Chief Boutwell asked Council's consideration in proceeding with the purchase.

Mayor Matheson inquired as to the age of the Engines being replaced. Chief Boutwell stated that they are 1998.

Councilman Gibbs inquired as to what we would get back if we sold the older Engines. Chief Boutwell stated that these are 1998's that we have already sold several of them to smaller communities and you are talking hundreds of dollars instead of thousands of dollars. It depends on the repairs at the time and the condition of the Engine.

Mark Barber, City Manager, stated that if someone is going to make the motion, they will need to include to allow the Finance Director to seek viable financing options for these two Engines as well.

Councilwoman Tooley stated that she thought he said the Engines had been approved. Chief Boutwell stated that in FY23 they were approved at a cost of \$734,454 so they are just asking to continue with the purchase of \$813,148 and allow the Finance Director to explore any other viable financing options. Councilwoman Tooley stated that they are looking for somewhere else other than where we budgeted money in the Finance Department. Mark Barber stated that depending on delivery times and the economic environment, in case we look for a financing option because of low cash flow then Council will have already approved that and he will not have to come back before Council and ask for a viable financing option to actually pay for the Fire Trucks when the 24-month timeframe comes around. Councilwoman Tooley stated that she was confused in that they are asking for it now. Councilman Howard stated that if we do not get the bid in by a certain date in September then the price is going to go up. Councilwoman Tooley inquired as to whether they were going to bid because we have the money to pay for it. Councilman Howard stated that if they approve it now then the Fire Chief can go ahead and submit it so that the price would not be higher. He is asking for the option to finance instead of purchasing it outright. Councilwoman Tooley stated that they are saying they do not know where we are going to get the money from. She thought it was coming out of the Budget but they are saying that they don't really know. Councilman Howard stated that it is coming out of SPLOST.

Councilman Gibbs inquired as to whether we pay upon delivery. Mark Barber stated that was correct. Councilman Gibbs stated that if that is the case then we would pay for it in two years. Councilman Gibbs inquired

as to how much they are over. Chief Boutwell stated that if we go ahead and move forward now before September 14, 2022 then we are looking at approximately \$90,000 over Budget. Councilman Gibbs stated that between now and 24 months we would be able to offset that. Mark Barber stated that all we are asking for is for Council to allow them to look at financing options if we need to in a 24-month timeframe. The debt could be paid from SPLOST VIII because that is where it is budgeted anyway so the payment would come out of SPLOST VIII and there is no change there. Mayor Matheson stated that it sounds like they are asking for a safety net. Mark Barber stated that they normally do this with any of the Fire Engines because they are so expensive and you pay at the time of delivery. We usually ask for Council to allow for financing options if we have to go that route. It is not unusual for us to ask for that. Chief Boutwell stated that we are locked in at \$813,148 and he will work on getting a Purchase Requisition prepared tomorrow so a Purchase Order can be issued on Monday, September 12, 2022. That will save us in excess of \$50,000. We will be responsible for that payment at the 22 to 24-month build time. We are asking for permission to proceed with the purchase and also allow the Finance Director to explore viable financing options in the case that it is needed two years from now. These Fire Trucks could easily cost \$1 million each, but not ours because we are locking them in tonight at \$813,148. Two years down the road, the economy could take a downward turn and the cash flow could be different so we are just allowing the Finance Director to explore options in case it is needed at the time. Councilwoman Tooley stated that she thought they should wait to see if they need it because we would be getting into debt that we may not necessarily need. She understands what they are saying about having a buffer just in case, but she would have liked to had a little time to think about it. Councilman Howard stated that the Fire Chief is saying that if we go ahead and submit the bid now then we will get them at \$813,148 each; however, if we wait until 2024 to place the order, then we will not get the Engines until 2026 and we need them now. Councilwoman Tooley stated that they could bid on them. She was not saying that they should not bid on them, but she wanted to know why we are asking the Finance Officer to look at viable financing options. Councilman Howard stated that instead of us taking the money out of SPLOST right now, we are going to give the Finance team an option to finance versus spending the \$813,148 for each Fire Truck in two years. We are not saying that we are doing it but we are giving them the option to do so. Councilwoman Tooley stated that if we budgeted for it then we should have the money to use for the purchase; however, now she is hearing them say that they are looking at other funding and getting a loan just in case. That is the only thing she was looking at. If you are getting an extra loan then there is interest on the loan. You are just putting more debt on the City. That is all she was looking at. Councilman Gibbs stated that we are talking about covering the \$90,000 if we had too. Mark Barber stated that the last thing that he and the Finance Director want to do is to go into debt. This is just simply saying that if the cash flow is not there in two years due to the uncertainty of economic times we are in, then we would like for the Finance Director to explore it. We would probably look at the Georgia Municipal Association (GMA) Equipment Lease Purchase that they do which is very low interest. Again, he does not foresee us having to do that. Councilwoman Tooley stated that you see the potential need for it because it is being presented to them. Mayor Matheson stated that they also see the potential need to try and beat inflation instead of purchasing them for \$1 million each in two years.

A MOTION by Councilman Norton, seconded by Councilman Gibbs, was adopted (6-0) to approve the request as presented to purchase two new Sutphen Fire Engines in the amount of \$813,148 each for the Valdosta Fire Department with the addition to allow the Finance Director to seek a viable financing option if needed.

Consideration of a request to abandon a utility easement located at 2585 Marathon Drive.

Ben O'Dowd, City Engineer, stated that Innovate Engineering & Surveying has petitioned on the behalf of S & S Services of Lowndes County, LLC to abandon an existing utility easement on their property located at 2585 Marathon Drive. The property is described as Map 0151A, Parcel 047 and is depicted as Lot 8. The only utility that used to be in the easement was a sanitary sewer line that has been abandoned. This abandonment was due to the development of residential housing on the eight lots on the division survey. The abandonment of the sewer and development of these lots has been coordinated with the Utilities Department. The request for the abandonment has been circulated to other City Departments and utility companies. Ben O'Dowd, City Engineer, recommended that Council approve the request to abandon a utility easement located at 2585 Marathon Drive.

A MOTION by Councilman Norton, seconded by Councilman Howard, was adopted (6-0) to approve the request to abandon a utility easement located at 2585 Marathon Drive.

Sementha Mathews, Executive Director of the Turner Center for the Arts, 4069 Conway Circle, stated that the Turner Center for the Arts is 1 of 36 organizations across the nation that is in the running for Grant funds for up to \$180,000 for the next three years to produce free outdoor concerts for our community. People will need to vote between September 12-21, 2022 for Valdosta and it would be great to bring it home. It will be narrowed down to the top 20 and then then top 10 will receive the Grant funds. It is \$90,000 in Grant funds and it is \$30,000 per year with a \$30,000 match for a total of \$180,000. They started the Music in the Art Park three years ago right before COVID-19 hit and they have been getting businesses to provide the funding to pay the bands. If they received this Grant funding then they could provide more outdoor music events.

CITY MANAGER'S REPORT

Mark Barber, City Manager, stated that he met with the County Manager today and they decided to move 9-11 Ceremony tomorrow to the Lowndes County Judicial Building due to inclement weather. They will still have the Firefighters 5K Run on Saturday, September 10, 2022.

COUNCIL COMMENTS

Mayor Matheson stated that he will be at the James Eunice Swim at the 4-H Club on Sunday, September 11, 2022 at 7:30 a.m. It is for a great cause and they have supported so many students with the funds they have raised with this event.

ADJOURNMENT

Mayor Matheson entertained a motion for adjournment.

A MOTION by Councilman Carroll, seconded by Councilwoman Miller-Cody, was unanimously adopted (6-0) to adjourn the September 8, 2022 Meeting of the Valdosta City Council at 6:27 p.m. to meet again in Regular Session on Thursday, September 22, 2022.

City Clerk, City of Valdosta

Mayor, City of Valdosta