

MINUTES
MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, FEBRUARY 9, 2023
COUNCIL CHAMBERS, CITY HALL

OPENING CEREMONIES

Mayor Matheson called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Thomas McIntyre, Andy Gibbs, Sandra Tooley, Eric Howard, Tim Carroll, Vivian Miller-Cody, and Ben Norton. The invocation was given by Jackson Moon of Boy Scout Troop 491, St. John Catholic Church, followed by the Pledge of Allegiance to the American Flag which was led by Boy Scout Troop 491.

Mayor Matheson recognized members of the 2023 Leadership Lowndes Class who were in attendance at the Council Meeting.

APPROVAL OF MINUTES

The minutes of the Regular Meeting of January 19, 2023 were approved by unanimous consent (7-0) of the Council.

PUBLIC HEARINGS

ORDINANCE NO. 2023-2, AN ORDINANCE TO REZONE 1.92 ACRES FROM PLANNED MIXED-USE DISTRICT (PMD) TO HIGHWAY-COMMERCIAL (C-H)

Consideration of an Ordinance to rezone 1.92 acres from Planned Mixed-Use District (PMD) to Highway-Commercial (C-H) as requested by Dineshkumar "Danny" Patel (File No. VA-2023-01). The property is located at 3095 James Road. The Planning Commission reviewed this at their January 30, 2023 Regular Meeting and recommended approval (5-0 Vote).

Matt Martin, Planning Director, stated that Dineshkumar "Danny" Patel is requesting to rezone 1.92 acres from Planned Mixed-Use District (PMD) to Highway-Commercial (C-H). The property is located at 3095 James Road, which is along the west side of the road about 300 feet south of the intersection with North St. Augustine Road. This is directly behind the existing Raceway gasoline station and convenience store. The property is currently vacant and the applicant is proposing to develop it with a small multi-tenant commercial center containing about 13,500 square feet of building area. As a geographic reference, the property is about 1/3 of a much larger tract of land zoned PMD for the former "Market Street" master planned development, which was approved in 2007 but never developed. The property is located within a Regional Activity Center (RAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of C-H zoning. This property is part of the northern "James Road corridor" in the City Limits which is still dominated by mostly vacant lands which are tied up in the Market Street master plan (PMD Zoning). With exception of a rezoning for the newly-constructed Quick Trip truck stop across the street to the east, and two rezonings for proposed single-family subdivisions about a half mile to the south, this entire property has been sitting dormant for 15 years. The PMD Master Plan covered about 240 acres and called for a fairly intensive mixed-use development consisting of 500+ high-density dwelling units (townhouses, duplex/villas, & houses on 60' wide lots), as well as approximately 1.3 million square feet of commercial development, consisting of retail shopping centers with anchor tenants, hotels, restaurants, and offices. The property consists of a very small portion of that PMD Master Plan but is in an area that was planned to be all commercial type uses. This also includes the PMD areas to the west and to the immediate south. With the PMD development now being defunct, and in reviewing the request from a conventional zoning perspective, the proposed C-H for this property is consistent with the existing C-H Zonings to the north and east as well as the overall commercial zoning pattern of the Exit 18 area. 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 January 30, 2023 Regular Meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended APPROVAL (5-0 vote).

Bill Kent, Innovate Engineering, 2214 north Patterson, spoke in favor of the request. Mr. Kent stated that he represented the applicant, Mr. Patel, and he is the Project Engineer for the Project. Mr. Patel is familiar with the development requirements and just recently finished the Dairy Queen on St. Augustine Road. He understands that he has to meet and comply with all development standards and regulations. 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 unanimously adopted (7-0) to enact Ordinance No. 2023-2, an Ordinance to rezone 1.92 acres from Planned Mixed-Use District (PMD) to Highway-Commercial (C-H) for property located at 3095 James Road as requested by Dineshkumar "Danny" Patel, the complete text of which will be found in Ordinance Book XIV.

ORDINANCES AND RESOLUTIONS

ORDINANCE NO. 2023-3, AN ORDINANCE FOR REAPPORTIONMENT OF THE VALDOSTA CITY COUNCIL DISTRICTS (SECOND READING)

Consideration of an Ordinance for Reapportionment of the Valdosta City Council Districts. (Second Reading)

Richard Hardy, Interim City Manager, stated that over the last six months, the City has been in contact with the Georgia Legislative Redistricting Office to assist in drafting the Reapportionment Ordinance. On May 2, 2022, our former City Manager along with several Council Members traveled to Atlanta to meet with the Georgia Legislative Redistricting Office. The focus of the meeting was to discuss redistricting and the current deviation from District numbers based upon the most current Census results. The Census block information maps and summaries are directly from their Office. Additionally, the population summaries demonstrate the population deviations in each elected District due to this change. While this is an Ordinance, it is actually an Ordinance amending our Charter via the Home Rule Reapportionment Statute. To accomplish this, the City Council must adopt the Ordinance, and not just read, at two regular consecutive Council Meetings. We completed one on January 19, 2023 and the second one is tonight. Richard Hardy, Interim City Manager, recommended that Council approve the Second Reading of the Ordinance for Reapportionment of the Valdosta City Council Districts.

A MOTION by Councilman Carroll, seconded by Councilman Gibbs, was unanimously adopted (7-0) to enact Ordinance No. 2023-3, an Ordinance for Reapportionment of the Valdosta City Council Districts, the complete text of which will be found in Ordinance Book XIV.

ORDINANCE NO. 2023-4, AN ORDINANCE TO AMEND ORDINANCE NO. 2000-61 TO REMOVE THE SPECIAL CONDITION ASSOCIATED WITH THE ANNEXATION OF THE PROPERTY LOCATED ON NORMAN DRIVE

Consideration of an Ordinance to Amend Ordinance No. 2000-61 to remove the Special Condition associated with the annexation of the property located on Norman Drive.

Matt Martin, Planning Director, stated that on September 7, 2000, the City of Valdosta annexed and rezoned 6.88 acres owned by Howard Spells et al (File No. VA-2000-63) and gave it a zoning classification of Community-Commercial (C-C). At that time, the southern half of the property (3.34 acres) contained two very large and newly-erected billboards that were a subject of discussion during the annexation/rezoning public hearings. These two billboards did not meet several of the City's requirements for such signs at that time, and they would be non-conforming upon their annexation. The C-C Zoning was approved for the entire 6.88 acres; however, as a "condition of annexation" for the southern parcel (3.34 acres), it was approved with the stipulation "that the owner [Howard Spells et al] enter into a binding agreement with the City of Valdosta that the non-conforming billboards be removed within two (2) years after the land is sold." Since the time of annexation of the southern parcel, there has never been a binding agreement prepared and the Spells family has maintained ownership of most of the property. One of the two billboards has already been removed. The property has been replatted several times but it has never been redeveloped, and it all remains vacant. In 2012, Roger Budd acquired ownership of the northern

one (1) acre of this southern parcel, with full knowledge and understanding of the annexation condition. This one (1) acre portion still contains the remaining billboard. Because of the change in ownership of only a portion of the property, the length of time, and the lack of a binding agreement with the original owner, there are several legal questions and uncertainties about the current enforceability of this annexation condition dating back 22 years ago. In order to eliminate these legal issues and resolve the overall situation, which has lingered for many years, the proposal is to simply delete the original condition of annexation altogether. Matt Martin, Planning Director, recommended that Council approve an Ordinance to amend Ordinance No. 2000-61 and delete the original special condition associated with the annexation of the property altogether.

A MOTION by Councilman Carroll, seconded by Councilman Howard, was unanimously adopted (7-0) to enact Ordinance No. 2023-4, an Ordinance to Amend Ordinance No. 2000-61 to remove the Special Condition associated with the annexation of the property located on Norman Drive, the complete text of which will be found in Ordinance Book XIV.

RESOLUTION TO DECLARE SURPLUS PROPERTY AND AUTHORIZE THE SALE OF THE SAME AS REQUEST BY THE CITY OF VALDOSTA TABLED

Consideration of a Resolution to declare surplus property and authorize the sale of the same as requested by the City of Valdosta.

Richard Hardy, Interim City Manager, stated that the City of Valdosta owns .8629 acres (37,588 sq. ft.) of property on the northwest corner of Savannah Avenue and South Fry Street. The property is a slightly irregularly shaped rectangular tract fronting the north side of East Savannah Avenue between its intersections with South Barrack Obama Boulevard and South Fry Street. The subject property is part of the former CSX railroad right of way. It has been vacant since the railroad was relocated in the early 1980's. If the property is sold for private use, the property would be encumbered with a 50' easement for maintenance of a ditch. If the ditch is piped, the easement could be reduced approximately 25'. According to the adjacent owner, who is interested in purchasing the subject property, the plan is to pipe and fill the ditch and use for a parking lot. The original daycare building will be razed, and a new building constructed to face the parking lot. According to the O.C.G.A §36-37-6, the governing authority of any municipal corporation disposing of any real or personal property must make all sales to the highest responsible bidder, either by sealed bids or by auction, after due notice has been given. The governing authority of the municipal corporation will need to publish a notice once in the legal organ of the County in which the municipality is located or in a newspaper of general circulation in the community not less than 15 days nor more than 60 days preceding the day of the auction, or if the sale is by sealed bids, preceding the last day for the receipt of proposals. A Resolution has been prepared to declare the property as surplus and authorize the sale of the property by sealed bids. Richard Hardy, Interim City Manager, recommended that Council approve the Resolution to declare the property as surplus and authorize the sale of the property by sealed bids.

A MOTION was made by Councilwoman Miller-Cody to table the request to declare surplus property and authorize the sale of the same as requested by the City of Valdosta for further discussion. Councilman Howard seconded the motion. Councilman Gibbs inquired as to whether they were tabling it to turn it over to the Land Bank Authority so they could handle it from that point on. Councilman Carroll stated that would lengthen the time for the interested party to acquire the property. Mayor Matheson stated that he agreed and the swifter process would be to put it out to bid. Councilman Carroll stated that the Land Bank Authority would have to put it out for bid. Mayor Matheson stated that would be a lengthier process. The motion was adopted (4-3) with Councilman Carroll, Councilman Norton, and Councilman Gibbs voting in opposition.

RESOLUTION NO. 2023-1, A RESOLUTION SUPPORTING THE FILING OF AN APPLICATION WITH THE GEORGIA CITIES FOUNDATION (GCF) FOR A GEORGIA CITIES FOUNDATION REVOLVING LOAN FUND (RLF) FOR 102 NORTH ASHLEY STREET

Consideration of a Resolution supporting the filing of an Application with the Georgia Cities Foundation (GCF) for a Georgia Cities Foundation Revolving Loan Fund (RLF) for 102 North Ashley Street.

Brandie Dame, Main Street Director, stated that the project involves the purchasing of 102 N. Ashley Street. This property is currently being rented and used for an open-air plant nursery. This project is designed to

keep Downtown Valdosta beautiful. The project is an investment and improvement of an existing business. This includes the purchase and upgrading of existing properties, and facilitation of new improved business strategies for previously existing enterprises. This project will bolster façade as seen from the perspective of downtown shoppers, business people, and potential investors. The project will upgrade an existing business, support Downtown horticultural adornments, and serve as an incentive for investment by surrounding businesses. The total investment is \$100,000. As stipulated in the DDRLF funding information, this Project would be awarded to the City of Valdosta who will then enter into an Intergovernmental Agreement with the Central Valdosta Development Authority (CVDA), a constitutionally created authority in Georgia. The ultimate sub-recipient of the Georgia Cities Foundation Revolving Loan Fund (GCF RLF) will be Stacy Griffin, 102 N. Ashley Street. Brandie Dame, Main Street Director, recommended that Council approve the Resolution to support the application for the filing of an application with the Georgia Cities Foundation Revolving Loan Fund (GCF RLF).

A MOTION by Councilman Norton, seconded by Councilwoman Miller-Cody, was unanimously adopted (7-0) to enact Resolution No. 2023-1, a Resolution supporting the filing of an Application with the Georgia Cities Foundation (GCF) for a Georgia Cities Foundation Revolving Loan Fund (RLF) for 102 North Ashley Street, the complete text of which will be found in Resolution Book VII.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Consideration of a request to increase the purchase order amount for a Jet Vacuum Sewer Truck for the Utilities Department.

Bradley Eyre, Director of Utilities, stated that the Utilities Department needs to replace an older Jet Vacuum Sewer Truck with high mileage, high usage hours, and rising maintenance costs. The vacuum truck market, like all others, is going through the same effects with inflation and availability. Because of this, only one vendor submitted a bid. The Vacuum Truck purchase is a Council-approved item for the FY22 Budget (Central Lines - Line Item #VR 22.35 - \$395,000). One sealed bid was received on November 30, 2021. The bid was submitted by Adams Equipment in the amount of \$424,973.00. This Item was initially presented to and adopted by Council on 1/20/2022 in the amount of \$424,973.00. On January 27, 2023, Adams Equipment contacted the City of Valdosta and informed them they cannot hold the bid pricing they provided in November, 2021 for this unit due to the fact that they have not yet received the truck chassis and the price increases for materials and labor in 2022. The funds needed to build/deliver vacuum truck is now \$516,557.00, an increase of \$91,584. Approve increasing the purchase order amount to \$516,557.00, (2) Do not approve increasing the purchase order amount. Bradley Eyre, Director of Utilities, recommended that Council approve increasing the purchase order amount to \$516,557.00 and, additionally, allow the Finance Director to explore financing options for this purchase.

A MOTION by Councilman Gibbs, seconded by Councilman Carroll, was unanimously adopted (7-0) to approve increasing the purchase order that was submitted by Adams Equipment to \$516,557.00 and allow the Finance Director to explore financing options for purchase of a Jet Vacuum Sewer Truck for the Utilities Department.

LOCAL FUNDING AND REQUESTS

Consideration of a request for extraterritorial extension of water and sewer services for property located at 961 South St. Augustine Road in Lowndes County.

Bradley Eyre, Utilities Director, stated that periodically, the Utilities Department receives water and sewer service requests from entities outside or bordering the City Limits. In these cases, those entities must present an extraterritorial service request to both the City of Valdosta and Lowndes County. Upon approval of both City and County governing authorities, the water and/or sewer systems may then be constructed and connected to the City water distribution and sewer collection systems. The subject property is depicted on the attached map figure F1.1. The Lowndes County tax map and parcel number is 0123B 001C. This property is owned by Mr. Cody Perkins of Platinum Roofing. The property lies outside of the City Limits and within Lowndes County; however, the City has a 12" water main along the South St. Augustine Rd. frontage of the property. The 2022 Service Delivery Strategy (SDS) Agreement provides, "Any party may make an extraterritorial extension of water and sewer services upon

approval of the affected party.” Pending County approval of an extraterritorial extension of Valdosta water services, the property will be in Valdosta’s water service area. The Owner/Developer has requested water services from the City of Valdosta. The City has adequate infrastructure and capacities to provide services to the property.

A **MOTION** by Councilman Carroll, seconded by Councilman Howard, was unanimously adopted (7-0) to deny the request for extraterritorial extension of water and sewer services for property located at 961 South St. Augustine Road in Lowndes County because it does not meet the long-term financial goals of our City.

BOARDS, COMMISSIONS, AUTHORITIES, AND ADVISORY COMMITTEES

Consideration of appointments to the Community Development Block Grant Citizens Advisory Committee.

Mayor Matheson stated that the Community Development Block Grant Citizens Advisory Committee has three members, Donnell Davis, Jr., Thomas McIntyre, Sr., and Wendelin Hodges, whose terms will expire on February 24, 2023. Ms. Hodges has expressed an interest in being reappointed and Mr. Davis and Mr. McIntyre have not expressed an interest in being reappointed. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants are as follows: (1) Wendelin Hodges - Retired Register Nurse, and (2) Gregory Williams - Self-employed Contractor.

Mayor Matheson stated that if there are two applicants and three slots so if there was no objection from Council, Ms. Hodges and Mr. Williams would be appointed by acclamation to serve a term of four years on the Community Development Block Grant Citizens Advisory Committee. There was no objection from Council.

Consideration of appointments to the Central Valdosta Development Authority/Downtown Development Authority.

Mayor Matheson stated that the Central Valdosta Development Authority/Downtown Development Authority has three members, Daniel Bayman, Jamie Phelps, and Michael Lee, whose terms expired on December 31, 2022. Mr. Bayman and Mr. Phelps have expressed an interest in being reappointed and Mr. Lee has not expressed an interest in being reappointed. Another member, Rhett Holmes, whose term will expire on December 31, 2023, submitted his resignation in November of 2022. These appointments were advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants are as follows: (1) Daniel Bayman - Self-employed business owner (The Firm and Gud Coffee), (2) Jeff Hansen - Chief Operating Officer (IDP Properties), and (3) Jamie Phelps - Owner/Operator (The Book & Table Inn).

Mayor Matheson stated that if there are three applicants and four slots so if there was no objection from Council, Daniel Bayman, Jeff Hansen, and Jamie Phelps would be appointed by acclamation to serve a term of two years on the Central Valdosta Development Authority/Downtown Development Authority.

Consideration of an appointment to the Valdosta-Lowndes County Conference Center & Tourism Authority.

Mayor Matheson stated that the Valdosta-Lowndes County Conference & Tourism Authority has an At Large member, Rob Evans, whose term expired on December 31, 2022. Mr. Evans has not expressed an interest in being reappointed. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants are as follows: (1) Daniel Bayman - Technology (Critical Network Solutions), (2) Angela Crance - Retired and new business owner, and (3) Gary Wisenbaker - Self-employed as a Licensed Realtor (Century 21 Realty Advisors).

Mayor Matheson entertained nominations for the At Large slot on the Valdosta-Lowndes County Conference & Tourism Authority.

Councilman Carroll placed into consideration Angela Crance. Councilman Gibbs placed into consideration Daniel Bayman. There being no other nominations, Mayor Matheson closed nominations.

A **MOTION** was made by Councilman Carroll to nominate Angela Crance for the At Large slot on the Valdosta-Lowndes County Conference & Tourism Authority. Councilman Norton seconded the motion. The motion failed (2-5) with Councilman McIntyre, Councilman Gibbs, Councilwoman Tooley, Councilman Howard, and Councilwoman Miller-Cody voting in opposition.

A **MOTION** was made by Councilman Gibbs to nominate Daniel Bayman for the At Large slot on the Valdosta-Lowndes County Conference & Tourism Authority. Councilman Howard seconded the motion. The motion was approved (5-2) with Councilman Carroll and Councilman Norton voting in opposition.

CITIZENS TO BE HEARD

Rannie Dean, Adel, stated that he spoke with the Mayor and Council in 2019 about building houses for the employed people who were struggling at that time. A lot of people told him that if he built the first one they would help him with the second one. After three months of talking to his wife, they took \$35,000 out of their retirement fund to build a house at 812 Penny Place. He would like to have some more land and he does not need much. Councilman Howard inquired as to the square footage of the houses he is building. Mr. Dean stated that he has only built one here in Valdosta and it was 1,080 square feet with four bedrooms and two baths. His website is Solid Homz if Council would like to look at what he has done. For the year 2022, he got the building permit on December 14, 2021, the Certificate of Occupancy on July 1, 2022, and he housed 15 people at least one night and some longer. He hired over 40 people from LAMP and paid them \$12.00/hour and fed them lunch. None of them had construction experience and he gave them letters of recommendation for eight of them. Three of them followed up and said they had gotten jobs. He is trying to help people and this is what he wants to do with the rest of his life. He is not a native of Valdosta and was a Real Estate Appraiser in Atlanta for 29 years. Councilman Howard inquired as to what lot size he would like to have. Mr. Dean stated that he was looking for a lot size of 6,000 to 10,000 square feet.

CITY MANAGER'S REPORT

Richard Hardy, Interim City Manager, stated that the Rotary Law Enforcement Appreciation Dinner/Luncheon was held on Wednesday, February 8, 2023 and one of our Police Officers, Officer Alberto Castellanos, received the Officer of the Year Award.

Main Street did an amazing presentation for the Georgia Exceptional Main Street group who was in Valdosta for a tour of our Downtown area. Public Works and Engineering employees did a great job in preparing for this event.

This weekend is the Super Bowl and the City of Valdosta will host the Big Game Bash in collaboration with Pepsi on Saturday, February 11, 2023 at 11:00 a.m. to 6:00 p.m. at Unity Park. Citizens are encouraged to support their team by wearing their game jerseys.

The City will host a Love Where You Live Adopt-A-Road trash cleanup on Saturday, February 25, 2023 from 9:00 a.m. to 12:00 p.m. The area that they will be picking up trash will be North Lee Street to East Gordon Street.

The 4th Annual Mayor and Chairman's Paddle with the WAALS Watershed Coalition will be held on Saturday, March 4, 2023 beginning at 8:00 a.m. at the Troupville Board Ramp.

COUNCIL COMMENTS

Mayor Matheson stated that he had the privilege of participating in the walking tour with the Georgia Exceptional Main Street group and they were very impressed with all that we have going on. They toured the Court House, the Downtown Social, and the project that Daniel Bayman is working on at the McKey Building. They also showed them some public art and then the new Unity Park.

Councilman Carroll stated that the City of Valdosta lost a real champion recently and that was Roy Taylor who passed away. Roy loved children and did a lot for them. He was very engaged and would frequently call him

at 7:00 a.m. and ask him various questions about the City's business. He stayed engaged and you have to admire a citizen who stays engaged. Roy was a great humanitarian and did a lot for our City.

Councilwoman Miller-Cody stated that she would like to see a plaque from the City placed at the Mildred Hunter Center in honor of Roy Taylor.

Councilman Gibbs stated that the Azalea Festival will be held on March 10-12, 2023. It will be different this year as they will kick it off at the Turner Center for the Arts with music on Friday night. The actual Azalea Festival will begin on Saturday and end on Sunday. Also, on Saturday night, there will be live music at Unity Park along with food truck vendors.

ADJOURNMENT

Mayor Matheson entertained a motion to adjourn the Regular Meeting and enter into Executive Session for the purpose of discussing personnel and real estate.

A MOTION by Councilman Carroll, seconded by Councilman Norton was unanimously adopted (7-0) to adjourn the February 9, 2023 Meeting of the Valdosta City Council at 6:11 p.m. to enter into Executive Session for the purpose of discussing personnel and real estate.

Mayor Matheson reconvened the February 9, 2023 Meeting of the Valdosta City Council at 6:39 p.m. and stated that there was discussion of personnel and real estate in the Executive Session and action would need to be taken on the discussion of personnel.

A MOTION was made by Councilman Carroll to give a 10% salary increase for the Interim City Manager Richard Hardy during his tenure as Interim City Manager and to have it revert back if he is not selected as City Manager. The motion was seconded by Councilman Norton. The motion was adopted (6-1) with Councilwoman Tooley voting in opposition.

Mayor Matheson entertained a motion for adjournment.

A MOTION by Councilman Carroll, seconded by Councilman Gibbs, was unanimously adopted (7-0) to adjourn the February 9, 2023 Regular Meeting of the Valdosta City Council at 6:41 p.m. to meet again in Regular Session on Thursday, February 23, 2023.

City Clerk, City of Valdosta

Mayor, City of Valdosta