

**MINUTES  
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL  
5:30 P.M., THURSDAY, JULY 5, 2018  
COUNCIL CHAMBERS, CITY HALL**

**OPENING CEREMONIES**

Mayor John Gayle called the regular meeting of the Valdosta City Council to order at 5:30 p.m. Council members present were: Joseph “Sonny” Vickers, Tim Carroll, Eric Howard, Andy Gibbs, and Vivian Miller-Cody. Councilman Ben Norton and Councilwoman Sandra Tooley were absent. The invocation was given by Pastor Martin Collins, Image of God Ministries, followed by the Pledge of Allegiance to the American Flag.

**AWARDS AND PRESENTATIONS**

**EMPLOYEE OF THE MONTH AWARD**

Consideration of the July, 2018 Employee of the Month Award (Sgt. Ken Taylor, Valdosta Fire Department).

Fire Chief Freddie Broome stated that Ken Taylor began his employment with the City of Valdosta Fire Department in November of 2011 and presently holds the position of Sergeant. Sgt. Taylor is responsible for safely operating the fire apparatuses and conducting daily, weekly, and monthly inspections to ensure the apparatuses are at a level of readiness. In addition, Sgt. Taylor assumes the Company Officer role in the absence of the Lieutenant. In March of this year, Sgt. Taylor and his wife were returning from Orlando, Florida when a motor vehicle crash occurred in front of them and without hesitation, Sgt. Taylor reacted to the scene. Utilizing his experience of firefighting and emergency medical training, he quickly assessed the scene that resulted in a vehicle being overturned with entrapment and began to render aid. Sgt. Taylor entered the overturned vehicle and found the driver pinned and a three year old in a car seat. Realizing that he could not help the driver, he immediately checked the child for injuries and removed him from the vehicle. After handing the child to other bystanders, Sgt. Taylor returned to the driver and remained with her until the local first responders arrived and assumed patient care. Sgt. Taylor exemplifies duty, service, courage, and obligation to his craft and his fellow man. During his career with the City, Sgt. Taylor has mentored and coached countless firefighters in both their personal and professional lives. It is for these reasons and many others that the Employee Relations Committee nominates Sergeant Ken Taylor as Employee of the Month.

**APPROVAL OF MINUTES**

The minutes of the June 7, 2018 and June 21, 2018 Regular Meetings were approved by unanimous consent (5-0) of the Council.

**PUBLIC HEARINGS**

**ORDINANCE NO. 2018-13, AN ORDINANCE TO REZONE 2.38 ACRES FROM HIGHWAY-COMMERCIAL (C-H) TO NEIGHBORHOOD-COMMERCIAL (C-N)**

Consideration of an Ordinance to rezone 2.38 acres from Highway-Commercial (C-H) to Neighborhood-Commercial (C-N) as requested by Christian Love Ministries (File No. VA-2018-09). The property is located at 526 Griffin Avenue. The Greater Lowndes Planning Commission reviewed this request at their June Regular Meeting and recommended approval (8-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Christian Love Ministries Church, Inc. is requesting to rezone 2.38 acres from Highway-Commercial (C-H) to Neighborhood-Commercial (C-N). The property is located at 526 Griffin Avenue which is between Griffin Avenue and Smith Street and is approximately 400’ west of Devine Street. The property contains an existing church facility (7,200 square feet) and the applicant is proposing a large building addition (about 6,000 square feet) to the north of the existing building. The main purpose of the rezoning is to eliminate C-H Zoning’s more restrictive buffer yard requirements along the eastern property line so that the proposed building addition can fit more easily on the property. The property is located

within a Neighborhood Activity Center (NAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of C-N Zoning. It should be noted that the existing C-H Zoning is non-compliant with the NAC Character Area. The current zoning patterns of this area are dominated by C-H Zoning along Griffin Avenue itself (particularly along the south side), and R-6 Zoning in the areas to the north and east, with the subject property being on the border between these. The current land use patterns of the Griffin Avenue corridor are somewhat mixed. The north side of the road contains the existing church, the South Georgia Medical Center satellite health clinic, as well as residential development farther east. The south side is dominated by the old Pearce tobacco warehouse which is no longer being used, the Southside Public Library, Payton Park operated by the Valdosta-Lowndes County Parks and Recreation Authority, and some more residential development farther east. Prior to the church purchasing this property and redeveloping it for their use about 18 years ago, it was previously used as a farm tractor and equipment dealership known as Peebles Ford. Several decades ago, it was the more intensive land uses like this dealership and the tobacco warehouse that dominated this area; however, that pattern and the new development trend has now shifted to these less-intensive uses. As a result, the existing C-H Zoning has resulted in much of the corridor being over-zoned and there is an ongoing incompatibility with the adjacent single-family neighborhoods to the north and east. The Future Development Map of the Comprehensive Plan has purposely established a zone of NAC Character Area along the north side of Griffin Avenue to serve mainly as a transitional area between the residential area to the north and the more intensive commercial areas to the south, but also to better reflect the lower intensity of land uses that have now materialized along the roadway. Churches are a permitted use in all Commercial Zoning Districts. Although the applicant's request is only motivated by a desire to reduce buffer yard requirements (which are truly excessive for a church use), it serves a dual but better purpose in eliminating the overly-intensive C-H Zoning from being in close proximity to these neighborhoods. 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 June 25, 2018 Regular Meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (8-0 vote).

No one spoke in favor of the request.

No one spoke in opposition to the request.

**A MOTION** by Councilman Vickers, seconded by Councilman Carroll, was adopted (5-0) to enact Ordinance No. 2018-13, an Ordinance to rezone 2.38 acres from Highway-Commercial (C-H) to Neighborhood-Commercial (C-N) as requested by Christian Love Ministries, the complete text of which will be found in Ordinance Book XIV.

**ORDINANCE NO. 2018-14, AN ORDINANCE TO REZONE 1.75 ACRES FROM SINGLE-FAMILY RESIDENTIAL (R-15) TO RESIDENTIAL-PROFESSIONAL (R-P)**

Consideration of an Ordinance to rezone 1.75 acres from Single-Family Residential (R-15) to Residential-Professional (R-P) as requested by ADCO Investments, LLC (File No. VA-2018-10). The property is located at 3320 North Oak Street Extension. The Greater Lowndes Planning Commission reviewed this request at their June Regular Meeting and recommended approval (8-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that ADCO Investments, LLC is requesting to rezone 1.75 acres from Single-Family Residential (R-15) to Residential-Professional (R-P). The property is located at 3320 North Oak Street Extension which is along the west side of the road and is approximately 650' south of Breckenridge Drive. This is directly across the street from the Three Oaks apartment complex. The property currently contains a single-family residence. The applicant is proposing to purchase the property and redevelop it as a professional office complex with approximately 22,000 square feet of gross building floor area. The property is located within a Neighborhood Activity Center (NAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of R-P Zoning. The current zoning patterns of this area are a mixture of R-15, R-M, R-P, as well as the old planned development classifications of PRD-15 and PCD. The land use patterns of the area are also mixed, including professional offices, residential apartments, and single-family residential neighborhoods to the north and west. The subject property is also the northernmost parcel of the NAC Character Area along this portion of North Oak Street Extension, and this is indicative of an established break in

the land use patterns along the corridor ( single-family residential to the north and mainly offices to the south). This Character Area boundary was fully intended to denote the northernmost limit of non-residential (office development) along the corridor. Given the immediately surrounding land uses of offices and high-density residential, and its isolated location along North Oak Street Extension, the subject property is no longer conducive to continued use as a single-family residence. The proposed R-P Zoning offers a mixture of either professional offices or high-density residential (such as apartments) and this pattern fits in very well with the surrounding 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 June 25, 2018 Regular Meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (8-0 vote).

Luanne Smith, Attorney, 2935 North Ashley Street, spoke in favor of the request. Ms. Smith stated that once this property is developed, her law office will be one of the existing offices in the complex. They have developed this parcel to decrease the traffic in and out and will not be doing anything that is high density such as a medical office.

No one spoke in opposition to the request.

**A MOTION** by Councilman Carroll, seconded by Councilman Gibbs, was adopted (5-0) to enact Ordinance No. 2018-14, an Ordinance to rezone 1.75 acres from Single-Family Residential (R-15) to Residential-Professional (R-P) as requested by ADCO Investments, LLC, the complete text of which will be found in Ordinance Book XIV.

**ORDINANCE NO. 2018-15, AN ORDINANCE TO REZONE 0.67 ACRES FROM SINGLE-FAMILY RESIDENTIAL (R-6) TO OFFICE-PROFESSIONAL (O-P)**

Consideration of an Ordinance to rezone 0.67 acres from Single-Family Residential (R-6) to Office-Professional (O-P) as requested by Yvette Waters (File No. VA-2018-11). The property is located at 500 East Martin Luther King, Jr. Drive. The Greater Lowndes Planning Commission reviewed this request at their June Regular Meeting and recommended approval (8-0 Vote).

Matt Martin, Planning & Zoning Administrator, stated that Yvette Waters is requesting to rezone 0.67 acres from Single-Family Residential (R-15) and Community-Commercial (C-C), to Office-Professional (O-P). The property is located at 500 East Martin Luther King, Jr. Drive which is along the north side of the road between Holliday Street and Branch Lane. The property contains a vacant commercial building (approximately 4,300 square feet) that was previously used as a daycare center many years ago but became ineligible as a commercial size daycare upon the adoption of the Land Development Regulations (LDR) in 2009. The applicant is proposing the rezoning in order to make the property once again eligible for a commercial size daycare facility. The subject property is located within a Neighborhood Activity Center (NAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of O-P Zoning. The current zoning patterns of this area are dominated by R-6 Zoning, but there is some existing C-C Zoning around the intersection of East MLK and Holiday Street (including a portion of the subject property); however, many of these C-C zoned properties are not developed with a commercial use, and instead remain as either residential use or perhaps institutional in nature such as the existing church across the street to the south. In general, the eastern half of the East Martin Luther King, Jr. corridor (including the subject property) is considered to be non-commercial and less intensive than the western half. This is reflected in the NAC Character Area along this eastern portion (east of S Troup Street) and the more intensive downtown DAC Character Area along the western half. The subject property was purchased by the applicant and redeveloped as a daycare center back in the 1980's, and it is believed to have received Special Exception approval from the City for a small/medium sized daycare center at that time. This use is no longer allowed in R-6 Zoning and the daycare center lost its grandfathered non-conforming status soon after it closed several years ago. The applicant would like to pursue the possible reopening of the daycare center with the possibility of it operating with a capacity of more than 18 children. It is this size of daycare center that requires either O-P Zoning with a Conditional Use Permit (CUP) approval or some form of Commercial Zoning. The applicant's other choice is to rezone the property to C-C (as currently exists on its southwestern corner), but given the surrounding residential and institutional character of the area, Staff is much more supportive of O-P Zoning

instead. 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 June 25, 2018 meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (8-0 Vote).

No one spoke in favor of the request.

No one spoke in opposition to the request.

**A MOTION** by Councilman Vickers, seconded by Councilman Carroll, was adopted (5-0) to enact Ordinance No. 2018-15, an Ordinance to rezone 0.67 acres from Single-Family Residential (R-6) to Office-Professional (O-P) as requested by Yvette Waters, the complete text of which will be found in Ordinance Book XIV.

**ORDINANCES AND RESOLUTIONS**

**RESOLUTION NO. 2018-7, A RESOLUTION OF SUPPORT FOR AN AMENDED CONTRACT WITH THE GEORGIA DEPARTMENT OF TRANSPORTATION FOR MAINTENANCE OF STATE HIGHWAY ROUTES WITHIN THE CITY OF VALDOSTA**

Consideration of a Resolution of Support for an Amended Contract with the Georgia Department of Transportation for Maintenance of State Highway Routes within the City of Valdosta.

Pat Collins, City Engineer, stated that the Georgia Department of Transportation (GDOT) contracts for the maintenance of State routes within the jurisdiction of local municipalities. GDOT is seeking authorization from the City to enter into a Contract for Maintenance of Highways. They are requesting that the Mayor and City Clerk be authorized and directed to execute the Contract for and on behalf of the City Council of the City of Valdosta. This program has been in place since 1974 and the amount paid to the City of Valdosta is \$3,500 per mile per year. GDOT is paying the City for minor maintenance that is required by Georgia law O.C.G.A. 32-2-2 (a) (2010): The powers and duties of the Department, unless otherwise expressly limited by law, shall include but not be limited to the following: (1) The Department shall plan, designate, improve, manage, control, construct, and maintain a State highway system and shall have control of and responsibility for all construction, maintenance, or any other work upon the State highway system and all other work which may be designated to be done by the Department by this title or any other law. However, on those portions of the State highway system lying within the corporate limits of any municipality, the Department shall be required to provide only substantial maintenance activities and operations, including but not limited to reconstruction and major resurfacing, reconstruction of bridges, erection and maintenance of official department signs, painting of striping and pavement delineators, furnishing of guardrails and bridge rails, and other major maintenance activities; and, furthermore, the Department may by contract authorize and require any rapid transit authority created by the General Assembly to plan, design, and construct, at no cost to the Department and subject to the Department's review and approval of design and construction, segments of the State highway system necessary to replace those portions of the system which the rapid transit authority and the Department agree must be relocated in order to avoid conflicts between the rapid transit authority's facilities and the state highway system. Under the Contract, the City will perform minor maintenance (including pavement patching, mowing, and cleaning of right-of-way, shoulder maintenance, ditch cleaning, re-seeding and sodding, snow and ice removal, guardrail maintenance, emergency response, and pertinent maintenance for proper and safe operation), and GDOT will perform major maintenance (including highway signs, center and edge line striping, resurfacing, provide guardrail material, etc.). This Contract was last brought before Council on June 21, 2017 and is automatically renewed every 12 months to the year 2055; however, GDOT has now added another obligation to mow the Park and Ride located at mile marker 8.15 next to Austin's Cattle Company off SR 84. This added one mile to the previous total of maintained mileage and the new total mileage is 27.58 miles. The total annual payment amount will now be \$96,530. A Resolution of Support for the Amended Contract with GDOT has been prepared for Council's approval. Pat Collins, City Engineer, recommended that Council approve the Resolution of Support for the Amended Contract with GDOT for maintenance of State Highway Routes within the City of Valdosta.

A **MOTION** by Councilman Carroll, seconded by Councilman Vickers, was adopted (5-0) to enact Resolution No. 2018-7, a Resolution of Support for the Amended Contract with GDOT for maintenance of State Highway Routes within the City of Valdosta, the complete text of which will be found in Resolution Book VI.

**RESOLUTION NO. 2018-8, A RESOLUTION**

Consideration of a Resolution authorizing the City of Valdosta and the Georgia Department of Transportation to contract for funding under the Transportation Equity Act for the 21st Century (TEA-21) for construction of the North Patterson Streetscape Project.

Pat Collins, City Engineer, stated that in September of 2011, the City of Valdosta succeeded in securing \$250,000 in Transportation Enhancement (TE) funds for construction of the North Patterson Streetscape Project. The overall Project extends from Magnolia Street to Gordon Street. Final design and property acquisition are complete. On May 31, 2018, the Georgia Department of Transportation (GDOT) sent a TE Agreement package and cover letter. The package contained the following: (1) Signature Page, (2) Authorizing Resolution example, (3) Opinion of Counsel Letter example, (4) Certification of Sponsor, (5) Certification of Compliances, (6) Certification of Drug-Free Workplace, (7) Certification Regarding Debarment, Suspension and other Responsibility Matters, (8) Compliance with Title VI, Civil Rights Act of 1964, (9) Work Plan Construction Phase, (10) Federal Award Identification, (11) E-verify Affidavit to execute, and (12) Required Contract Provisions Federal-Aid Construction Projects. The Georgia Public Works and Contractor Act requires contractors working for public employers to provide a signed, notarized Affidavit attesting that the affiant has registered with, is authorized to use, and uses the Federal authorization program. The GDOT has determined that this requirement applies to all non-procurement contracts. TE Agreements are non-procurement contracts where the sponsor (the City) is considered the contractor; therefore, the City must complete an E-verify Affidavit. A Resolution has been prepared authorizing the City of Valdosta and the Georgia Department of Transportation to contract for funding under the Transportation Equity Act for TEA-21. Once all the items in the package are approved by City Council and executed in triplicate, the documents will be sent to and reviewed by the GDOT for execution. Bids for construction are not anticipated until sometime in October of 2018; however, after the bid results are evaluated, GDOT will send a copy of the fully executed Agreement and the Notice to Proceed with Construction. Pat Collins, City Engineer, recommended that Council approve the Resolution authorizing the City of Valdosta and the Georgia Department of Transportation to contract for funding under the Transportation Equity Act for the 21st Century (TEA-21) for construction of the North Patterson Streetscape Project.

A **MOTION** by Councilman Carroll, seconded by Councilman Vickers, was adopted (5-0) to enact Resolution No. 2018-8, a Resolution authorizing the City of Valdosta and the Georgia Department of Transportation to contract for funding under the Transportation Equity Act for the 21st Century (TEA-21) for construction of the North Patterson Streetscape Project.

**CITIZENS TO BE HEARD**

There were no citizens to be heard.

**CITY MANAGER’S REPORT**

Mark Barber, City Manager, stated that the Great Promise Partnership (GPP) began today and we have seven students participating in the Program. They were a little shy and quiet but they are a great group of students and we look forward to having them work with several of the City Departments.

The Annual Guns versus Hoses Blood Drive will be held on July 26, 2018 at the City Hall Annex Building from 10:00 a.m. to 3:00 p.m. Both teams are still recruiting for the competition.

The first Police Youth Academy will be held on Monday, July 9, 2018 with children ages 11-13 years old participating. The following week a second group of children ages 14-17 years old will begin the Academy.

Citizens are encouraged to use the SeeClickFix app to report any concerns they see in the City.

Mark Barber, City Manager, stated that he would be on vacation next week but will have all of his communication devices with him in case someone needs to get in touch with him.

**COUNCIL COMMENTS**

Councilman Vickers stated that Ms. Alma Williams had made a request to the City to help find some summer jobs for the students participating in the Hope Project and he inquired as to whether the City Manager had contacted Ms. Williams to let her know that we are unable to fund the positions. Mark Barber, City Manager, stated that he has not had a direct conversation with Ms. Williams since the Budget was adopted. At one time she was wanting 20 positions and there was no way the City could do that. We only have 7 GPP students this year when we have been averaging 15-17 so we have had to cut back on that Program as well. Vanassa Flucas, Neighborhood Development Manager, has had a conversation with Ms. Williams since the Budget was adopted and we are going to look at other ways to assist Ms. Williams in getting some of those students hired.

**ADJOURNMENT**

Mayor Gayle entertained a motion for adjournment.

**A MOTION** by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (5-0) to adjourn the July 5, 2018 Meeting of the Valdosta City Council at 5:55 p.m. to meet again in Regular Session on Thursday, July 19, 2018.

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City Clerk, City of Valdosta

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Mayor, City of Valdosta