

**MINUTES**  
**REGULAR MEETING OF THE VALDOSTA CITY COUNCIL**  
**5:30 P.M., THURSDAY, APRIL 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, and Vivian Miller-Cody. Councilwoman Sandra Tooley, Councilman Ben Norton, and Councilman Andy Gibbs were absent. The invocation was given by Pastor Curtis Jenkins, New Life Bible Church, followed by the Pledge of Allegiance to the American Flag.

**APPROVAL OF MINUTES**

The minutes of the March 22, 2018 Regular Meeting were approved by unanimous consent (4-0) of the Council.

**PUBLIC HEARINGS**

**ORDINANCE NO. 2018-7, AN ORDINANCE FOR A CONDITIONAL USE PERMIT FOR EXPANSION OF A CHURCH FACILITY IN A SINGLE-FAMILY RESIDENTIAL (R-6) ZONING**

Consideration of an Ordinance for a Conditional Use Permit for expansion of a Church facility in a Single-Family Residential (R-6) Zoning as requested by Mount Calvary Missionary Baptist Church (File No. CU-2018-03). The property is located at 505 East Force Street. The Greater Lowndes Planning Commission reviewed this at their March Regular Meeting and recommended approval with two conditions (7-0 Vote).

Tracy Tolley, Zoning Coordinator, stated that Mount Calvary Missionary Baptist Church is requesting a Conditional Use Permit (CUP) for an expanded Church facility in Single-Family Residential (R-6) Zoning. The property consists of two parcels totaling 1.06 acres located at 505 East Force Street which is along both sides of East Force Street and east of North Lee Street. The property contains two existing church buildings (totaling about 5,900 square feet of floor area) with associated Church parking on both this property as well as the parcel of land directly to the north across East Force Street. The applicant is proposing to add a Church sanctuary addition to the complex, which may be approximately 7,500 square feet as depicted on the conceptual site plan; however, the Church is currently contemplating a size that is closer to 6,000 square feet. The Church is planning to construct this addition after their fundraising efforts for this have been completed. The property is located within an Established Residential (ER) Character Area on the Future Development Map of the Comprehensive Plan and is part of an area that is dominated by mostly residential land uses; however, to the west of the subject property is the back side of existing commercial development that is associated with the more intensive uses along the North Ashley Street corridor. In many ways, the existing Church has served as a transition between the existing residential neighborhood to the east and the more intensive uses to the west. The existing Church has been at this location for many years and has always been an integral part of the surrounding community. The steady growth of the congregation has resulted in a redeveloped parking lot as well as several renovations and the remodeling of existing buildings in recent years; however, its continued growth is now requiring a major building expansion. The submitted conceptual site plan is depicting a little larger building than what the Church is currently planning; however, it is shown in order to demonstrate the maximum feasible size of a building expansion in this area of the site. In terms of the City’s development standards, the only real limiting factor of this expansion will be the provision of Church parking that is commensurate with the size of the largest assembly room (Church Sanctuary). The Church is not currently planning any expansions to its parking facilities, which is large enough (at 55 spaces) to accommodate a Church maximum seating capacity of 220 with fixed seats, or 5,500 square feet of space for non-fixed seating. Any additional expansions beyond this assembly size would require the provision of additional parking spaces or an approved Variance. Given the long history of the Church in this location, its compatibility with the surrounding development patterns, and there being more than enough room on the existing site to accommodate its proposed expansion, Staff is supportive of the CUP request; however, the site is not without its physical limits and there should, therefore, be an upward limit as to maximum size of the building facilities. Given the Church’s long-term fundraising efforts for this expansion, the expiration date for this CUP approval should also

be long-term. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to the following conditions: (1) Approval shall be granted for a Church facility in R-6 Zoning, for buildings not to exceed a cumulative total of 15,000 square feet. All applicable development standards of the LDR regarding parking and building setbacks, etc., shall be followed, unless separate Variance approvals are obtained. (2) Conditional Use approval shall expire after ten years from the date of approval if no request for a building permit has been submitted by that date. The Planning Commission reviewed this at their March 26, 2018 meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to the same two conditions as recommended by Staff (7-0 vote).

Pastor David Adams, 2826 Arrow Leaf Drive, spoke in favor of the request. Pastor Adams stated that he is the Pastor at Mount Calvary Missionary Baptist Church and they have had a Church on that spot for 118 years. They will be celebrating their anniversary this week. They desire to stay in the community instead of moving out on Perimeter Road or other areas in the County. They want to continue their fellowship there and they want to stay within the City. They already have the established parking areas and they also own another lot on the other side of the house where they are going to build the Sanctuary. They plan on staying there permanently and they want to be a neighborhood Church. Pastor Adams asked for Council’s consideration in approving the request.

No one spoke in opposition to the request.

**A MOTION** by Councilman Vickers, seconded by Councilwoman Miller-Cody, was adopted (4-0) to enact Ordinance No. 2018-7, an Ordinance for a Conditional Use Permit for expansion of a Church facility in a Single-Family Residential (R-6) Zoning as requested by Mount Calvary Missionary Baptist Church, the complete text of which will be found in Ordinance Book XIV.

**AN ORDINANCE TO REZONE 0.88 ACRES FROM SINGLE-FAMILY RESIDENTIAL (R-15) TO MULTI-FAMILY RESIDENTIAL (R-M) ZONING WITHDRAWN**

Consideration of an Ordinance to rezone 0.88 acres from Single-Family Residential (R-15) to Multi-Family Residential (R-M) Zoning as requested by Phelps Associated Construction and Engineering (PACE) [File No. VA-2018-05]. The property is located at 2206 North Oak Street. The Greater Lowndes Planning Commission reviewed the request at their March Regular Meeting and recommended denial (6-1 Vote). The applicant has withdrawn the request.

Mayor Gayle stated that the applicant has withdrawn the request and there will be no action taken.

**ORDINANCES AND RESOLUTIONS**

**RESOLUTION NO. 2018-3, A RESOLUTION OF SUPPORT IN DECLAIRING OPIOID ADDICTION A NUISANCE IN THE CITY OF VALDOSTA AND APPROVING A RETENTION AGREEMENT FOR OPIOID LITIGATION**

Consideration of a Resolution of Support in declaring Opioid addiction a nuisance in the City of Valdosta and approving a Retention Agreement for Opioid Litigation.

Tim Tanner, City Attorney, stated that the United States of America and several States, including the State of Georgia, are experiencing an Opioid-induced public health epidemic. In fact, 91 Americans die every day from an Opioid overdose with more than 15,000 deaths involving prescription Opioids alone in 2015. In 2006, Opioid drug overdose deaths were 31.5% and in 2015 accounted for 68.8% of overdose deaths in Georgia. From 2014 to 2015, Georgia had a 64% increase in deaths by synthetic Opioids (Tramadol and Fentanyl) and a 37.5% increase in Heroin deaths. Certain manufacturers and distributors of these drugs know about the adverse outcomes related to the use of their products and they have set out to persuade providers, regulators, and patients that their products are safe and effective. Governments (including Federal, State, and local) have born substantial financial and societal burdens related to this crisis and will incur costs for this nuisance for years to come. There are increased costs to cities and counties in law enforcement, health care, social services, as well as administrative costs. Law

enforcement costs include increased Police, Fire, and Medical emergency calls, costs of policing, prosecuting, and incarcerating drug offenders, increased case volume in diversion programs, drug court, and mental-health court, probation and drug testing, and training of First Responders to recognize and treat overdoses. Healthcare costs include an increase in the volume of medical emergency calls and providing Naloxone (Narcan), un-recouped costs of providing medical treatment at hospitals for uninsured patients, and increases in employee health insurance and healthcare to inmates. Increased costs for Social Services include Drug Treatment Programs, Homeless Programs, Child Protective Services/Foster Care, job placement and unemployment, School Dropout Prevention Programs, and Educational Programs. Administrative costs include an increase in the volume of Ordinance violations and code enforcement, increase in abatement of blighted areas, overdose deaths (storage and burial), and turnover of First Responders based on burnout. A Resolution of Support regarding the Opioid Crisis is attached for your review. Currently, there are over 140 Municipal, County, and State governments that are currently pursuing litigation against leading Opioid manufacturers for the medical, public health, and law enforcement costs related to Opioid use. These lawsuits allege that the current Opioid crisis stems from the manufacturers and distributors improper and aggressive promotion of prescription medications such as OxyContin and Percocet. The law firm of Brinson, Askew, Berry, Seigler, Richardson & Davis, LLP has been contacted by the same group of lawyers that they worked with on the online travel litigation regarding the potential litigation pertaining to the ongoing Opioid epidemic. They are asking communities to engage their legal team on a contingency fee basis by entering into a Contingency Fee Agreement. Their legal team will take on the financial burdens and risks of litigation and cities and counties who enter into the Agreement will not incur any Attorneys' fees unless the litigation is successful. Tim Tanner recommended that Council approve the Resolution and enter into an Agreement for Opioid litigation.

**A MOTION** by Councilman Carroll, seconded by Councilman Vickers, was unanimously adopted (4-0) to enact Resolution No. 2018-3, a Resolution of Support in declaring Opioid addiction a nuisance in the City of Valdosta and approving a Retention Agreement for Opioid Litigation, the complete text of which will be found in Resolution Book VI.

**RESOLUTION NO. 2018-4, A RESOLUTION OF SUPPORT FOR THE WITHLACOOCHEE RIVER AND LITTLE RIVER WATER TRAIL**

Consideration of a Resolution of Support for the Withlacoochee River and Little River Water Trail.

Mark Barber, City Manager, stated that the WWALS Watershed Coalition advocates for conservation and stewardship of the Withlacoochee, Willacoochee, Alapaha, Little, and Suwannee River watersheds in south Georgia and north Florida through education, awareness, environmental monitoring, and citizen activities. The Withlacoochee River, which forms much of the northwestern boundary of the City of Valdosta, and the Little River are both known for their beauty and abundant wildlife. The citizens of our community and surrounding areas use these Rivers for recreational purposes and value the quality of the water and habitat protection. The Little River and Withlacoochee River watersheds include creeks, lakes, ponds, swamps, and wetlands, and many of them are within the City of Valdosta (Cherry Creek, Three Mile Branch, Stillhouse Creek, Two Mile Branch, One Mile Branch, Sugar Creek, and Hightower Creek). The citizens of our community have indicated their support for the water trail at outings on One Mile Branch, the Withlacoochee River, the Little River, and at City Council Meetings. The City has supported parks and recreation with funding in the past. The WWALS Watershed Coalition has asked for Council's consideration in approving a Resolution of Support for the concept of the Withlacoochee River and Little River Water Trail and to recognize the public easement of passage that was established by more than 20 years of regular and open travel by boat on these Rivers. Mark Barber recommended that Council approve the Resolution of Support.

**A MOTION** by Councilwoman Miller-Cody, seconded by Councilman Carroll, was unanimously adopted (4-0) to enact Resolution No. 2018-4, a Resolution of Support for the Withlacoochee River and Little River Water Trail, the complete text of which will be found in Resolution Book VI.

**RESOLUTION NO. 2018-5, A RESOLUTION OF SUPPORT FOR THE ALAPAHA RIVER WATER TRAIL**

Consideration of a Resolution of Support for the Alapaha River Water Trail.

Mark Barber, City Manager, stated that the WWALS Watershed Coalition advocates for conservation and stewardship of the Withlacoochee, Willacoochee, Alapaha, Little, and Suwannee River watersheds in south Georgia and north Florida through education, awareness, environmental monitoring, and citizen activities. The Alapaha River watershed runs north to southeast of Valdosta and forms part of the eastern boundary of the Lowndes County. The Alapaha River, which is known for its “jungle-like, exotic vegetation and dark reddish-brown water, has abundant wildlife. The citizens of our community and surrounding areas use this River for recreational purposes (boating, swimming, birding, and fishing) and they value the quality of the water and habitat protection. The Alapaha River watershed includes many lakes and ponds such as Grand Bay and many parks such as Eastwind Park, Jaycee Shack Park at the top of Knights Creek, Chitty Park next to Mud Swamp Creek, Lovett Park, Greer Park, Payton Park, Scott Park, and Harrington Park. The citizens of our community have indicated their support for the water trail at outings Grand Bay, the Alapaha River, and at City Council Meetings. The City has supported parks and recreation with funding in the past. The WWALS Watershed Coalition has asked for Council’s consideration in approving a Resolution of Support for the concept of the Alapaha River Water Trail and to recognize the public easement of passage that was established by more than 20 years of regular and open travel by boat on this River. Mark Barber recommended that Council approve the Resolution of Support.

**A MOTION** by Councilwoman Miller-Cody, seconded by Councilman Carroll, was unanimously adopted (4-0) to enact Resolution No. 2018-5, a Resolution of Support for the Alapaha River Water Trail, the complete text of which will be found in Resolution Book VI.

**LOCAL FUNDING AND REQUESTS**

Consideration of a request to approve the charitable donation of property located on East Park Avenue.

Tim Tanner, City Attorney, stated that a Ground Lease was entered into on December 1, 1998 between Vallorbe, Inc. and the City of Valdosta for the purpose of erecting, operating, and maintaining a City-operated Fire Station and Senior Citizens Center for the benefit of the citizens of the City of Valdosta which is located on East Park Avenue. The parcel of land is approximately 3.7825 acres. The primary term of the Lease was for a period of 16 years beginning on December 1, 1998 and ending on November 30, 2014. The Lease has expired and the Lessor would now like to make a charitable donation of the property to the City of Valdosta. Tim Tanner recommended that Council approve the charitable donation of property located on East Park Avenue.

**A MOTION** by Councilman Howard, seconded by Councilwoman Miller-Cody, was unanimously adopted (4-0) to approve the charitable donation of property located on East Park Avenue to the City of Valdosta.

**CITIZENS TO BE HEARD**

Eddie Barnes, Jr., 3443 Val Del Road, stated that he was arrested on March 16, 2018 for shoplifting on two different charges but they have arrested the wrong person. When he got out of jail he went to the business where he allegedly stole the merchandise and they have another guy on the video. He did not know how the Detectives messed that up. He is a driver for Reliable Courier and he drives all the time. He was in Jasper, Florida and Tifton, Georgia on the two days that they say he was there. This case goes back to when he was in an accident and Officer Griffin, III retaliated on him because he went over his head to try and get his car fixed and he went with the guy that hit him. He did not have anything to do with any theft and he would like to have this cleared up because he is not a thief. He has been here for 13 years and he has always worked. He went to the Warehouse and even the owner said he was not the one on the video. He already knew he was not the one who stole it because he is not a thief. Right now he is struggling to make his car payments because of the bond money. He is having a hardship because of what they did. He works every day and does not deserve that. Councilman Vickers inquired as to whether he has talked to Police Chief Brian Childress. Mr. Barnes stated that he has not because his job is a 24/7 job and he has just been trying to hold on to what he has got. Councilwoman Tooley is the person who told him to come up here to speak to the Council. Mayor Gayle stated that Chief Childress will be in contact with Mr. Barnes.

George Boston Rhynes, 5004 Oak Drive, stated that for the last few weeks he has been taking care of business out of town. He has been in Dawson, Georgia on behalf of Mayor Mary Ann Whipple-Lue in Court and on Tuesday he was in Clayton County. Yesterday afternoon he was on his way to Terrell County in Glennville,

Georgia where Will Smith is recording his movie, The Gemini Man. On his way over there he received several phone calls and an E-mail which was a shock to him. The E-mail was concerning the suicide of a Police Officer in Valdosta and two civil rights leaders who went around asking questions because they did not trust him. He has been lied on about a five-year criminal trespass, and no newspaper, television station, or radio station has interviewed him. He knows what it is like when questions are brought forth. It came up on Tuesday night at a meeting about this individual committing suicide. There were a lot of rumors about it so he went to Chief Childress to ask. He also went to get an Incident Report and they told him there was no Incident Report for the general public. He then went to the Valdosta Daily Times and spoke with Reporter Tom Lynn because he believes that citizens of Valdosta should know. He understands if the Valdosta Daily Times has a policy for not reporting suicides but it would be nice if the Valdosta Daily Times and the Police Department would say they do not publish information about suicides so the people will not have all these rumors. He is going to ask them to give Council a copy of the E-mail because he stands for truth. He does not have any enemies in Valdosta but others consider him as their enemy. He stands for truth and he is willing to live and die for that. He is not a civil rights leader and he has never told anyone he is a civil rights leader.

Phil Hubbard, 2011 Woody Circle, stated that he is the Outings Committee Chair for the WWALS Watershed Coalition and he thanked the Mayor and Council for approving the Resolutions and allowing them to move forward and establish the Water Trails. They will be putting signs at all of the landings so that people will know what is upstream and downstream and levels are safe. Valdosta is the largest City on the largest river on the Suwannee River Basin. Our rivers, the Withlacoochee and the Little River that go through the City Limits, are really neat. He just met with a gentleman from North Carolina who had come down to paddle the Little River and he raved about how nice and neat the Little River was. He really enjoyed paddling through our City and County. Mr. Hubbard invited the Mayor and Council to come out with them on one of their paddle trips and experience some of the rivers. They have the Little River Paddle Race coming up later on this month and it would be neat if the Mayor and Councilman Carroll could participate and race each other on the water.

Bobby McKenzie, 2947 Findlay Chase Drive, stated that he just moved here from Hawaii and he is in the Air Force. One of the first things he looked for was a kayak and canoe trail. His daily commute while in Hawaii was kayaking back and forth to work every day. He found WWALS and he has been engaging on the Withlacoochee River and the Little River for a year. He takes his three children and his wife on the river and they have a great time. He thanked the WWALS group for introducing him to the local rivers because most of the people he talked to when he first got here did not have a clue about these rivers.

John Quarterman, 3338 Country Club Road, #L336, stated that he is President of the WWALS Watershed Coalition and they have all sorts of people helping out with the organization up and down the Suwannee River Basin from Tifton all the way down to the Gulf of Mexico. The Paddle Race will be held on April 28, 2018 at Reed Bingham State Park between Adel and Moultrie. They will also have a Wild and Scenic Film Festival which will be held at Mathis Auditorium on May 31, 2018. Then in June in Cedar Key they will be having a song writer contest. Valdosta is the largest city in the entire Suwannee River Basin so they expect to have a lot of people submitting songs from Valdosta. Mr. Quarterman thanked the Mayor and Council for passing the Resolutions and now they can declare both of those Water Trails finished.

## **CITY MANAGER'S REPORT**

Mark Barber, City Manager, stated that we have been celebrating National Community Development Week all this week. Vanassa Flucas, Neighborhood Development Manager, has put together some great programs and the best thing that happened was the Ribbon Cutting for a new home on York Street.

City Government 101 began on Monday, April 2, 2018 and we have a great group of people participating. They had a lot of questions and were very interested in municipal government. The next City Government 101 class will be held on April 9, 2018 in the City Hall Annex Building, Multi-Purpose Room. They will be discussing Human Resources, Main Street, and Finance.

There are several events coming up. The First Friday event will be held on April 6, 2018. There will also be a Spring Electronics Recycling Event on Saturday, April 7, 2018 at Mathis Auditorium. The Police Department will hold their second forum on April 12, 2018 at the Parks and Recreation Auditorium on Forrest Street. On April

21, 2018, there will be the Great American Clean-up from 8:30 a.m. to 12:00 p.m. as well as the Bulk Trash Amnesty Day from 8:00 a.m. to 1:00 p.m. at the Public Works Department. Georgia Cities Week will be held April 21-28, 2018 and there will be a lot of activities during that week. An Employment Job Fair will be held on April 26, 2018 from 10:00 a.m. to 1:00 p.m. The deadline to submit applications for vacancies on Boards and Commissions is May 2, 2018.

**COUNCIL COMMENTS**

Councilman Carroll stated that this is the last Council Meeting for Sementha Mathews, Public Information Officer. She has done an outstanding job and has taken our communication, our transparency, and the way we engage the citizens to the top shelf. We appreciate all that she has done and know that she will do a fantastic job as Executive Director at the Turner Center for the Arts.

Councilwoman Miller-Cody stated that she shared a teary good-bye today with Sementha Mathews. They have learned to understand each other and she has been a great Public Information Officer. She thanked Sementha for a job well done.

Councilman Vickers stated that Sementha Mathews has brought the Public Information Office to a higher level and hopefully, the next person who comes in can build off of it. She has done a fantastic job.

Councilman Howard thanked Councilwoman Miller-Cody for the work she has done in the community. Also, Councilwoman Tooley is to be commended on the work she has done on the Transportation Project. It is good to have Council members visible in the community so people can reach out to them and get to know them.

**ADJOURNMENT**

Mayor Gayle entertained a motion for adjournment.

**A MOTION** by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (4-0) to adjourn the April 5, 2018 Meeting of the Valdosta City Council at 6:00 p.m. to meet again in Regular Session on Thursday, April 19, 2018.

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City Clerk, City of Valdosta

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Mayor, City of Valdosta