

MINUTES
REGULAR MEETING OF THE VALDOSTA CITY COUNCIL
5:30 P.M., THURSDAY, JUNE 10, 2021
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: Joseph “Sonny” Vickers, Sandra Tooley, Tim Carroll, Ben Norton, Eric Howard, Andy Gibbs, and Vivian Miller-Cody. The invocation was given by Pastor Brinson Barker, New Covenant Church, followed by the Pledge of Allegiance to the American Flag.

APPROVAL OF MINUTES

The minutes of the May 20, 2021 Regular Meeting were approved by unanimous consent (7-0) of the Council.

PUBLIC HEARINGS

ORDINANCE NO. 2021-8, AN ORDINANCE FOR THE ADOPTION OF THE FISCAL YEAR 2021-2022 BUDGET

Public Hearing for the Adoption of the Fiscal Year 2021-2022 Budget. (Second Hearing)

Mark Barber, City Manager, stated that in accordance with Georgia Code 36-81-3, each local government shall adopt and operate under an annual balanced Budget for the General Fund, each Special Revenue Fund, and each Debt Service Fund in use by the local government. The annual balanced Budget shall be adopted by Ordinance or Resolution. A Budget Ordinance is balanced when the sum of estimated revenues and appropriated fund balances is equal to appropriations. Nothing contained in the above-mentioned Code precludes a local government from adopting a Budget for any funds used by the local government. These funds include Enterprise Funds, Internal Service Funds, and Permanent funds. The Fiscal Year 2022 Proposed City of Valdosta Budget has been reviewed and discussed at previous meetings, and a Public Hearing has been conducted to afford citizens the opportunity to make comments on funding levels. The proposed Fiscal Year 2022 Budget does include a 5% utility rate increase based upon the water rate analysis and sufficiency study adopted by Mayor and Council. The General Fund Budget presented is balanced with no anticipated millage rate increase. The proposed Budget also includes a 3% cost of living adjustment for career employees effective in January of 2022. The City’s medical clinic continues to be funded in this proposed Budget with no increase in employee contributions for any City benefit offered. The consolidated proposed Budget (uses) increased \$9.7 million when compared to Fiscal Year 2021. There are increases in personnel due to new positions and the 3% COLA that are partially offset by smaller cuts across the City. The increases are from operating costs (routine operations of City Departments). The largest items in this area are the COLA and the new transit service, the cost of which is mitigated by Grant funding. This Budget represents an increase of approximately 8.5% in total spending but 6.5% in recurring operational costs. Mark Barber, City Manager, recommended that Council approve the Ordinance adopting the City of Valdosta’s Proposed Fiscal Year 2022 Budget.

A MOTION by Councilman Carroll, seconded by Councilman Gibbs, was unanimously adopted (7-0) to enact Ordinance No. 2021-8, an Ordinance to adopt the Fiscal Year 2021-2022 Budget for the City of Valdosta, the complete text of which will be found in Ordinance Book XIV.

AN ORDINANCE FOR A CONDITIONAL USE PERMIT (CUP) FOR A SELF-STORAGE MINI-WAREHOUSE FACILITY IN A COMMUNITY-COMMERCIAL (C-C) ZONING DISTRICT DENIED

Consideration of a Conditional Use Permit (CUP) for a Self-Storage Mini-Warehouse Facility in a Community-Commercial (C-C) Zoning District as requested by Corner Storage, LLC (File No. CU-2021-01). The property consists of 5.57 acres and is located at 4036 Bemiss Road. The Planning Commission reviewed this at their May Regular Meeting and recommended approval with four conditions (9-1 Vote).

Tracy Tolley, Zoning Coordinator, stated that Corner Storage, LLC is requesting a Conditional Use Permit (CUP) for a Self-Storage Mini-Warehouse facility in a Community-Commercial (C-C) Zoning District. The property consists of 5.57 acres located at 4036 Bemiss Road which is along the east side of the road directly across from the intersection with Cat Creek Road. This site is the former Winn Dixie grocery store and shopping center. The applicant is proposing to convert the vacant larger building which is 46,946 square feet into a climate-controlled self-storage facility. The applicant's conversion will be in the form of interior remodel and only a minor amount of cosmetic changes on the outside and no expansions to the building. The applicant is also proposing to utilize the rear and side service areas next to this building as an outdoor storage rental area for the keeping of recreational vehicles. This area will be accessed by 6' tall security gates next to the front corners of the building. The other smaller building on the site (4,420 square feet) will continue to remain as a multi-tenant regular commercial building available for lease. The property is located within a Neighborhood Activity Center (NAC) Character Area on the Future Development Map of the Comprehensive Plan and is part of a well-established commercial corridor along Bemiss Road with a wide range of existing commercial uses in the vicinity. The former grocery store has been vacant now for a couple years and Staff is not aware of any attempts to re-occupy this with another grocery store or other large retailer. Although the conversion of this large commercial building in a viable commercial area to this kind of use may seem less than ideal; however, it does effectively re-use the large vacant building into something productive. It also leaves the remaining portions of the near-empty shopping center open for commercial occupancy and redevelopment with additional smaller buildings. The only concern with the proposal is the use of the outdoor storage area being adjacent to the vacant residential property to the east which is already planned for a 125-lot subdivision and whose preliminary subdivision plat has already been approved. It is very important that this proposed outdoor storage area be screened and buffered from this future subdivision as much as possible, and that the intensity level of this storage be kept reasonable. The Land Development Regulations (LDR) contains Supplemental Standards for Mini-Warehouses as well as Outdoor Storage, and these should be followed as they are applicable to the existing site. Unfortunately, the original buffer yard vegetation has vanished and there is insufficient space between the rear maneuvering aisles and the property line to allow a conventional buffer yard width; however, tall opaque screening with an appropriate amount of evergreen trees within this existing non-paved perimeter area should suffice. 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 self-storage mini-warehouse business in the existing main building only, and with accessory outdoor storage in the side and rear yard areas behind the front wall of this existing main building only. (2) The outdoor storage area shall be enclosed on the sides and rear by a minimum 8' tall opaque fence. A minimum 10' wide landscaped strip shall be planted and maintained along the sides and rear of the outdoor storage area with landscaping that consists of a minimum 6 small trees and 2 canopy trees per 100 linear feet as approved by the City Arborist. All trees shall be evergreen variety. (3) Outdoor storage items shall be limited only to motor vehicles and customary recreational vehicles such as boats and campers and their associated trailers. All outdoor items shall be operative and in good working condition, and neatly parked at all times. There shall be no heavy trucks or equipment, or other materials allowed. (4) Conditional Use approval shall expire after three years from the date of approval if the proposed use has not received an official Certificate of Occupancy (non-temporary) from the City by that date. The Planning Commission reviewed this at their May 24, 2021 Regular Meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval (9-1 Vote) with the following four conditions: (1) Approval shall be granted for a self-storage mini-warehouse business in the existing main building only, and with accessory outdoor storage in the side and rear yard areas behind the front wall of this existing main building only. (2) The outdoor storage area shall be enclosed on the sides and rear by a minimum 8' tall privacy fence. The fence portions facing the south and west shall be permanently opaque and solid. The fence portions facing the north and east shall either be permanently opaque and solid, or instead have an added mesh screen for temporary opacity to allow time for the vegetation to grow and fill-in. A landscaped strip between the existing pavement edge and the property line, shall be planted and maintained along the sides and rear of the outdoor storage area, with landscaping that consists of a minimum 6 small trees and 2 canopy trees per 100 linear feet as approved by the City Arborist. All trees shall be evergreen variety. (3) Outdoor storage items shall be limited only to motor vehicles and customary recreational vehicles such as boats and campers and their associated trailers. All outdoor items shall be operative and in good working condition, and neatly parked at all times. There shall be no heavy trucks or equipment, or other materials allowed. (4) Conditional Use approval shall expire after three years from the date of approval if the proposed use has not received an official Certificate of Occupancy (non-temporary) from the City by that date.

Andrew Bettinger, Corner Storage, LLC, 163 Murray Hill Avenue, Atlanta, spoke in favor of the request. Mr. Bettinger stated that his partner is Perry Solem and they both come from a history of self-storage and retail management. They have experience in managing shopping centers as well as self-storage facilities, and they operated a small self-storage facility in Nashville for a couple of years. They are currently developing a number of Class A climate-controlled self-storage facilities. They have been looking at this property for quite some time, and they have been speaking with the owners about their inability to get the main anchor space leased to a shopping center or a grocery tenant. After contemplating and running some numbers on their end, they decided to move forward with the self-storage conversion. They are asking for the ability to do outside storage in the rear to allow for boat and RV parking. This shopping center has had a lot of tractor trailers parking behind it and this will be a dual effort to prevent dumping of trash around the rear of the center and prohibiting tractor trailers from parking there. Councilman Gibbs inquired about the front area and whether they would build some retail space along the road. Mr. Bettinger stated that during the first 24 months of lease they would leave that area clear, but if someone was to come along and show some interest in the front parcels, they would definitely entertain doing some kind of out parcel situation along the road.

Perry Solem, 163 Murray Hill Avenue, Atlanta, spoke in favor of the request. Mr. Solem stated that someone had inquired about the occupancy rates in the market and they did have a Feasibility Study done and the occupancy is generally in the 90% range. We have Valdosta State University and Moody Air Force Base as drivers, and there is not enough climate-controlled storage on this side of town.

Dan Davis, 1001 Cherry Creek Drive, spoke in opposition to the request. Mr. Davis stated that he owns a storage facility in Valdosta, and he is concerned about the number of storage facilities in Valdosta and Lowndes County. He wished that they did run at 90% occupancy because that is not what is happening right now. There are 22 facilities and 2 new ones being proposed with one being a high-rise facility on the corner of Forrest Street and Inner Perimeter Road. That one has already been approved by the County. He is concerned that we are reaching critical saturation as far as climate-controlled storage. When the new facility opened in Remerton and the Zacadoo's facility on Highway 41, they had to reduce their climate-controlled prices by 40% to get occupancy into them. There are currently three independently owned facilities and most have been bought out by national chains. Delaware Trust has investors that are paid 4% dividends for three or four years and then they try to flip it and promise the investors 10-12% on the back end. That will not happen if you are at critical saturation. Everything is based on the percentage of rentals and we are close to being at the point where you see a lot more empty storage units. When the facilities become empty, the owners do not do the maintenance and they start looking rough. As the units deteriorate, they will start to get drug dealers storing stuff and setting up meth labs. It may be time for a Moratorium as the Council did on liquor stores and vape shops. A lot of the national chains that are coming in are doing one person operations or zero people and renting strictly on-line. He has three full time Staff members working at his facility and they know who comes in, who leaves, and they are constantly speaking with the customers on the property. They are able to maintain a quality operation. As their revenues drop, the expenses do not. They either stay the same or go up every year. His property taxes have gone up and his property value has increased almost 600% since he built the facility. The utilities, maintenance, and insurance all go up every year. Mr. Davis stated that we have enough facilities here and some of the current owners have only 40-60% occupancy. Councilwoman Tooley inquired as to what storage facility Mr. Davis owns. Mr. Davis stated that he owns Davis Self-Storage on Murray Road and he has been in business for 46 years. He is actually in an Overlay District that prohibits mini-storage so he is grandfathered in. Six or seven years ago he wanted to expand and purchase the land where McKey Lumber was across the street; however, he was told that he could not get it annexed in because the Overlay District prohibits mini-storage.

A MOTION by Councilman Norton, seconded by Councilman Howard, was adopted (4-3) to deny the request for a Conditional Use Permit (CUP) for a Self-Storage Mini-Warehouse Facility in a Community-Commercial (C-C) Zoning District as requested by Corner Storage, LLC, with Councilman Gibbs, Councilman Carroll, and Councilwoman Miller-Cody voting in opposition.

ORDINANCE NO. 2021-9, AN ORDINANCE FOR A CONDITIONAL USE PERMIT (CUP) FOR AN AUTOMOBILE RENTAL BUSINESS IN A COMMUNITY-COMMERCIAL ZONING DISTRICT

Consideration of an Ordinance for a Conditional Use Permit (CUP) for an Automobile Rental Business in a Community-Commercial (C-C) Zoning District as requested by Tony Washington (File No. CU-2021-02). The

property is located at 1002 Marion Street along the west side of the street. The Planning Commission reviewed this request at their May Regular Meeting and recommended approval with three conditions (10-0 Vote).

Tracy Tolley, Zoning Coordinator, stated that Tony Washington is requesting a Conditional Use Permit (CUP) for an Automobile Rental business in a Community-Commercial (C-C) Zoning District. The property is located at 1002 Marion Street which is along the west side of the street approximately 100 feet north of East Force Street. The property contains five separate buildings for separate businesses, and they all share one common parking area. The applicant is proposing to utilize the middle building facing Marion Street as the leasing office. Customer parking (five spaces) will be in front of this building, and the applicant is proposing to utilize ten of the shared parking spaces to rear as storage/staging area for the rental cars. The property is located within a Community Activity Center (CAC) Character Area on the Future Development Map of the Comprehensive Plan. The subject property is currently split-zoned Community-Commercial (C-C) and Highway-Commercial (C-H). Automobile rental and leasing is a Permitted Use in C-H Zoning, and it requires a CUP approval in C-C. This use is also subject to the LDR supplemental standards of Section 218-13(ZZ). Because the applicants have chosen to locate (as tenants) in the C-C portion, the CUP for the proposed use is required. The property is located in an area dominated by old commercial uses in all directions except toward the northeast along Marion Street, where there are some older residential uses. Since the applicants are only occupying one of the five existing buildings on the site, and with only a modest amount of parking/display area needed, the proposed use should be considered compatible with the surroundings as long as proper limits are in place. The site is terribly non-conforming in terms of being 100% impervious, no landscaping, no stormwater management, and very poor layout design. The applicant's proposal is in effect only a tenant change with no building or site modifications, and therefore, is not enough to trigger retroactive compliance with current development regulations. This along with the split-zoning nature of the property warrants the CUP being approved with only minor conditions of approval to ensure the proposed use does not overload the site, and that it meets the intent of LDR Supplemental Standards for such use. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval with the following conditions: (1) Approval shall be granted in the name of the applicant only for an Automobile Rental business for passenger cars or pickup trucks, utilizing only the ten on-site parking spaces as indicated on the submitted site plan. All rental vehicles shall be neatly parked and kept in good operating condition. (2) There shall be no temporary structures erected on site, and there shall be no outdoor storage of any kind anywhere on site. Any existing outdoor storage on site shall be removed. All vehicle cleaning and maintenance activities shall be performed off-site, or entirely within enclosed buildings on site. (3) Conditional Use approval shall expire after two years from the date of approval if no City Business License for the proposed use has been requested by that date. The Planning Commission reviewed this at their May 24, 2021 meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval, subject to the same conditions as recommended by Staff (10-0 vote). Mark Barber, City Manager, stated that as Council discussed on Tuesday at the Work Session, Condition No. 2 should include a mobile car wash.

Tony Washington, Owner of Deals on Wheels of Valdosta, spoke in favor of the request. Mr. Washington stated that he would be glad to answer any questions that Council might have.

No one spoke in opposition to the request.

A MOTION was made by Councilwoman Tooley to approve a Conditional Use Permit (CUP) for an Automobile Rental Business in a Community-Commercial (C-C) Zoning District as requested by Tony Washington with the following conditions: (1) Approval shall be granted in the name of the applicant only for an Automobile Rental business for passenger cars or pickup trucks, utilizing only the ten on-site parking spaces as indicated on the submitted site plan. All rental vehicles shall be neatly parked and kept in good operating condition. (2) There shall be no temporary structures erected on site, and there shall be no outdoor storage of any kind anywhere on site. Any existing outdoor storage on site shall be removed. All vehicle cleaning and maintenance activities shall be performed off-site, or entirely within enclosed buildings on site, or by a separate mobile cleaning service provider. (3) Conditional Use approval shall expire after two years from the date of approval if no City Business License for the proposed use has been requested by that date. Councilman Norton seconded the motion. The motion was unanimously adopted (7-0) to enact Ordinance No. 2021-9, the complete text of which will be found in Ordinance Book XIV.

**ORDINANCE NO. 2021-10, AN ORDINANCE TO REZONE
32.06 ACRES FROM RESIDENTIAL-PROFESSIONAL (R-P)
ZONING TO LIGHT INDUSTRIAL (M-1) ZONING**

06/10/21 CONTINUED

Consideration of an Ordinance to rezone 32.06 acres from Residential-Professional (R-P) Zoning to Light Industrial (M-1) Zoning as requested by Inman Solar, Inc. (File No. VA-2021-07). The property is located along the east side of Ulmer Avenue between New Statenville Highway and South Patterson Street. The Planning Commission reviewed this request at their May Regular Meeting and recommended approval with three conditions (8-2 Vote).

Tracy Tolley, Zoning Coordinator, stated that Inman Solar, Inc. is requesting to rezone 32.06 acres from Residential-Professional (R-P) Zoning to Light Industrial (M-1) Zoning. The property is located along the east side of Ulmer Avenue between New Statenville Highway and South Patterson Street. This is the same property that was the subject of the Future Development Map (FDM) Character Area amendment, which was approved by City Council on April 8, 2021. The applicant is proposing to lease this property and construct a solar array consisting of more than 20 acres, plus access roads, equipment, and buffer areas. The property is now located within an Industrial Activity Center (IAC) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of M-1 Zoning. Many of the general concerns about development on this property which were raised during the FDM amendment review (such as the proposed Truck Bypass) are still a concern with this proposal; however, the focus is now on the specific site design. There have been numerous discussions between Staff and the applicant regarding this proposed array, as well as the proposed Bypass. The applicant has gone to great lengths to incorporate some flexibility in their design, as well as leave open a 200' wide pathway traversing the eastern parts of the property for the Bypass route. Assuming that the Georgia Department of Transportation (GDOT) will go along with locating the Bypass in this reserved corridor, there is a strong logic that a passive use such as a solar array can serve as a transitional area and buffer protecting the Ulmer Avenue neighborhoods from any ill effects of the Bypass road; however, with the array also comes the Industrial Zoning District which is still a serious concern for long-term usage (or reuse) of the property. Because of the recent change in Character Area, the irregular shape of the remaining developable property, the still-uncertainty of the Bypass road alignment, as well as potential benefits of having this proposed passive use serve as a buffer area, Staff is supportive of this Rezoning request if there are certain conditions of approval placed on the property which preclude any ill effects of industrial zoning upon the neighborhood. Staff found the conditional M-1(C) Zoning consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP) and recommended approval subject to the following conditions: (1) No buildings on site may exceed 1,000 square feet in gross floor area. (2) All access to the site shall be from the north property line along New Statenville Highway and/or the south property line only. (3) The entire Ulmer Avenue frontage shall be maintained as an undisturbed landscaped street yard with dense vegetation consisting of mostly evergreen plants. Existing tree and shrubs shall be enhanced as needed, to create an effective year-round screening and blocking of view into the site's interior. Any buildings or structure on the site shall be separated from the Ulmer Avenue frontage by a fence that is at least 8' tall and covered with a dark material so as to blend-in with the street yard vegetation. Such fence shall be located to the east of the landscaped street yard. The Planning Commission reviewed this at their May 24, 2021 Regular Meeting, found conditional M-1(C) Zoning consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval subject to the same conditions as recommended by Staff (8-2 vote).

George Garnett, 310 Kelly Drive, spoke in favor of the request. Mr. Garnett stated that they are not asking for an Industrial Project, but they are trying to meet the standards for this Solar Project. They will be producing electricity and it will be safe and clean. A question came up about the Cowart family and this is a 30-year Project. They have been doing business in Valdosta since 1949. Mr. J. C. Cowart died in 2011 and J. C. Cowart, II took over and is running the company. J. C. Cowart, III is doing a real good job in the construction sector, and J. C. Cowart, IV is starting high school this year. They will still be here in 30 years.

Steve Chiariello, 790 Clemont Drive, Atlanta, stated that he is with Inman Solar, Inc. who is the Developer for this Project. They have been working with the Cowart family and they have done over 50 Projects of this nature around the State. This is part of a Georgia Power Distributed Generation RFP Program which means this Project will generate power that will go back on the distribution grid and will be used locally. Everything that is here is the same voltage and equipment that you see on a strip mall or home. It is proven and safe and this Project is part of the smart grid of the future. You will see some storage added to this in the future that will add resiliency and efficiency to the grid long term. This is a 30-year PPA under an approved Georgia Power Project and it will generate approximately \$40,000 in property taxes without putting any children in school or cars on the road or

using any local services. As discussed with Staff, solar is a good buffer between residential and industrial uses around here because of the very infrequent traffic to the site. There is no noise and they have taken extreme measures to buffer this with a green screen and a coating on the fence. They have also agreed to a number of conditions that Staff proposed that severely limits any other development on this site. There was 1,000 square feet of building space on the site which essentially precludes any sort of industrial development in the future without returning to Council for approval. There is also a fairly substantial existing vegetative buffer and they intend to comply with the Ordinance which requires them to augment the buffering and they are adding the coated fence that will be 8' tall. It will be very screened from day one. There is a proposed truck route on the site plan, and they have worked with Bill Kent of Innovate Engineering to allow for 200 feet of right-of-way for the proposed truck route which should give ample space and appropriate setbacks from the lake that is to the east. The route allows for them to tie into either Clay Road or Howell Road with the preferred right-angle intersections and the road curvature to maintain appropriate speeds. The plan has been vetted with Pat Collins, City Engineer, who confirmed that this path is both the City's and the County's preferred path as far as how they have routed it. Lastly, they also vetted this with Stan Crance of the Valdosta-Lowndes County Development Authority, and he felt this was a very good use for this location. Councilwoman Miller-Cody inquired as to whether they have actually documented that was going to be the truck route. Mr. Chiariello stated that was correct and that is a three to five-year plan. He has had conversations with the City Engineer and the path they have chosen is the preferred path. Councilwoman Miller-Cody stated that there are a lot of African-Americans who live in the area and she does not want to see property destroyed where people have bought there homes and to have a truck route come through there which could lower the value of their homes. Mr. Chiariello that they are cognizant of that and the focus of their conversations with Staff is to protect the Ulmer Avenue corridor with appropriate buffering. They have a 100-foot vegetative buffer and a fence with a screen so that it will not be seen. Solar Projects are extremely quiet and there is no traffic. They will be cutting the grass once a month and they will have one annual visit per year to do maintenance. They want to be good neighbors. Councilman Vickers inquired as to how long it would take to put up the solar panels. Mr. Chiariello stated that it would take approximately two months and during that time, there will be activity in the area every day; however, it will not be heavy construction. Councilman Vickers inquired about the setback on Ulmer Avenue. Mr. Chiariello stated that the panels will be set back 130 feet from Ulmer Avenue and it would be further if it was not for the truck route issue.

No one spoke in opposition to the request.

A MOTION was made by Councilman Vickers to approve the request as recommended by the Planning Commission to rezone 32.06 acres from Residential-Professional (R-P) Zoning to Light Industrial (M-1) Zoning as requested by Inman Solar, Inc. with the following conditions: (1) No buildings on site may exceed 1,000 square feet in gross floor area. (2) All access to the site shall be from the north property line along New Statenville Highway and/or the south property line only. (3) The entire Ulmer Avenue frontage shall be maintained as an undisturbed landscaped street yard with dense vegetation consisting of mostly evergreen plants. Existing tree and shrubs shall be enhanced as needed, to create an effective year-round screening and blocking of view into the site's interior. Any buildings or structures on the site shall be separated from the Ulmer Avenue frontage by a fence that is at least 8' tall and covered with a dark material so as to blend-in with the street yard vegetation. Such fence shall be located to the east of the landscaped street yard. Councilman Howard seconded the motion. The motion was unanimously adopted (7-0) to enact Ordinance No. 2021-10, the complete text of which will be found in Ordinance Book XIV.

ORDINANCE NO. 2021-11, AN ORDINANCE TO REZONE 47.33 ACRES FROM SINGLE-FAMILY RESIDENTIAL (R-10) ZONING AND ENVIRONMENTAL-RESOURCE (E-R) ZONING TO SINGLE-FAMILY RESIDENTIAL (R-6) ZONING

Consideration of an Ordinance to rezone 47.33 acres from Single-Family Residential (R-10) Zoning and Environmental-Resource (E-R) Zoning to Single-Family Residential (R-6) Zoning as requested by Scot Dowdy on behalf of North Moody Investments, LLC (File No. VA-2021-08). The property is located along the east side of Jaycee Shack Road south of Inner Perimeter Road. The Planning Commission reviewed this request at their May Regular Meeting and recommended approval (10-0 Vote).

Tracy Tolley, Zoning Coordinator, stated that Scot Dowdy, on behalf of North Moody Investments, LLC, is requesting to rezone a total of 47.33 acres from Single-Family Residential (R-10) [26.68 acres] and Environmental-

Resource (E-R) [20.65 acres], to all Single-Family Residential (R-6) Zoning. The property is located along the east side of Jaycee Shack Road south of Inner Perimeter Road. The property is currently vacant and partially cleared. The applicant is proposing to develop this property as a 123-lot Single-Family Residential Subdivision. The property is located within an Established Residential (ER) Character Area on the Future Development Map of the Comprehensive Plan which allows the possibility of R-6 Zoning. The existing land use pattern in the immediate area is undeveloped/forest. The existing Zoning patterns of the area are dominated by Residential with half of the Zonings being High-Density Residential including the R-M and PRD Zonings across the street to the west. The Future Development Map of the Comprehensive Plan depicts everything in this area south of the Inner Perimeter Road Corridor as Established Residential Character Area which translates to Residential Zoning only. The only remaining question is that of density. All of the lands to the west across Jaycee Shack are already zoned for High-Density Residential. Approximately half (56%) of the subject property is already zoned R-10 (Medium Density) while the other half is encumbered by floodplain and jurisdictional wetlands. Given the High Density Residential Zoning to the west, the encumbered nature of the subject property, and its isolated nature from other residential developments, a Higher Density Zoning such as R-6 makes good sense for a variety of reasons. It should be noted that the Subdivision layout design is conceptual only, and the site has not yet been fully engineered for design purposes. The applicant is proposing a conventional Subdivision which means that it will need to comply with all applicable development standards and requirements. These items include stormwater management, no direct access (individual lot driveways) to Jaycee Shack Road, landscaped street yard entrance feature, internal open space lots for active/passive recreation, streetlights, and sidewalks. 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 May 24, 2021 meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (10-0 Vote).

Bill Kent, Innovate Engineering, 2214 North Patterson Street, spoke in favor of the request. Mr. Kent stated that he is the Project Engineer for this request. Mr. Dowdy purchased the property because he saw a need for Single-Family Residential in this part of town in the City Limits. He is looking to model this Development after the Zion Heights Development on Mt. Zion Church Road. He has not developed his restrictive covenants yet, but he is looking at homes being 1,650 to 1,850 square feet, stick built with shingle roofs. They know that they will have to comply with all Land Development Standards as far as the configuration, utilities, stormwater, and landscaping. Councilwoman Tooley inquired as to how much they will deviate from the site plan. Mr. Kent stated that it would not be very much deviation. There are some areas outside of the wetlands that could possibly be available for development, but they also have to manage the stormwater so they have left some buffers in there for that.

Jack Langdale, Real Estate Attorney, 701 North Patterson Street, spoke in favor of the request. Mr. Langdale stated that he has closed many loans and houses for Mr. Dowdy and he has done several Developments in Lanier County. He has also built homes in North Moody Subdivision and Patriots Point Subdivision for the military families and all of the homes are high quality. He keeps the homes clean and the construction has been very nice. He has found Mr. Dowdy to be a very honest person who has always done exactly what he has told him he was going to do.

No one spoke in opposition to the request.

A MOTION by Councilwoman Miller-Cody, seconded by Councilman Norton, was unanimously adopted (7-0) to enact Ordinance No. 2021-11, an Ordinance to rezone 47.33 acres from Single-Family Residential (R-10) Zoning and Environmental-Resource (E-R) Zoning to Single-Family Residential (R-6) Zoning as requested by Scot Dowdy on behalf of North Moody Investments, LLC, the complete text of which will be found in Ordinance Book XIV.

ORDINANCE NO. 2021-12, AN ORDINANCE TO REZONE 3.0 ACRES FROM SINGLE-FAMILY RESIDENTIAL (R-21)(COUNTY) ZONING AND HIGHWAY-COMMERCIAL (C-H) (COUNTY) ZONING TO HIGHWAY-COMMERCIAL (C-H)(CITY) ZONING

Consideration of an Ordinance to rezone 3.0 acres from Single-Family Residential (R-21) (County) Zoning and Highway-Commercial (C-H) (County) Zoning to Highway-Commercial (C-H)(City) Zoning as requested by

RaceTrac Petroleum (File No. VA-2021-09). The property is located at 1811 Briarwood Road. The Planning Commission reviewed this request at their May Regular Meeting and recommended approval (10-0 Vote).

Tracy Tolley, Zoning Coordinator, stated that RaceTrac Petroleum is requesting to rezone approximately 3.0 acres from Single-Family Residential (R-21) (County) and Highway-Commercial (C-H)(County) to Highway-Commercial (C-H)(City). The property is located at 1811 Briarwood Road and is the rear portion of the existing truck stop property located at 2102 West Hill Avenue. The applicant is also requesting annexation of this same property which is being reviewed and processed concurrently under Case File No. VA-2021-10. The applicant is ultimately proposing to acquire the entire property (approximately 11 acres total) which is located both inside the City Limits and the County, have this remaining County portion annexed, then combine all parcels together as one, completely demolish the existing truck stop facility, and then construct a brand new truck stop facility that is of similar size as the old one. 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 land use pattern in this area is dominated by commercial uses associated with commerce along I-75. The existing truck stop has been in place for several decades and has expanded over the years in a relatively piecemeal fashion with individual small parcels being acquired. The proposal from the applicant is to simply get all the properties into one jurisdiction (the City), with proper zoning (C-H), and redevelop the entire site with a new truck stop facility. This new development will have no additional impacts on infrastructure or the surrounding properties beyond what is currently existing, but it will certainly have an upgraded appearance overall. 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 May 24, 2021 meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (10-0 Vote).

Jack Langdale, Real Estate Attorney, 701 North Patterson Street, spoke in favor of the request. Mr. Langdale stated that he would handle both the rezoning and annexation at once. RaceTrac has the property where the Citco is currently located under contract. They would like to purchase the property and demolish the existing building and build a new gas station, service station, and truck stop. A portion of the property on the north side is located in the County. They want to bring that portion into the City, and they do not want to change the uses with what is currently happening in the City. He is excited to represent RaceTrac and they do a great job. Mr. Langdale stated that a question was asked about the Greyhound Bus facility and they did not realize that Greyhound was dropping people off there. It was not shared with RaceTrac until Council asked the question. He has had some discussion with RaceTrac and while they have never had a store with a Greyhound Bus facility, they liked the idea of people being dropped off there who may become a customer. They are in the process of learning a little more about what is in the lease and what Greyhound does. Councilwoman Miller-Cody inquired as to whether they could build some type of shelter for the people who are being dropped off by Greyhound when they revamp the facility. Mr. Langdale stated that they will continue to look at that possibility.

Samed Ali, RaceTrac, 200 Galleria Parkway, Atlanta, spoke in favor of the request. Mr. Ali stated that RaceTrac has over 550 different store prototypes located in the southeast in eight different states. They are now going into truck and diesel capabilities which they would like to include in the Valdosta Travel Center. They offer fresh food and beverages along with pizza, coffee, sandwiches, chicken tenders, and frozen yogurt and they provide a clean and organized experience for all of their customers. The environment in their stores is safe and well lit. Each of their stores brings 20-25 corporate jobs and they provide full time benefits to all of the employees. They also have \$4 million to \$13 million in real estate investments. The site plan for the Valdosta store has been adjusted to accommodate the Georgia Department of Transportation comment about driveways. There are a lot of details and efforts in the way their buildings look, and they maintain them regularly. They will have an outdoor seating patio with 20 seats and covered areas.

No one spoke in opposition to the request.

A MOTION by Councilwoman Miller-Cody, seconded by Councilman Gibbs, was unanimously adopted (7-0) to enact Ordinance No. 2021-12, an Ordinance to rezone 3.0 acres from Single-Family Residential (R-21) (County) Zoning and Highway-Commercial (C-H) (County) Zoning to Highway-Commercial (C-H)(City) Zoning as requested by RaceTrac Petroleum, the complete text of which will be found in Ordinance Book XIV.

**ORDINANCE NO. 2021-13, AN ORDINANCE TO ANNEX
3.0 ACRES INTO THE CITY OF VALDOSTA AS REQUESTED
BY RACETRAC PETROLEUM**

06/10/21 CONTINUED

Consideration of an Ordinance to annex 3.0 acres into the City of Valdosta as requested by RaceTrac Petroleum (File No. VA-2021-10). The property is located at 1811 Briarwood Road. The Planning Commission reviewed this request at their May Regular Meeting and recommended approval (10-0 Vote).

Tracy Tolley, Zoning Coordinator, stated that RaceTrac Petroleum is requesting to annex approximately 3.0 acres into the City of Valdosta. The property is located at 1811 Briarwood Road and is the rear portion of the existing truck stop property located at 2102 West Hill Avenue. This request is running concurrently with the Rezoning Request File No. VA-2021-09, and it has been properly noticed to Lowndes County pursuant to State law. The applicant is proposing to annex this property, combine it with the adjacent properties to the west and southwest (under the same ownership) which are already in the City Limits, have it rezoned to the same Highway-Commercial (C-H) category, and then redevelop the entire property as a new truck stop facility. Further details and discussion of the existing Zoning patterns and proposed Rezoning Request is contained in the previous Agenda Item (File No. VA-2021-09). The property is currently located within a Character Area on the Future Development Map of the Comprehensive Plan. There is currently no proposed change to this Character Area designation as a result of annexation. The property is contiguous to the Valdosta City Limits and it is fully eligible for annexation into Valdosta. These annexation and rezoning requests represent an effort to consolidate all of an existing truck stop's parcels of land into one local jurisdiction with one Zoning classification, and to allow complete redevelopment of the site under new ownership. Staff found the annexation request consistent with the Comprehensive Plan and recommended approval. The Planning Commission reviewed this at their May 24, 2021 meeting, found it consistent with the Comprehensive Plan and recommended approval (10-0 Vote).

No one spoke in favor of the request.

No one spoke in opposition to the request.

A MOTION by Councilwoman Miller-Cody, seconded by Councilman Vickers, was unanimously adopted (7-0) to enact Ordinance No. 2021-13, an Ordinance to annex 3.0 acres into the City of Valdosta as requested by RaceTrac Petroleum, the complete text of which will be found in Ordinance Book XIV.

ORDINANCE NO. 2021-14, AN ORDINANCE FOR PLANNED DEVELOPMENT APPROVAL OF A MIXED-USE CHILD DAYCARE AND SCHOOL FACILITY ON PROPERTY THAT IS SPLIT-ZONE OFFICE-PROFESSIONAL (O-P) ZONING AND SINGLE-FAMILY RESIDENTIAL (R-6) ZONING

Consideration of an Ordinance for Planned Development approval of a Mixed-Use Child Daycare and School Facility on property that is split-zoned Office-Professional (O-P) Zoning and Single-Family Residential (R-6) Zoning as requested by Jonathan and Chanita Irvin (File No. VA-2021-11). The property consists of 1.90 acres and is located at 512 North Forrest Street. The Planning Commission reviewed this request at their May Regular Meeting and recommended approval with seven conditions (10-0 Vote).

Tracy Tolley, Zoning Coordinator, stated that Jonathan and Chanita Irvin are requesting Planned Development approval of a Mixed-Use Child Daycare and School Facility on property that is split-zoned Office-Professional (O-P) and Single-Family Residential (R-6). The property consists of 1.90 acres located at 512 North Forrest Street which is along the west side of the street about 150 feet north of the intersection with East Adair Street. The property contains an existing Childcare Center (Little Angels Daycare & Preschool) on the front portion of the property (O-P Zoning). The applicants are proposing to construct a small School Facility (3,000 square feet) on the rear portion of the property (R-6 Zoning), which will be used for Pre-School and After-School Programs. Both the Daycare and School Facilities will be tied together as one campus site plan. Conventionally, this size Daycare Facility is only allowed in O-P Zoning with a Conditional Use Permit (CUP) approval and is not allowed at all in the R-6 portion. The School portion of the facility would require a CUP in both O-P and R-6 Zoning. The purpose of the Planned Development process in this scenario is to allow the two different uses on split-zoned property to be blended together under one campus master plan as a Mixed-Use Facility. Planned Development Approvals are reviewed and considered in much the same way as a Conditional Use, but pursuant to LDR Chapter 212 instead. The property is located within an Established Residential (ER) Character Area on the Future Development Map of the Comprehensive Plan. The existing O-P Zoning is a grandfathered-in non-

compliant Zoning classification in this Character Area. The surrounding development pattern is dominated by mostly residential uses, with more intensive uses along the North Forrest Street corridor. The existing Daycare Facility fronts directly onto North Forrest Street and occupies the center interior portion of this neighborhood block running westward. The proposed expansion would include a separate School Facility in the rear of the site with an overlapping Daycare function which seeks to blend these uses into one logical master plan along with conditions of approval that ensure the resulting development will maintain compatibility with the surrounding neighborhoods. The only deviations of this Development from the City's Development Code involve the Supplemental Standards for Daycare Facilities. These include items relating to the property access from both a local street and a Minor Arterial, as well as a Facility in Residential Zoning not having an operator that resides on the premises. All other Standard Development Codes applicable to O-P Zoning will be followed as appropriate, including landscape, stormwater, and open space. Staff found the request consistent with the Comprehensive Plan and the Planned Development Review Criteria, and recommended approval subject to the following conditions: (1) Approval shall be granted in the name of the applicants only for a Mixed-Use Child Daycare and School Facility on property that is split-zoned Office-Professional (O-P) and Single-Family Residential (R-6). The majority of the Daycare Facility shall remain on the O-P portion of the site. Total indoor gross floor area of all buildings on the site shall not exceed 16,000 square feet. (2) All new proposed buildings shall be residential in appearance with building materials and design on all sides being consistent with residential or institutional style construction. Exterior wall materials shall not include any sheet metal, unfinished concrete or concrete block, or vinyl siding. (3) The entire perimeter of the site, except along North Forrest Street, shall include a minimum 6' tall opaque fence in accordance with LDR standards for fencing in residential districts. This perimeter area shall be fully landscaped with a minimum 10' wide buffer yard with a minimum of 5 small trees, 1 canopy tree, and 25 shrubs per 100 linear feet, installed in accordance with LDR Chapter 328 and whose design is approved by the City Arborist. Existing trees and shrubs may count toward this landscaping requirement. (4) All site lighting shall be directed downward and away from adjacent residential areas. (5) Permanent freestanding signage at the East Adair Street access point shall be unlit and limited to a maximum of 3 feet in height and 6 square feet in area. (6) All other development standards and general building requirements shall be followed as applicable. (7) From the date of final approval, the development shall commence within three years (request for permits). Otherwise, Planned Development approval shall automatically expire. The Planning Commission reviewed this at their May 24, 2021 meeting, found it consistent with the Comprehensive Plan and the Planned Development Review Criteria, and recommended approval subject to the same conditions as recommended by Staff (10-0 Vote).

Jonathan Irvin, 512 North Forrest Street, spoke in favor of the request. Mr. Irvin stated that they have been in business at Little Angels for over 20 years. The building that is being proposed is a pre-K school class with two classrooms. This will help eliminate some of the traffic on Forrest Street during the day. All of the plans have been professionally done and everything that has been submitted has been approved. Councilman Vickers inquired as to whether they were going to build a new building on the back of the property. Mr. Irvin stated that they wanted to construct a new building that would be approximately 3,500 square feet. They will enter off of Forrest Street and exit off of Adair Street. Councilwoman Tooley inquired as to where the parking would be. Mr. Irvin stated that the parking would be in front of the building.

Bill Kent, Innovate Engineering, 2214 North Patterson Street, spoke in favor of the request. Mr. Kent stated that he will be the Project Engineer for this request. This section of Myon Street was closed by the Council a few months ago so they are integrating what was there into their parking lot for the school. They worked with the City Engineering Staff to improve the circulation and they are ready to move forward with the construction plans and permits if it is approved by Council tonight.

No one spoke in opposition to the request.

A MOTION was made by Councilwoman Tooley to approve the request for Planned Development approval of a Mixed-Use Child Daycare and School Facility on property that is split-zoned Office-Professional (O-P) Zoning and Single-Family Residential (R-6) Zoning as requested by Jonathan and Chanita Irvin with the following seven conditions: (1) Approval shall be granted in the name of the applicants only for a Mixed-Use Child Daycare and School Facility on property that is split-zoned Office-Professional (O-P) and Single-Family Residential (R-6). The majority of the Daycare Facility shall remain on the O-P portion of the site. Total indoor gross floor area of all buildings on the site shall not exceed 16,000 square feet. (2) All new proposed buildings shall be residential in appearance with building materials and design on all sides being consistent with residential or

institutional style construction. Exterior wall materials shall not include any sheet metal, unfinished concrete or concrete block, or vinyl siding. (3) The entire perimeter of the site, except along North Forrest Street, shall include a minimum 6' tall opaque fence in accordance with LDR standards for fencing in residential districts. This perimeter area shall be fully landscaped with a minimum 10' wide buffer yard with a minimum of 5 small trees, 1 canopy tree, and 25 shrubs per 100 linear feet, installed in accordance with LDR Chapter 328 and whose design is approved by the City Arborist. Existing trees and shrubs may count toward this landscaping requirement. (4) All site lighting shall be directed downward and away from adjacent residential areas. (5) Permanent freestanding signage at the East Adair Street access point shall be unlit and limited to a maximum of 3 feet in height and 6 square feet in area. (6) All other development standards and general building requirements shall be followed as applicable. (7) From the date of final approval, the development shall commence within three years (request for permits). Otherwise, Planned Development approval shall automatically expire. Councilman Norton seconded the motion. The motion was unanimously adopted (7-0) to enact Ordinance No. 2021-14, the complete text of which will be found in Ordinance Book XIV.

ORDINANCES AND RESOLUTIONS

AN ORDINANCE TO AMEND THE ORDINANCE FOR ESTABLISHING PROMOTIONAL PROCEDURES FOR THE VALDOSTA FIRE DEPARTMENT (FIRST READING)

Consideration of an Ordinance to amend the Ordinance for Establishing Promotional Procedures for the Valdosta Fire Department. (First Reading)

Fire Chief Brian Boutwell stated that the Valdosta Fire Department (VFD) currently has an internal promotional process that has been successful over the years promoting employees; however, the current promotional process needs to be updated to meet current National Fire Protection Association (NFPA) standards for all positions to ensure that VFD has an inclusive promotional process for all members. VFD is fortunate enough to have three Georgia Fire Academy (GFA) Adjunct Instructors which allows them to provide the majority of GFA courses locally. There are several reasons why the VFD seeks to improve the procedures of the promotional process. The VFD is currently facing the possibility of losing employees to other organizations that have less stringent promotion requirements. With the new proposed promotional procedures, the VFD is continuing to provide the standards of a consistent and equitable process for all positions, providing a succession matrix to help employees with their career aspirations, and ensuring that personnel receive the required training and/or education to make them successful. The VFD recommends revisions which include aligning the current promotional requirements with the current national standards in an effort to align with National Standards provided by the United States Fire Administration, and other Fire Departments such as Roswell, Warner Robins, Cobb County, and the City of Albany. Chief Brian Boutwell stated that he has assembled the Department Command Staff as a Committee to collectively reach a unanimous agreement on eligibility requirements. Members of the Committee are Brian Boutwell, Ronald Skrine, Johnny Henry, John Herpin, James Clinkscales, and Matt Davis. Revisions are necessary to match the changes that have been made to the National Fire Protection Association (NFPA) Standards that govern certifications.

Chief Boutwell stated that changes include the removal of Fire Instructor II where Fire Officer III may still be a requirement. At the time the current ordinance was voted in, Instructor II was a requirement to obtain Fire Officer III. That has changed to be a requirement for Fire Officer IV. There is also a removal of all dates that have expired since the inception of the current ordinance. The current language for EMT includes National Registry. National Registry is the testing agency for an emergency medical license and carries a national level endorsement; however, National Registry changes levels of EMT that they will continue to carry. This does not have an effect on the licensed member as long as they maintain their State license. The proposal is to amend the language to read, National Registry and/or Georgia EMT. Without this amendment, approximately 12 members that hold an EMT Intermediate license are excluded from promotion opportunities. The current requirement of Emergency Medical Technician (EMT) for Corporal should be reduced to Emergency Medical Responder (EMR). This is the first opportunity to promote with a pay increase as a fill-in driver which is one of the most needed positions in the organization. Allowing members to compete for Corporal as with EMR will include all Firefighters that have met the driver training requirements. The current requirement of Preparation for Initial Company Officer (PICO), Strategy and Tactics for Initial Company Officer (STICO), and Decision Making for Initial Company Officer (DMICO) should be removed as a requirement to promote to Sergeant. These courses are State-delivered, National

**AN ORDINANCE TO AMEND THE ORDINANCE
FOR ESTABLISHING PROMOTIONAL PROCEDURES
FOR THE VALDOSTA FIRE DEPARTMENT (CON'T)**

06/10/21 CONTINUED

Fire Academy (NFA) courses that were formally known as Managing Engine Company Tactical Operations (MECTO) I, II, and III. These courses can be removed or revamped at any time by the NFA, limiting opportunities to attend. There is value in the courses for upcoming officers so the courses will be implemented into a professional development program rather than promotion requirement. This position fills in for Company Officers in their absence therefore Fire Officer I will remain a requirement. Lieutenant requirements were amended to align with the job duties of Company Officers as well as prepare them to fill in for Battalion Chiefs. The proposal is to remove PICO, STICO, and DMICO, but move it to a professional development program. It is also proposed to remove the requirement of Instructor II and Fire Officer III. Fire Officer III relates to the job duties of an Assistant or Deputy Chief position. Instructor II is a previous requirement for Fire Officer III and is designed for Fire Instructors that will be responsible for creating their own lesson plan. The requirement of needing a minimum of two years working in the Fire Prevention Division to be eligible to promote to Lieutenant in the Fire Prevention Division was removed. There is only one option in Fire Prevention to work in a position that is not a Lieutenant, so the current requirement excludes everyone except the Public Fire and Life Safety Educator. The EMT requirement for Fire Prevention has been removed due to the fact that these members do not answer medical calls. The Lieutenant position in Training was amended to mirror the other Lieutenant positions. Instructor II remained for the Training Lieutenant due to the fact that this position will be required to develop their own lesson plan. The only amendments to Special Operations and Training Captain positions are the removal of expired dates, language in EMT, and the removal of Fire Officer IV. Fire Officer IV is a Chief level class. In an effort to increase the eligible candidate pool for Battalion Chief, the proposed change is the removal of the EMT requirement and reducing the degree requirement to an Associate Degree with a Bachelor's Degree being preferred instead of required. There is a small number of tenured employees that were members prior to the EMT requirements that are not currently eligible to compete for a Battalion Chief position. Battalion Chiefs are mid-management and are not expected to render medical care. The number of VFD members with formal Degrees is far greater than it was when the current Ordinance was implemented; however, skills utilized by Battalion Chiefs such as writing, time management, and personnel management are covered in an Associate program. They do want to encourage employees to continue their education so a Bachelor's Degree is still listed as preferred. The Fire Marshal/Battalion Chief position was amended to mirror the other Battalion Chief positions. One of the proposed changes to the Assistant Chief position is the removal of the EMT requirement in an effort to include more of our tenured employees. It is also recommended that Chief Fire Officer (CFO) Designation be changed to preferred. This designation issued by the Commission on Professional Credentialing is a valued accolade but is an extensive application process validating credentials that are dependent upon a Board approval. This designation should be encouraged but the requirement would limit our eligible employees. There is an addition of the term Deputy Chief to allow flexibility of naming the position. Deputy Chief and Assistant Chief are interchangeable for a position between Battalion Chief and Fire Chief. The term Deputy Chief would be for the same position but align with the structure of the City. Fire Chief Boutwell stated that this is the first reading and no action will need to be taken.

RESOLUTION NO. 2021-9, A RESOLUTION AUTHORIZING ACCEPTANCE OF A GRANT FROM THE FEDERAL AVIATION ADMINISTRATION (FAA) TO PROCEED WITH RUNWAY 17/35 PROTECTION ZONE LAND CLEARING AND FENCING (CONSTRUCTION), RUNWAY 17/35 ASPHALT MILLING AND REPLACEMENT, REPLACEMENT OF MARKING AND SIGNAGE, AND CHANGE TO RUNWAY 18/36 (CONSTRUCTION)

Consideration of a request from the Valdosta-Lowndes County Airport Authority to approve a Resolution authorizing acceptance of a Grant from the Federal Aviation Administration (FAA) to proceed with Runway 17/35 Protection Zone land clearing and fencing (construction), Runway 17/35 asphalt milling and replacement, replacement of marking and signage, and change to Runway 18/36 (construction).

Mark Barber, City Manager, stated that the Valdosta-Lowndes County Airport Authority desires to proceed with the following Projects at the Valdosta Regional Airport: (1) Runway 17/35 Protection Zone land clearing and fencing (construction), Runway 17/35 asphalt milling and replacement, replacement of marking and signage, and change to Runway 18/36 (construction). The Federal Aviation Administration (FAA) has offered to fund 100% of the costs at the Valdosta Regional Airport. There will be no City of Valdosta funds required for these Projects. The 100% funding is a departure from the normal 90% due to funding from the various pandemic relief acts to make up the remaining 10%. The FAA is preparing a Grant announced in the amount of \$5,685,010 for the

Projects; however, the bids for the Projects came in at \$5,032,161 which may be the actual amount of the Grant. The Grant will be delivered to City Hall and the Agreement must be executed and returned to the FAA expeditiously in order to secure the funds. A Resolution has been prepared authorizing Mayor Scott James Matheson to accept the Grant, not to exceed \$5,685,010, in order to process the documents. Mark Barber, City Manager, recommended that Council approve the Resolution authorizing the Mayor to accept the FAA Grant in an amount not to exceed \$5,685,010 in order to process the documents.

A MOTION by Councilman Carroll, seconded by Councilman Norton, was unanimously adopted (7-0) to enact Resolution No. 2021-9, a Resolution authorizing acceptance of a Grant from the Federal Aviation Administration (FAA) to proceed with Runway 17/35 Protection Zone land clearing and fencing (construction), Runway 17/35 asphalt milling and replacement, replacement of marking and signage, and change to Runway 18/36 (construction) at the Valdosta Regional Airport, the complete text of which will be found in Resolution Book VI.

BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES

Mayor Matheson stated that if there is no objection from Council, Agenda Items 5(a) through 5(k) will be considered under a Consent Agenda. There was no objection from Council.

Greg Brown, Purchasing Agent, presented the following Agenda Items: (1) Item 5(a) Consideration of bids for the annual oils and lubrications for the City of Valdosta (Bid No. 44-20-21) - the low bid was submitted by Akins Petroleum in the amount of \$38,866.14 and the markup above cost was 12%, (2) Item 5(b) Consideration of bids for the annual auto and equipment filters for the City of Valdosta (Bid No. 45-20-21) - the low bid was submitted by The Parts House in the amount \$15,514.91 with a .6600% discount off, and (3) Item 5(c) Consideration of bids for plumbing services for the City of Valdosta (Bid No. 46-20-21) - the low bid was submitted by Roto Rooter at \$45.00 regular time hour, \$67.50 regular overtime hour, \$84.00 skilled time hour, \$126.00 skilled overtime hour, and a 10% markup, (4) Item 5(d) Consideration of bids for electrical services for the City of Valdosta (Bid No. 47-20-21) - the low bid was submitted by Cowart Electric in the amount of \$65.00 for a Control Technician, \$42.00 for an Electrician, and \$35.95 for a Helper, (5) Item 5(e) Consideration of bids for HVAC Services for the City of Valdosta (Bid No. 48-20-21) - the low bid was submitted by Waller Heating & Air in the amount of \$45.00 regular time, \$60.00 regular overtime, \$45.00 filter swap, and 30% markup, (6) Item 5(f) Consideration of bids for gasoline and diesel fuel for the City of Valdosta (Bid No. 49-20-21) - the low bid was submitted by Petroleum Traders in the amount of \$.0423, (7) Item 5(g) - Consideration of bids for hand tools for the City of Valdosta (Bid No. 50-20-21) - the low bid was submitted by Whitehead/Miller Hardware in the amount of \$14,051.48, (8) Item 5(h) - Consideration of bids for janitorial supplies for the City of Valdosta (Bid No. 51-20-21) - the low bid was submitted by Piedmont National in the amount of \$28,004.90, (9) Item 5(i) - Consideration of bids for 20, 30, and 40 yard roll off containers for the Public Works Department (Bid No. 52-20-21) - the low bid was submitted by Lewis Steel in the amount of \$4,995 for 20 yard, \$5,495 for 30 yard, and \$6,095 for 40 yard, (10) Item 5(j) - Consideration of bids for retread truck tires for the City of Valdosta (Bid No. 54-20-21) - the low bid was submitted by Southeastern Commercial Tire in the amount of \$22,740, and (11) Item 5(k) - Consideration of bids for pest control services for the City of Valdosta (Bid No. 55-20-21) - the low bid was submitted by Baird Pest Control in the amount of \$3,468 annually.

A MOTION by Councilman Carroll, seconded by Councilwoman Miller-Cody, was unanimously adopted (7-0) to follow the recommendations as presented and approve the low bids under a Consent Agenda for Agenda Items 5(a) through 5(k).

Consideration of an Agreement for Governmental Affairs Representation for the City of Valdosta.

Mark Barber, City Manager, stated that Government Solutions, LLC serves as a governmental affairs consultant and provides representation for municipalities and counties in the State of Georgia. The overall scope of their work is to collaborate in the development of governmental affairs strategies for the State of Georgia and for the Georgia Congressional Delegation. The Staff of Government Solutions, LLC consists of the following: Terry Mathews, a founding partner of Mathews & Maxwell, Inc. and a long-time senior advisor to former U. S. Senator Sam Nunn, Scott Maxwell, a founding partner of Mathews & Maxwell, Inc. and who has successfully represented

major companies and associations at the State Legislature, and Terry L. Coleman, Speaker Emeritus of the Georgia House of Representatives and who retired after 34 years of service. Government Solutions, LLC has long established relationships with key legislative and executive leadership and they will work with the City of Valdosta to implement a public policy agenda and communicate directly with members of the General Assembly, Governor Brian Kemp and Staff, Lt. Government Geoff Duncan and Staff, various State agencies and others as appropriate to advocate for policies that best serve the City of Valdosta. Government Solutions will develop a well-planned strategy to educate and influence the opinions of government leaders. The proposed monthly fee will be \$4,000 (see attached Agreement). The term of the Agreement will run from July 1, 2021 through June 30, 2022 and either party may terminate the Agreement without cause by a 30-day notice. Mark Barber, City Manager, recommended that Council approve the Agreement with Government Solutions, LLC.

A MOTION by Councilwoman Miller-Cody, seconded by Councilman Norton, was unanimously adopted (7-0) to approve an Agreement with Government Solutions, LLC for Governmental Affairs Representation for the City of Valdosta.

OTHER MATTERS

Consideration of Litigation for A. Smith vs. City of Valdosta el., and discussion of resolution of all claims.

Tim Tanner, City Attorney, stated that as they discussed at the Work Session on Tuesday, June 8, 2021, an agreement has been reached with Mr. Antonio Smith in the case of A. Smith vs. City of Valdosta el. If approved by Council, the City of Valdosta will enter into a Settlement and Release of All Claims with Mr. Smith with general terms in exchange for the release of all claims against the City and all Defendants for the incident that occurred on February 8, 2020. Mr. Smith will receive the sum of \$350,000 and there will be the creation and seating of the Citizens Review Board.

A MOTION by Councilman Howard, seconded by Councilman Norton, was unanimously adopted (7-0) to approve the Settlement and Release of All Claims in the case of A. Smith vs. City of Valdosta el. as presented by the City Attorney.

CITIZENS TO BE HEARD

John Robinson, 3227 San Juline Circle, Lake Park, stated that he would like for his time to be extended for a couple of minutes if deemed necessary because what he would like to address the Council with something that is very critical and very important. Mr. Robinson passed out a document to the Mayor and Council entitled Economic Appropriation Fund and asked them to take this very seriously because there are going to be some changes that have never occurred here in the history of Valdosta. Mr. Robinson stated that they are going to be asking through their Attorneys and will appeal to the Administration for an additional amount of money. They understand that there is going to be some funding coming down and they want something allocated to the South side. They are requesting or demanding through the Economic Appropriation Fund that \$250,000,000 plus be allocated for the revitalization of the South side only. The purpose is to restore the dignity of a once thriving community. This is because approximately 40 years ago, a bridge was constructed here and it killed many of the black businesses in the City and cut the City in half. It is a community today where 43% of the population earns less than \$10,000 annually according to the latest Analysis of Impediments taken in 2018 to 2024 and 40% live below poverty. This is in a City that is 51% to 53% black. The funds they are asking to be distributed over a ten-year period means \$25,000,000 to serve the community a year. Of those services, the cost of the governing body which are the Attorney fees and the cost of Court will be served. This body will navigate, control, and govern the total activity of the distribution of allocated project funds. The purpose is the strategic planning for a thriving community to serve the needs of all of the people and not just some. In order to maintain fairness, a legal system will need to be in place that will include a Committee formed by the citizens of the South side. The targets of revitalization are upgrades of existing structures, an easy applicable loan system that meets a certain need, upgrade of the area such as medical, recreation, educational job trade center that will not only train but teach businesses as well, and ethics of business to existing companies. This is vital to reverse the damage done to this community over the years of neglect and exclusion. They stand to invoke Title VI. Their Attorney will elaborate on the legal aspects of what we are about to go through. Mr. Robinson stated that he had asked for an extended period of time. Mayor Matheson inquired as to whether Mr. Robinson's Attorney was going to elaborate on that. Mr. Robinson stated that was

correct. Mayor Matheson stated that the Attorney could speak next. Mr. Robinson stated that his Attorney was not here, but they will be getting in touch with him. He wanted just a couple more minutes. They are standing to raise the issues and they want to see some changes come to the City. They are going to be helping the City to a certain degree. There will be a lot of disagreement because it is going to mean a change in structural power at the very highest levels here. The changes need to be done and considered. It is something that they are going to be looking forward to and they are going to work hard. They are going to stand to raise the issues either here or some place in the Federal Courts. This is something that is on-going, and you are placed on notice that things are about to change here in Lowndes County.

George Boston Rhynes, 5004 Oak Drive, stated that for too many years little has been done to really help and resolve the issues in the under privileged community here in Valdosta and across the nation. Our former President Trump signed an Executive Order, No. 139, which hampered and cut out a lot of the benefits for the oppressed people across America. President Biden revoked that Executive Order and he implemented No.139-85 which can be found on the web. There is some money coming down and unlike the CDBG Grant, they intend to oversee these monies coming into the City School Board of Education and other places under the Biden Executive Order No. 139-85. Lowndes County will receive \$22,804,739, the City of Valdosta will receive \$16,254,692, and the School Board of Education will receive approximately 2.5 times its budget and that is an estimate. They want to put Valdosta and Lowndes County on notice, Valdosta mainly, and they will oversee it, if necessary, and they will have Attorneys to oversee how these monies will be spent because with urban renewal and CDBG Grants, the African-American community did not get their fair share. Too often, the system puts white contractors over urban renewal. They put a black man there, but it was really the white guy who was benefitting from it. They just want fairness. He is sure that Mr. Robinson does not want anything out of that except fairness for everybody. He will not reap one dime of any of that. Mr. Rhynes asked if he could have another minute. Mayor Matheson stated that he would give him the same 45 seconds that Mr. Robinson got. Mr. Rhynes stated that a minute would not hurt. This is for the good of the community and we all might as well get on the ship because sooner or later Valdosta is going to change. Don't think it is just Valdosta. Already all of the cities are standing before the Elected Officials as he is standing here today. It is not just him. They are looking for change and they want help. They need help. They fought in every war of this nation and they are entitled to some of the economic pie. He wants to be part of that change and he hopes that Council wants to be a part of that change. He is not angry, but they just want equity. Mayor Matheson stated that Mr. Rhynes' time was up. Mr. Rhynes stated that the Mayor could do better than that. Mayor Matheson stated that he gave him what he asked for.

J. D. Rice, 501 Knob Hill Drive, stated that he came here to commend Council on something but before he does that he was really appalled and offended because when you get to the Citizens to be Heard Section, he looked at the Council several times and several of them were talking and showing disconcern and not being attentive. It is insulting for people to sit through a Council Meeting to address Council because the least you can do is listen to them and be attentive to their concern. Mr. Rice stated that he wanted to commend Council for taking the initiative to implement the public transportation system that was started recently. We needed that 18 years ago and it has been 18 years in the making and he wanted to thank them for doing that. He also wants Council to be mindful that the White House Office of Management and Budget is proposing to change the guidelines for Metropolitan Status. Right now, the guidelines state that you have to be a City of 50,000 to be a Metro city. They are going to change it to 100,000. If that is approved, it will directly affect the funding that we get for our Airport, economic development, education, and public transportation. Mr. Rice is requesting that we contact all of our Congressmen and both of our U. S. Senators, the Georgia Municipal Association, the U. S. Conference of Mayors, and whoever we have to in order to make sure that everything is done to keep it like we have it now. If it is changed, then it will directly affect us because we will have to subsidize those programs that he mentioned if we want to keep them. He does not want to see our property taxes increased one dime.

Pastor Darren Neal, Christ Gospel Missionary Baptist Church, 1402 East Hill Avenue, stated that he is President of the NAACP and the reason he is here tonight is exactly what Rev. Robinson and Mr. Rhynes spoke about. It is not that monies are coming down the line, the money is here. President Biden has done a great deal of work to bring the under-served and the under-privileged and those people who have been forgotten about to parity and equity. One of the things he did with the American Rescue Plan was to outline funding that should be given specifically to these people. This money that has come here to the City of Valdosta is to be used to help the under-served and to build up infrastructure in those areas that are dilapidated and worn down. One of the things that

raised his eyebrow, and this is not directed at Mr. Barber in a negative light, but they sat with Jon Ossoff and when he stated the number of monies coming down the line, he heard the City Manager say he already has something to do with that money. That money has specifications attached to it. We cannot use that money to supplement our Budget or supplant. This City has a Budget that is already in place. That Budget is designed to keep us running. This money that is being sent is to help those people in these areas, especially in those Census tract areas which money just never seems to reach it. We have a history in Valdosta of overlooking the poor and impoverished. We must admit that. There is no mental health treatment for people who are on the street corners and we are taking them to the County line. We have children who are homeless right now. They are living at hotels and in cars that we have just simply overlooked. He has been here 15 or 16 years and he is very passionate about this. He does not have to stay here any longer because he has the training to go anywhere he wants to go. He came here because the job brought him here, but after he saw the needs of the people, he decided to stay and fight. He is going to keep fighting and watching because they do have Oversight Committees. Jon Ossoff and his team are working with them to specifically make sure these monies go where they are. Biden, Ossoff, and Warnock specifically spoke of how they circumvented the middle-man so that the money comes directly from the Federal government directly to the City governments. That is where the problem occurs because in the 16 years he has been here, monies have come down to help the under-served and it just sits there. It either disappears or it is magically reallocated to be used somewhere else. He has seen monies that were set aside as he reads these Budgets in under-served communities just to fix the roads. Rev. Neal also asked for a time extension. Mayor Matheson stated that he would have an additional minute that Mr. Robinson and Mr. Rhynes had. Rev. Neal stated that he saw these monies that were collectively pushed toward Woodrow Wilson. In the 16 years he has been here he can tell you where every bump is in the impoverished neighborhoods. Nothing gets done. This is an opportunity now for inclusion. We are all Valdostans. This money is here now set aside to bring people who never ever seem to get looked at up to speed. Bringing folks that don't ever get the funding they need will help boost this economy and generate money flowing so we can all survive. If we were like India right now, India is in a situation where COVID has hit them so bad that 10,000 people died in one day. They do not even have room to put people in hospitals and they are keeping them in ambulances. Bodies are stacked up outside. Can we say that it will not happen in Valdosta? It would not matter your color if that happened to us. One day we are going to be put in a situation where he is going to have to serve you and you are going to have to serve him and color, race, creed, and nationality is not going to matter. It is just the love of God. Mayor Matheson stated that his time is up. Rev. Neal stated that he wanted to ask a question. Mayor Matheson stated that we will follow-up with him after the meeting. Rev. Neal stated that the Mayor is a very hard person to follow-up with. That is the reason they filed the Ethics Complaint against him because they kept asking to speak to him and he does not have faith that the Mayor will talk to him. You are the Mayor of Valdosta and they filed a Complaint and they keep asking to talk to him and the Mayor ignores them. Mayor Matheson asked Rev. Neal to please sit down. Rev. Neal stated that he finds it hard to believe that the Mayor will speak to them. He wanted to put him on notice. Mayor Matheson asked Rev. Neal again to please sit down or be removed. Rev. Neal was escorted to his seat.

CITY MANAGER'S REPORT

Mark Barber, City Manager, stated that the Food Truck Crawl will be held on Thursday, June 17, 2021 from 5:00 p.m. to 8:30 p.m. but it has been moved to Georgia Beer Company due to the film crews in town who are filming a movie.

On Saturday, June 12, 2021, the Makers Market will be held at the old Courthouse square from 9:00 a.m. to 1:00 p.m. This event has really grown and has become very successful.

COUNCIL COMMENTS

Councilwoman Tooley stated that she has been noticing the Via On-Demand transportation cars everywhere in town. It has been very successful, and we just don't have enough cars. We have so many people calling for rides and we have received a lot of positive feedback on it. We are going through the trial period with the first ten rides free before July 1, 2021 and the people are willing to pay the fare after that time period. Councilwoman Tooley thanked everyone for using it because it was something we needed. Mark Barber, City Manager, stated that he was in a meeting with Senator Ossoff's Office this afternoon trying to find some supplemental funding for three new vehicles now and three new vehicles next year. The Staff has been incredible

in working with us and we have high hopes that we will receive the supplemental funding. It is a great problem to have and we ask the community to be patient with us. There are some days we are overwhelmed with requests and with seven vehicles it can be difficult; however, we are going to get there.

ADJOURNMENT

Mayor Matheson entertained a motion for adjournment.

A MOTION by Councilman Vickers, seconded by Councilman Carroll, was unanimously adopted (7-0) to adjourn the June 10, 2021 Meeting of the Valdosta City Council at 7:23 p.m. to meet again in Regular Session on Thursday, June 24, 2021.

City Clerk, City of Valdosta

Mayor, City of Valdosta