

**MINUTES**  
**MEETING OF THE VALDOSTA CITY COUNCIL**  
**5:30 P.M., THURSDAY, AUGUST 8, 2024**  
**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: Eric Howard, Sandra Tooley, Andy Gibbs, Tim Carroll, Nick Harden, and Vivian Miller-Cody. Councilman Thomas McIntyre was absent. The invocation was given by Councilman Andy Gibbs, followed by the Pledge of Allegiance to the American Flag.

**AWARDS AND PRESENTATIONS**

Police Chief Leslie Manahan stated that on July 12, 2024, during a post-work walk down Patterson Street, City of Valdosta employees Lauren Hurley and Erica Thrift were unaware of an active pursuit by the Lowndes County Sheriff's Department. Officer Joshua Abercrombie effectively intercepted the chase, which took place at the intersection crosswalk of Mary Street and Patterson Avenue. Lauren and Erica were moments from crossing the street at this intersection when Officer Abercrombie briefly activated his siren to get their attention. His prompt activation of his emergency siren prevented Lauren and Erica from entering the crosswalk and potentially sustaining severe injuries as the suspect barreled through the Stop sign, immediately followed by the Sheriff's Department. Lauren and Erica then witnessed Officer Abercrombie's remarkable pursuit and apprehension of the suspect, who fled after his vehicle flipped multiple times. Officer Abercrombie's commitment to public safety, even at personal risk, is both admirable and impressive. While all Police Officers value their duty, Officer Abercrombie's actions on this day were exceptional, demonstrating his dedication to protect and serve. Thank you one million times Officer Abercrombie!

**APPROVAL OF MINUTES**

The minutes of the Regular Meeting held on July 25, 2024 were approved by unanimous consent (6-0) of the Council.

**PUBLIC HEARINGS**

**ORDINANCE NO. 2024-18, AN ORDINANCE FOR A CONDITIONAL USE PERMIT (CUP) FOR AN EVENT CENTER IN A HIGHWAY-COMMERCIAL (C-H) ZONING DISTRICT**

Consideration of an Ordinance for a Conditional Use Permit (CUP) for an Event Center in a Highway-Commercial (C-H) Zoning District as requested by Yazmin Saucedo (File No. CU-2024-05). The property is located at 2161 Bemiss Road. The Planning Commission reviewed this at their July 29, 2024 Regular Meeting and recommended approval subject to six conditions (8-0 Vote).

Matt Martin, Planning Director, stated that Ms. Yazmin Saucedo is requesting a Conditional Use Permit (CUP) for an Event Center in a Highway-Commercial (C-H) Zoning District. The property is located at 2161 Bemiss Road along the east side of the road south of Langdale Drive. More specifically, the tenant space (approximately 4,200 square feet) is located in the farthest east end of this commercial center, immediately past the larger space with a long history of being a nightclub. The applicant is proposing an Event Center called the "Enchanted Hall" that specializes in weddings, quinceaneras, and family reunions, with an anticipated overall seating capacity of about 160 people. There will be no on-site kitchen facilities, and all food and alcohol will be provided by licensed caterers. The property is located within a Community Activity Center (CAC) Character Area on the Future Development Map of the Comprehensive Plan. The property is also located within the Urban Commercial Corridor Overlay District (UCCOD). The applicant proposes utilizing one tenant space of a much larger commercial center. The front parking lot (facing Bemiss Road) has about 85 parking spaces on the subject property. There are additional parking spaces to the south which are located on the Castle Park Shopping Center property (different owner); however, there is currently no active shared parking agreement between these two properties. It should also be noted that the existing parking lot to the east is also located on the Castle Park property. Even though the subject tenant space has two doors to this side of the building, the applicant/owner does not have permission to utilize these parking spaces. Therefore, the proposed use can only avail itself of the front

parking lot facing Bemiss Road, and it must share this parking with the rest of the uses in the commercial center. The adjacent and much larger tenant space next to the applicants has had a long history of different nightclubs over the years, most of which have had negative track records causing overflow parking and overcrowded conditions, numerous calls for law enforcement, and being regarded as a general nuisance with complaints from surrounding properties. As mentioned above, two major areas of concern regarding this CUP request are the lack of parking for large crowds and the negative history of assembly-type uses such as an Event Center; however, the applicant's Letter of Intent describes a proposed use that is not a nightclub but instead focuses on private events such as wedding receptions and other family-related gatherings. With properly limiting conditions of approval which seek to avoid these negative impacts, an Event Center like what is being proposed by the applicant could be successful here by reactivating a currently empty space and helping to erase the negative history of this property. Staff found the request consistent with the Comprehensive Plan and the Conditional Use Review Criteria and recommended approval with the following six conditions: (1) Approval shall be granted in the name of the applicant only for an indoor Event Center as described in the applicant's Letter of Intent, with events taking place indoors only. (2) Hours of operation shall be limited to within the hours of 8:00 a.m. - 11:00 p.m. daily. (3) Total maximum facility occupancy shall be limited to no more than 160 persons. (4) All events shall be private and scheduled in advance, with attendance numbers pre-determined and managed by the applicant. There shall be no open commercial ticket sales, entry cover charges, or other forms of open public admittance. All sounds generated by the facility shall be in strict adherence to the City's adopted Noise Ordinance. (5) All food and beverages served on the premises shall be provided as part of the scheduled event (not sold) and prepared by locally licensed caterers or by the private lessee(s) of the facility, as pre-arranged through the applicant. All alcoholic beverages shall be served by a licensed alcoholic beverage caterer in accordance with City Ordinance. (6) Conditional Use approval shall expire one year from the date of approval if no City business license has been obtained by that date. The Planning Commission reviewed this at their July 29, 2024 Regular Meeting, found it consistent with the Comprehensive Plan and the Conditional Use Review Criteria, and recommended approval subject to the same six conditions as recommended by Staff (8-0 Vote). Councilman Howard inquired as to whether the applicant had any objections to the six conditions. Matt Martin stated that she did not.

Yazmin Saucedo spoke in favor of the request. Ms. Saucedo stated that she is trying to open the Event Center and offer opportunities to people for weddings, quinceaneras, family reunions, and church reunions. She chose this location because it is commercial and has plenty of parking. They will not cause any problems and they will be liable for everything.

No one spoke in opposition to the request.

**A MOTION** was made by Councilman Howard to approve the request for a Conditional Use Permit (CUP) for property located at 2161 Bemiss Road for an Event Center in a Highway-Commercial (C-H) Zoning District with the following six conditions: (1) Approval shall be granted in the name of the applicant only for an indoor Event Center as described in the applicant's Letter of Intent, with events taking place indoors only. (2) Hours of operation shall be limited to within the hours of 8:00 a.m. - 11:00 p.m. daily. (3) Total maximum facility occupancy shall be limited to no more than 160 persons. (4) All events shall be private and scheduled in advance, with attendance numbers pre-determined and managed by the applicant. There shall be no open commercial ticket sales, entry cover charges, or other forms of open public admittance. All sounds generated by the facility shall be in strict adherence to the City's adopted Noise Ordinance. (5) All food and beverages served on the premises shall be provided as part of the scheduled event (not sold) and prepared by locally licensed caterers or by the private lessee(s) of the facility, as pre-arranged through the applicant. All alcoholic beverages shall be served by a licensed alcoholic beverage caterer in accordance with City Ordinance. (6) Conditional Use approval shall expire one year from the date of approval if no City business license has been obtained by that date. Councilman Carroll seconded the motion. The motion was unanimously adopted (6-0) to enact Ordinance No. 2024-18, the complete text of which will be found in Ordinance Book XIV.

**ORDINANCE TO REZONE 1.89 ACRES FROM RESIDENTIAL-PROFESSIONAL (R-P) TO NEIGHBORHOOD-COMMERCIAL (C-N) DENIED**

Consideration of an Ordinance to rezone 1.89 acres from Residential-Professional (R-P) to Neighborhood-Commercial (C-N) as requested by Freeman Investments LLC (File No. VA-2024-11). The subject property is

located at 3880 Bemiss Road. The Planning Commission reviewed this at their July 29, 2024 Regular Meeting and recommended approval with one condition (8-0 Vote).

Matt Martin, Planning Director, stated that Freeman Investments LLC is requesting to rezone 1.89 acres from Residential-Professional (R-P) to Neighborhood-Commercial (C-N). The property is located at 3880 Bemiss Road, which is an undeveloped landlocked parcel (vacant field) located diagonally behind the applicant's place of business (Freeman Electrical Contractors) at 3886 Bemiss Road. This property is also immediately to the west of the single residences fronting the west side of Edinburg Circle cul-de-sac in The Highlands Subdivision. The applicant is proposing to construct a commercial accessory building on the property and/or combine it with adjacent commercial property for possible marketing purposes. The property is located within a Neighborhood Activity Center (NAC) Character Area on the Future Development Map of the Comprehensive Plan, which allows the possibility of C-N Zoning. The property is a remnant undeveloped piece of land from about 20 years ago when The Highlands Subdivision was developed. It was never intended to be developed as part of the neighborhood and was eventually forfeited by the original developers in 2012. The applicant later acquired the property in 2019 as an investment or in hopes of later developing it themselves. However, as a landlocked parcel with no street frontage, it must be combined with other adjacent properties having frontage in order to be developed. The applicant is the owner of the commercially-zoned properties to the north and, therefore, has the ability to make this parcel developable as part of their own. R-P Zoning allows professional offices and all forms of residential usage, including multi-family apartments, up to 18 dwelling units per acre (up to 34 units on 1.89 acres). Because the applicant is desiring to develop this property commercially, they are seeking the rezoning to C-N, which is the most intensive zoning allowable for a landlocked parcel in the NAC character area. C-N allows general retail and light forms of commercial, as well as offices, but does not allow multi-family apartments. The property is irregularly shaped and fairly isolated from any form of development, except maybe that which is associated with development along Bemiss Road. Roadway connection to the abutting neighborhood to the east is highly unfeasible, and therefore, the only logical scenario is for it to eventually be included as part of the adjacent properties oriented toward Bemiss Road, which will likely be developed commercially. Having the lighter intensity C-N Zoning (instead of C-C or C-H) will help serve as a buffer/transition to The Highlands Subdivision from future commercially developed properties along Bemiss Road. 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 July 29, 2024 Regular Meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval of C-N(c) Zoning with the condition that a minimum 6' tall opaque wooden fence be erected along the east property line (8-0 Vote).

Councilman Gibbs inquired as to what they were going to put on the property. Matt Martin stated that they wanted to put a small storage building to be used for their business. They have electrical equipment that takes up space and they are having to use their commercial retail building for storage. They would like to have a separate storage building. Councilman Gibbs inquired about a retention pond. Matt Martin stated that they would have to do a paved access back to the building. They also want somewhere to park their service trucks over night and over the weekend. When you add this much impervious surface and roof top, it probably goes beyond the 5,000 square feet threshold so it triggers a stormwater requirement. Councilman Gibbs inquired as to whether Mr. Dan Johnson, who had written a letter, knew about the retention pond. Matt Martin stated that Mr. Johnson has a copy of the packet along with a site plan and he was responding to that. One of the questions at the Planning Commission was about drainage for the site and where the water might go. The short answer to that is that it has not been engineered yet, but the drain seems to be from east to west. Whatever gets built here will have to comply with all of the standards and a retention pond and full drainage management is a requirement. That information was relayed to him at the Planning Commission Meeting. Councilman Gibbs stated that he was asking that question because Mr. Johnson was still asking about it in the letter. Matt Martin stated that they did not have engineered plans for the property. This is a concept by the applicant's Engineer but they have not gone through that process yet.

Matthew Inman, Advanced Engineering Services, 4560 Val North Drive, stated that he is the Engineer for the Project and he is helping Mr. Freeman out with the rezoning. The primary reason for this is because they currently have a very nice commercial building that they are using for just storage space. It is approximately 3,700 square feet of storage for electrical equipment and components. They would like to rent that out and not just use it as storage. Two years ago, they had a trailer stolen off of a job which had about \$200,000 worth of equipment and they currently do not have anywhere to secure their vehicles and trailers. They would like to put that behind a

fence. Mr. Freeman is more than happy to put up a fence and secure the property. They load up on Friday and head out to work on Monday. Those trailers are full of equipment and tools and they would like for them to be secure. The stormwater for this property goes north and more towards Bemiss Road. There is no drainage going to the Subdivision. The Highlands Subdivision was designed in 2003 and he was the Engineer. This was a remnant part of the commercial tract up front. Mr. Freeman wants to put a shop up here and he believes that is the best use of the property. This property is zoned R-P and if they wanted to put apartments up tomorrow, the Code would allow that. If he does not get the rezoning for putting up a shop on it, he will recover his money by putting up apartments very soon. That is the intended use of the property as it is currently zoned. Mr. Freeman works his business and wants to be a nice neighbor and keep peace in the neighborhood. He feels that this is a much lower density use and commercial use of the property. Mr. Freeman has been very kind to the neighborhood; however, there are some who would like to see it stay vacant forever. Unfortunately, that is not the best use for Mr. Freeman. He would like to be able to store stuff in the shop.

Councilman Howard inquired as to whether they would be willing to come 10 to 15 feet off of the property line and then put the fence up. Mr. Freeman stated that the fence goes with the property and they would have setbacks. They have no intention of building next to the fence. Councilman Howard inquired as to how far off of the property line they would be coming back with the building. Matthew Inman stated that it would be at least 25 feet. Mr. Freeman stated that two of the houses that abut the property already have a wooden fence on their property. They would just continue that out. The other two houses that don't have it would get a free fence in back of their property. Matt Martin stated that one thing to note is that in R-P Zoning, the rear setback is 25 feet and for C-N Zoning it is 30 feet.

Dan Johnson, 3833 Edinburg Circle, spoke in opposition to the request. Mr. Johnson stated that he is opposed to the building and has some concerns. The purpose of Planning and Zoning is to prevent commercial and residential properties from conflicting. The Planning Ordinance is to keep separate residential and commercial entities from impacting one another's financial investment and quality of life. By doing that, he has made a substantial investment in buying his home and this would impact him financially and the zoning privacy. He disagrees with the gentleman who said this was never part of the subdivision because it was. Plans were drawn up back in the day when they allowed green space and that was a part of the Subdivision and it always has been. It was a green common area. The HOA eventually deeded it to the family. It was always supposed to be a green space for environmental reasons. One of the big things that he is concerned about is since his house is along the property line, the recent survey does not seem to be correct. He is basing this on the fact that he has been there for 17 years and he knew where the pins were; however, the new pins that they set have his sprinkler system outside of the line so that is a problem. If this property does get rezoned to Commercial, they will be impacted by pollution since he does not know what type of material they are going to handle. There could also be noise pollution because they can hear them at the location that they are at now. One of the requirements that he would like to insist upon is a 30 foot buffer because that is a part of the Ordinance because it does abut a piece of property zoned Residential. They are already proposing a sanitary sewer along the line and that is 20 feet, but he would like to see 30 feet and the fence away from the property line. Other than that, it will feel like they are in a jail. On top of that, he would also like to see a privacy fence and a tree visual screen. They are being impacted upon and they will never recover their financial loss. It would be hard for them to sell their properties with commercial activities right behind their backyard. That is his opposition.

Councilman Gibbs stated that right now it is zoned R-P which has a 25 foot buffer. They can go in there right now without Council's permission and put 30 to 35 apartments in that space. The apartments would go high and overlook your land and house and they could do that tomorrow. They are trying to rezone the property to get a 30 foot buffer and simply put in a storage building so they could put their components in it to store and that's it. If Mr. Johnson's concern is infringement, the you are definitely going to get that with apartments. Noise pollution would also include music, people, and parties. He just wanted Mr. Johnson to be aware. Mr. Johnson stated that with all due respect, you are already leaning toward letting them do it. You are throwing it up to him about the apartments. As long as they want to do it like that then let them do it and they will handle it. If you go to Commercial Zoning, it just seems like a bigger impact because he does not know what kind of pollutants they are

going to have. He knows the noise is going to come and he will never recover any financial loss from having a business in his backyard. He did appreciate Councilman Gibbs bringing that up though.

Councilwoman Tooley inquired as to how long Mr. Johnson has lived in that neighborhood. Mr. Johnson stated that he has been there 17 years and the new survey is well off about 10 feet because his sprinkler system should not be outside of the property line. They have set the pins on the inside of his property line. He cannot be wrong that many years. He was there when there used to be a flag there. The survey seems to be incorrect.

Councilman Harden inquired about the survey and if we had any information on that. Matt Martin stated that he did not know where the pins were located but this is not an old plat and it is from 20 years ago for The Highlands Subdivision. It gives the dimensions and if Mr. Johnson is questioning the survey on the other side of the line and how it might impact that side, that is between the Surveyors. Mr. Johnson may need to get his own Surveyor to survey his boundaries to see if it is incorrect. If the Surveyors are not in agreement, then he, as the property owner, would want to know where his pins are to see if they are right or wrong. Council has been given the survey that was done 20 years ago by a Surveyor who is no longer in business and then the applicant had his own Surveyor to survey their property. Presumably, the pins are lined up perfectly. This is all clear and open land and it should be correct; however, if it is not correct then it needs to be corrected. That would be a civil matter between the property owners.

Councilman Gibbs stated that Mr. Johnson was concerned about pollution of some sort and inquired as to what line of work would Mr. Freeman be doing with this building. Mr. Freeman stated that they would be storing wire and conduit. Councilman Gibbs inquired as to whether he would be storing any liquids in there. Mr. Freeman stated that there would be no harsh chemicals. As far as noise pollution, they do not work on the weekends or at night. Their hours are 7:00 a.m. to 5:00 p.m.

Councilwoman Tooley inquired as to how long the business has been there. Mr. Freeman stated that it has been there since 2017.

Mr. Johnson stated that he was still concerned about the setback issue and where the fence is going to be located. It is natural for them to think that we want to have a fence just to divide them on the property line but most of the neighbors who are impacted would rather have the fence setback because it would not feel as crowded. They can open that for discussion at a later time should Council approve it. Mr. Johnson also inquired about the setbacks and the buffer between Commercial Zoning and Residential Zoning being an automatic thing. Matt Martin stated that it would be if you had Commercial Zoning in the neighborhood but that is zoned R-P. It is zoned the same as this property now and no buffer yard is required. Between C-N Zoning and R-P Zoning, there is no buffer yard required. If the neighborhood was zoned Single-Family Residential, it would be a buffer for either case. If it was zoned R-10 or R-15, a 20 foot buffer yard would be required on that. The applicant is willing to put in a buffer yard with a fence even though it is not required; however, he would like more privacy for his storage. Councilman Gibbs stated that he would basically have the fence and a 30 foot setback for the building. Matt Martin stated that was correct and there would definitely be separation.

Councilman Carroll asked Matt Martin to give them the definition of what is allowed in C-N Zoning. Matt Martin stated that C-N Zoning is the lightest form of the Commercial Zoning that we have. We often deal with C-H Zoning which is the high end of Commercial Zoning, Community-Commercial (C-C) is the middle of the road which includes retail and offices, and C-N is Neighborhood-Commercial Zoning which is a lot like C-C in terms of retail and offices but you eliminate some of the more intensive Commercial uses such as alcohol sales. It is the lowest end of Commercial Zoning.

Cameron Lamp, 3839 Edinburg Circle, spoke in opposition to the request. Mr. Lamp stated that he did not like the scare tactic that 35 apartments are going to be put up tomorrow. There would have to be a substantial change in the traffic and U-turns that happen there. From the smallest to the other point there is 122 feet and you would be putting very small apartments there. You would also need a fire lane coming in. There would be other stipulations that would need to be put in place before they could build apartments. In addition, there is not a single

fence or wooden fence that runs across any of their property lines so when they do put in a wooden fence they need to make sure that it covers all three of the property lines of his home and his neighbor's homes. There are berms that are on the property line and they are eight inches inside of the property line; however, they stick out six feet past. If you wanted to put a fence on the property then he feels like it should be Mr. Freeman's responsibility to also pay to have the trees removed. He has trees and blueberry bushes that sit on the property line as well. It sounds like they are willing to work with the berms which would give this eight to ten feet of fence line. He is opposed to it and the big thing is light pollution. As a gated building, they would want to have a bunch of lights and he does not want to have 24 hour lights shining down on his property. They have already started clearing in the last two days and there is a constant beep of bulldozers. He and his wife are expecting their third child in the next couple of months and it is going to be bad for the baby. He cannot stop it but the noise and light pollution is a big thing.

Richard Bates, 3838 Edinburg Circle, spoke in opposition to the request. Mr. Bates stated that his property is located in the northern section of the three properties that they were discussing. He has been living there since 2005 and nothing has been made available for any type of building there. He is concerned about the height of the building and the security lights that will be aiming toward their property. He does not feel like this would be a property improvement by having a building this close to the residential section. There is a potential for noise and the height of the building is a concern. The security lights would be shining down on his property. There was a request that they have a fence as a stipulation and he would recommend that they amend that to at least an eight foot fence to cut down on the noise and sound. If Council should approve this, he would request an easement off of his property. The three homeowners that are adjacent to this property have maintained about seven to ten feet past their property to make it look more appealing on the backside of their property. They are also trying to cut down on varmints. He has killed several snakes recently and there are also rabbits and armadillos. The property has not been mowed in over five years. His request is that Council deny this change.

**A MOTION** was made by Councilman Gibbs to approve an Ordinance to rezone 1.89 acres from Residential-Professional (R-P) to Neighborhood-Commercial (C-N) for property located at 3880 Bemiss Road as requested by Freeman Investments LLC with the condition. Councilman Carroll seconded the motion. The motion failed (2-4) with Councilman Howard, Councilman Harden, Councilwoman Tooley, and Councilwoman Miller-Cody voting in opposition.

**ORDINANCE NO. 2024-19, AN ORDINANCE TO REZONE A TOTAL OF 41.12 ACRES FROM A COMBINATION OF HIGHWAY-COMMERCIAL (C-H)(COUNTY), PLANNED DEVELOPMENT (P-D)(COUNTY), AND ESTATE AGRICULTURAL (E-A)(COUNTY) TO ALL HEAVY INDUSTRY (M-2)(CITY)**

Consideration of an Ordinance to rezone a total of 41.12 acres from a combination of Highway-Commercial (C-H)(County), Planned Development (P-D)(County), and Estate Agriculture (E-A)(County) to all Heavy Industry (M-2)(City) as requested by Southern Gateway LLC (File No. VA-2024-12). The property is located along the west side of Madison Highway south of Race Track Road. The Planning Commission reviewed this at their July 29, 2024 Regular Meeting and recommended approval (8-0 Vote).

Matt Martin, Planning Director, stated that Southern Gateway LLC is requesting to rezone a total of 41.12 acres from a combination of Highway-Commercial (C-H)(County) (35.39 acres), Planned Development (P-D)(County) (3.01 acres), and Estate Agriculture (E-A)(County) (1.13 acres) to all Heavy Industry (M-2)(City). The property is located along the west side of Madison Highway south of the intersection with Race Track Road. The applicant is also seeking annexation of the property, which is being reviewed concurrently under File No. VA-2024-13. The property is currently vacant and uncleared. The applicant also owns the large adjacent tract of land to the north and west of the property, which is already in the City Limits and zoned M-2. The applicant is proposing to combine all the tracts together and market them for a potential larger acreage development. The property is located within a Community Activity Center (CAC) Character Area on the Future Development Map of the Comprehensive Plan. Upon annexation and pursuant to LDR Section 202-8(B), all of the property will be designated with the Industrial Activity Center (IAC) Character Area, which matches the applicant's adjacent property and allows M-2 Zoning. This property was previously developed as rural residential homesites, including

a small mobile home park many years ago. The C-H portion was rezoned as such more than 30 years ago, but the commercial development never materialized. The northern boundary of the property is the former Race Track Road (unpaved) right-of-way, which was abandoned and closed by Lowndes County earlier this year. Most of this area along Madison Highway between Exit 11 and the Valdosta Regional Airport has seen commercial development and redevelopment in recent years, which is anticipated to increase upon the completion of the Exit 11 interchange improvements; however, closer to the Airport, there are current plans for industrial development including the City of Valdosta's Water Plant No. 2, as well as the adjacent vacant property owned by the applicant (~88 acres), all of which is zoned M-2. The Valdosta Lowndes County Development Authority (VLCDA) is marketing the applicant's existing M-2 property for industrial development, and there is a desire to include all of the applicant's acreage in this marketing strategy. 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 July 29, 2024 meeting, found it consistent with the Comprehensive Plan and the Standards for the Exercise of Zoning Power (SFEZP), and recommended approval (8-0 Vote).

Bill Nijem, Attorney, 1007 North Patterson Street, spoke in favor of the request. Mr. Nijem stated that the property is currently split-zoned and they would like to make the property consistent with the other property the applicant already owns which is zoned M-2.

No one spoke in opposition to the request.

**A MOTION** by Councilman Carroll, seconded by Councilman Gibbs, was unanimously adopted (6-0) to enact Ordinance No. 2024-19, an Ordinance to rezone a total of 41.12 acres located along the west side of Madison Highway south of Race Track Road from a combination of Highway-Commercial (C-H)(County), Planned Development (P-D)(County), and Estate Agriculture (E-A)(County) to all Heavy Industry (M-2)(City) as requested by Southern Gateway LLC, the complete text of which will be found in Ordinance Book XIV.

**ORDINANCE NO. 2024-20, AN ORDINANCE TO ANNEX 41.12 ACRES INTO THE CITY OF VALDOSTA**

Consideration of an Ordinance to annex 41.12 acres into the City of Valdosta as requested by Southern Gateway LLC (File No. VA-2024-13). The property is located along the west side of Madison Highway south of Race Track Road. The Planning Commission reviewed this at their July 29, 2024 Regular Meeting and recommended approval (8-0 Vote).

Matt Martin, Planning Director, stated that Southern Gateway LLC is requesting to annex 41.12 acres into the City of Valdosta. The property is located along the west side of Madison Highway, south of the intersection with Race Track Road. The property is contiguous to the existing Valdosta City Limits along its northern and western borders. Concurrent with the annexation, the applicant is also requesting rezoning of the property to M-2 (File No. VA-2024-12). The applicant is requesting annexation in order to simply combine with their other properties and market all of them together for development under M-2 Zoning. The property is located within the Community Activity Center (CAC) Character Area on the Future Development Map of the Comprehensive Plan. Upon annexation and pursuant to LDR Section 202-8(B), all of the property will be re-designated with the Industrial Activity Center Character Area to match the applicant's adjacent property. Discussion relating to the development history of the property, as well as the surrounding land use and zoning patterns, is described more fully in the Rezoning request (File No. VA-2024-12). The property is contiguous to the existing Valdosta City Limits along its northern and western boundaries, and it is fully eligible for annexation into Valdosta. This annexation request has been properly noticed to Lowndes County pursuant to State law and to date, there have been no land use disputes raised by the County as part of the request. Since the applicant's adjacent property is already in the City Limits, and there is a desire to market all of the applicant's acreage together under one jurisdiction and zoning district, the proposed annexation is logical and beneficial. Staff found the annexation request consistent with the Comprehensive Plan and recommended approval. The Planning Commission reviewed this at their July 29, 2024 Regular Meeting, found it consistent with the Comprehensive Plan, and recommended approval (8-0 Vote).

No one spoke in favor of the request.

No one spoke in opposition to the request.

**A MOTION** by Councilman Carroll, seconded by Councilman Gibbs, was unanimously adopted (6-0) to enact Ordinance No. 2024-20, an Ordinance to annex 41.12 acres located along the west side of Madison Highway south of Race Track Road into the City of Valdosta as requested by Southern Gateway LLC, the complete text of which will be found in Ordinance Book XIV.

**ORDINANCES AND RESOLUTIONS**

**RESOLUTION NO. 2024-12, A RESOLUTION FINDING AN UNDUE HARDSHIP FOR THE WATER AND WASTEWATER SYSTEMS OF THE PINERIDGE SUBDIVISION**

Consideration of a request to approve a Resolution finding an undue hardship for the water and wastewater systems of the Pineridge Subdivision.

Jason Barnes, Utilities Director, stated that in February of 2024, the Georgia Environmental Protection Division (EPD) met with several members of the Water Utility Management to discuss the Pineridge private water system and its history of Disinfection by Products (DBP) exceedances. During the meeting, it was explained that either the system needed to commit to rehabbing the current water well and address the DBP issues or surrender the permit and have the residents connect to the City of Valdosta Water System. Pineridge Subdivision (Pineridge) is located with the City of Valdosta and contains 45 residential structures. Potable water to Pineridge is provided by a private water system currently administered by Water Utility Management. Pineridge is not connected to the City of Valdosta Wastewater System. Pineridge residences are served by individual private septic systems for each structure. Due to undue hardship, all residents must connect to the Valdosta Wastewater System by March 31, 2026. A Resolution has been prepared finding an undue hardship for the water and wastewater systems of the Pineridge Subdivision. Jason Barnes, Utilities Director, recommended that Council approve the Resolution finding an undue hardship for the water and wastewater systems of the Pineridge Subdivision.

**A MOTION** by Councilman Harden, seconded by Councilman Howard, was unanimously adopted (6-0) to enact Resolution No. 2024-12, a Resolution finding an undue hardship for the water and wastewater systems of the Pineridge Subdivision, the complete text of which will be found in Resolution Book VII.

**BIDS, CONTRACTS, AGREEMENTS, AND EXPENDITURES**

Consideration to of a request to approve the Engineering Design Services Agreement for replacement of the Belt Filter Press at the Withlacoochee Water Pollution Control Plant (WPCP).

Jason Barnes, Utilities Director, stated that CDM Smith, the Consultant, assisted the City in implementing its Biosolids Management Program highlighted in the Biosolids Master Plan (2009) at the Withlacoochee and Mud Creek Water Pollution Control Plants (WPCP). As an initial step towards the City's long term Biosolids Management Strategy, CDM Smith completed the design, bidding, construction, and commissioning of the new dewatering process at Mud Creek WPCP, which came on-line in 2012. The process selected included a new dewatering facility with two Belt Filter Presses, polymer chemical system housed in a two-story shelter, and a truck loading bay. The City completed the expansion of the Withlacoochee WPCP in 2016 at a new greenfield site (by Parsons Water and Infrastructure) that included one Belt Filter Press and one gravity belt thickener. The Belt Filter Press installed in 2016 at the new Withlacoochee WPCP was a refurbished unit and has come to the end of its useful life. This Project is for the Professional Engineering Services to include conceptual design, preliminary design, final design, and assistance during bidding for the demolition of the existing Belt Filter Press at the Withlacoochee WPCP (BFP-906) and polymer feed system and install a new Belt Filter Press and new skid-mounted polymer feed system in its place. Jason Barnes, Utilities Director, recommended that Council approve the Engineering Design Services Agreement submitted by CDM Smith in the amount of \$162,610.

**A MOTION** by Councilman Howard, seconded by Councilman Gibbs, was unanimously adopted (6-0) to approve the Engineering Design Services Agreement submitted by CDM Smith in the amount of \$162,610 for replacement of the Belt Filter Press at the Withlacoochee Water Pollution Control Plant (WPCP).



Consideration of a request to approve a Professional Services Agreement with Turnipseed Engineers for upgrades to the Mud Creek Water Pollution Control Plant (WPCP).

Ben O'Dowd, City Engineer, stated that the City of Valdosta is experiencing rapid residential, commercial, and industrial growth in the Mud Creek tributary basin of the public sanitary sewer system. In addition to the growth currently in the region, this area is anticipated to increase in need over the next 5-10 years, which will require additional treatment capacity. In response to this growth, City Staff have identified a need to address capacity and treatment limitations, which are anticipated within the next several years at the Mud Creek Water Pollution Control Plant (WPCP). The City of Valdosta Engineering Department solicited a proposal for survey, design, and consultation services from Turnipseed Engineers for the proposed upgrades at Mud Creek. Turnipseed Engineers are included within the City's Engineering Library of Consultants, have a proven record of experience with WPCP modifications and new construction, and have specific knowledge of the Mud Creek Plant, which they obtained during their design of the Mud Creek solids handling improvements which were completed last year. The Design Proposal from Turnipseed Engineers includes a series of lump sum costs for standard construction documents as required for the operation of the Plant and for permitting with Georgia Environmental Protection Division (EPD). Additionally, the proposal includes a percentage of the construction fee for survey, design, bidding, and construction support throughout the project, as well as a buffet of hourly costs for additional services related to the project. The Mud Creek WPCP Upgrade Project was estimated to have an approximate cost of \$4,361,000. Based on the design professional's industry standard percentage of construction contract as well as anticipated lump sum costs and supplemental services for permitting, inspections, and necessary Ordinance revisions, the anticipated final cost of Professional Services for this Project is not anticipated to exceed \$539,000. This amount is the same amount as what was presented at the most recent Council Summit. This is an estimated cost of Professional Services based on the terms of the Agreement, which Council may either approve or deny. Should Council choose to approve the signature of this Agreement, the design Consultant will be engaged, and upon completion of their work, the Construction Project will be advertised for competitive bidding. Those bids will be presented to Council for consideration to complete this urgently needed Plant Upgrade Project. Ben O'Dowd, City Engineer, recommended that Council approve the Professional Services Agreement with Turnipseed Engineers to facilitate the Mud Creek WPCP upgrades.

**A MOTION** by Councilman Carroll, seconded by Councilman Howard, was unanimously adopted (6-0) to approve a Professional Services Agreement with Turnipseed Engineers for upgrades to the Mud Creek Water Pollution Control Plant (WPCP).

Consideration of a request to approve the Mutual Benefit and Use Agreement between Ashbritt, Inc. and the City of Valdosta for Debris Removal for Hurricane/Disaster Recovery Services.

Larry Ogden, Public Works Director, stated that Lowndes County recently issued a Request for Proposal (RFP) to solicit qualified Debris Removal Contractors. The intent of the RFP is to identify Contractors capable of providing debris removal and monitoring services following a disaster that generates debris that overwhelms local capabilities. The Federal Emergency Management Agency (FEMA) recommends that all local governments maintain pre-event Contracts in advance of a disaster. These Contracts also allow local governments to lock in the best pricing and mobilize resources much faster versus having to go through an emergency bid process after a disaster. Lowndes County requested proposals for debris removal services on June 27, 2024. The proposal included a provision for the County's constituent Cities (including Valdosta) to utilize the terms proposed by respondents. Five responses were received and evaluated by a Committee that included a representative of the City. The City is able to utilize this bid under the cooperative purchasing clause in Georgia's procurement rules. The City recommends utilizing cooperative purchasing to award. We are currently faced with a pressing issue of future hurricanes and major windstorms that will require immediate attention and financial support. The aftermath of these storms has resulted in a significant amount of storm debris which poses a severe threat to public safety and the environment. Lowndes County held a mandatory pre-bid meeting to answer questions from interested Contractors and received a total of five proposals meeting the required specifications. An Evaluation Committee consisting of Emergency Management and Public Works Staff from both the City and County reviewed the proposals and evaluated them based on the proposing firm's experience, qualifications, fee schedule, and the quality of the proposal. All proposals were evaluated on a points system with 100 points being the maximum score. After

all evaluations were tabulated, the scores were as follows: (1) Ashbritt - 94.75, (2) DRC - 94.5, (3) Southern Disaster Recovery - 90.75, (4) Ceres Environmental - 85.75, and (5) Custom Tree Care - 83.25. Staff recommends awarding the pre-event Contract to Ashbritt, Inc. It is in the City of Valdosta's best interest to enter into an Agreement with AshBritt, Inc. for Hurricane/Disaster Recovery Services which includes debris clearance, removal, and other miscellaneous related services without modification to the original terms, conditions, and pricing. Larry Ogden, Public Works Director, recommended that Council approve the Mutual Benefit and Use Agreement between Ashbritt, Inc. and the City of Valdosta for Hurricane/Disaster Recovery Services.

**A MOTION** by Councilman Gibbs, seconded by Councilman Carroll, was unanimously adopted (6-0) to approve the Mutual Benefit and Use Agreement between Ashbritt, Inc. and the City of Valdosta for Debris Removal for Hurricane/Disaster Recovery Services.

Consideration of a request to approve the Mutual Benefit and Use Agreement between Thompson Consulting and the City of Valdosta for Debris Monitoring for Hurricane/Disaster Recovery Services.

Larry Ogden, Public Works Director, stated that Lowndes County recently issued a Request for Proposal (RFP) to solicit qualified Debris Monitoring Contractors. The intent of the RFP is to identify Contractors capable of providing debris monitoring services following a disaster that generates debris that overwhelms local capabilities. The Federal Emergency Management Agency (FEMA) recommends that all local governments maintain pre-event Contracts with qualified Contractors in advance of a disaster. These Contracts also allow local governments to lock in the best pricing and mobilize resources much faster versus having to go through an emergency bid process after a disaster. Lowndes County requested proposals for debris removal services on June 27, 2024. The proposal included a provision for the County's constituent Cities (including Valdosta) to utilize the terms proposed by respondents. Four responses were received and were evaluated by a Committee that included a representative of the City. The City is able to utilize this bid under the cooperative purchasing clause in Georgia's procurement rules. The City recommends utilizing cooperative purchasing to award. We are currently faced with a pressing issue of future hurricanes and major windstorms that will require immediate attention and financial support. The aftermath of these storms has resulted in a significant amount of storm debris which poses a severe threat to public safety and the environment. In our cleanup efforts, we encountered an unforeseen challenge which is the need to remove and process additional storm debris that was not originally accounted for in our initial budget. Lowndes County received four proposals that met the specifications. Each of these proposals were evaluated by group consisting of emergency management and both City and County Public Works Staff. The proposals were scored and ranked based on the firm's experience, staff qualifications, monitoring system, quality of proposal, and fee schedule. The maximum score was 100 points. Following the evaluations, the scores were tabulated as follows: (1) Thompson Consulting - 97.5, (2) Volkert - 91.25, (3) GMC - 88, and (4) Debris Tech - 85.5. It would be in the City of Valdosta's best interest to enter into an Agreement with Thompson Consulting for Hurricane/Disaster Debris Monitoring Services. Larry Ogden, Public Works Director, recommended that Council approve the Mutual Benefit and Use Agreement between Thompson Consulting and the City of Valdosta for debris monitoring of Hurricane/Disaster Recovery Services.

**A MOTION** by Councilman Gibbs, seconded by Councilman Carroll, was unanimously adopted (6-0) to approve the Mutual Benefit and Use Agreement between Thompson Consulting and the City of Valdosta for Debris Monitoring for Hurricane/Disaster Recovery Services.

## **BOARDS, COMMISSIONS, AUTHORITIES, AND ADVISORY COMMITTEES**

Consideration of an appointment to the Central Valdosta Development Authority.

Mayor Matheson stated that the Central Valdosta Development Authority (CVDA) has a member, Jeff Hanson, Downtown Property Owner or an Officer at the Time of Appointment of a Corporation, who resigned but agreed to stay on the CVDA until his replacement was appointed. Mr. Hanson's term will expire on December 31, 2024. This appointment was advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The only applicant for this slot was Elissa Noyes, Attorney with the Georgia Public Defender Council.

Mayor Matheson stated that if there was no objection from Council, Ms. Noyes would be appointed by acclamation. There was no objection from Council. Ms. Noyes will fill the unexpired term of Jeff Hanson on the CVDA.

Consideration of appointments to the Hospital Authority of Valdosta and Lowndes County.

Mayor Matheson stated that the Hospital Authority of Valdosta and Lowndes County has a member, Gregory Powell, whose term will expire on October 1, 2024. Mr. Powell has expressed an interest in being reappointed. The Hospital Authority has submitted the names of three candidates and recommended the reappointment of Mr. Powell. The Hospital Authority of Valdosta and Lowndes County also has a member, John W. Langdale, Jr., who has faithfully served the Authority for the past 30 years. Mr. Langdale recently resigned from the Hospital Authority. His term will expire on February 1, 2025. The Hospital Authority has submitted the names of three candidates for this Slot. These appointments were not advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. Following are the applicants for consideration in no order of preference: Slot No. (1) - Gregory Powell - Community Relations (Langdale Industries), David Adams - Retired (Masters of Broadfield Science and Doctorate of Theology), and Larry Brooks - Retired (B.S. in Criminal Justice); Slot No. (2) - John Wesley Langdale, III - Forest Business (The Langdale Company), Edgar Cameron Hickman - Retired, and Moshe M. Elbaz, Rabbi (Temple Israel).

For Slot No. (1), Councilwoman Tooley placed into consideration the name of Gregory Powell. Councilman Harden seconded the nomination. There being no other nominations, Mayor Matheson closed the nominations for Slot No. (1). Gregory Powell was unanimously approved (6-0) to serve a term of five years on the Hospital Authority of Valdosta and Lowndes County.

For Slot No. (2), Councilman Gibbs placed into consideration the name of John Wesley Langdale, III. Councilman Carroll seconded the nomination. There being no other nominations, Mayor Matheson closed the nominations for Slot No. (2). John Wesley Langdale, III was unanimously approved (6-0) to fill the unexpired term of John W. Langdale, Jr. on the Hospital Authority of Valdosta and Lowndes County.

Consideration of appointments to the Public Art Advisory Committee.

Mayor Matheson stated that the Public Art Advisory Committee has the following vacant slots to be filled: (1) Slot No. (1) - LVAC Board Member whose term will expire June 1, 2025 (Dr. Beverley Richardson-Blake resigned due to her rolling off the LVAC Board), and (2) Slot No. (2) - Community At Large whose term will expire June 1, 2025 (previously held by Michele Corbitt who was asked to step down due to excessive absences). These appointments were advertised according to the Boards, Commissions, Authorities, and Advisory Committees Policy that was adopted by Mayor and Council. The applicants are as follows: Slot No. (1) - LVAC Board Member - Thressea H. Boyd - Self-employed (TH Boyd Communications), and Slot No. (2) - Community At Large - Monika Meler - Interim Associate Dean, College of the Arts (Valdosta State University).

Mayor Matheson stated that were two vacant slots and two applicants and if there was no objection from Council, Ms. Boyd and Ms. Meler would be appointed by acclamation to fill the unexpired terms on the Public Art Advisory Committee. There was no objection from Council.

**CITIZENS TO BE HEARD**

Sylvia Garland, 3830 Edinburg Circle, stated that she is concerned about the yard debris pickup and the water system billing. For the past couple years, they have been struggling with picking up yard debris. It is almost like they are going to a schedule of every other week as opposed to picking it up weekly. Last week, they did not pick up her yard debris. This week, they have still not picked up the yard debris. They try to keep their neighborhood picked up so they put out the debris thinking that it will get picked up. This has been going on for about two years. First it was the trucks were down and then it was the storm. She has heard a lot of different excuses as to why the yard debris is not being picked up. Her second concern is the billing of water. She did not

know if it started last year or earlier this year but she is not getting billing statements. She has had cycles that were over 30 days. One bill was 41 days. When the water goes up over 5CCs then they jack up the price per CC. That is costing her money. Until they get the billing issue resolved, they should not be charging customers over the 5CCs. As it stands, her bill is normally due around the 16<sup>th</sup> or 18<sup>th</sup> of the month. She still does not have her bill. She called and was told that it had not been created. She does not know how many days will be in that billing cycle but this has been going on for a while.

**CITY MANAGER’S REPORT**

Richard Hardy, City Manager, thanked Anetra Riley, Neighborhood Development/Community Protection Manager, and her Staff for their work on a successful Back to School Community Block Party which was held on July 27, 2024 from 9:00 a.m. to 1:00 p.m. at Unity Park. A lot of children received free school supplies to start off the new school year. The City of Valdosta employees worked hard to get everything in place as we prepared for Hurricane Debby. On August 10, 2024, there will be a sidewalk sale all day in the Downtown area. On August 15, 2024, there will be the City Hall Selfie Day. Also, on that day, Leadership Lowndes will take a tour and we will showcase our Water Treatment facility.

**COUNCIL COMMENTS**

Mayor Matheson thanked all of the City of Valdosta employees who prepared for Hurricane Debby. Also, the Public Information Office did a great job of saying who was out there, what they were doing, and how they were serving the citizens of Valdosta.

**ADJOURNMENT**

Mayor Matheson entertained a motion for adjournment.

**A MOTION** by Councilman Carroll, seconded by Councilwoman Miller-Cody, was unanimously adopted (6-0) to adjourn the August 8, 2024 Regular Meeting of the Valdosta City Council at 6:58 p.m. to meet again in Regular Session on Thursday, August 22, 2024.

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City Clerk, City of Valdosta

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Mayor, City of Valdosta