

JUNE 1, 2021
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

PRESENT: Mayor Bo Dorough
Mayor Pro Tem Matt Fuller
City Commissioners: Jon Howard, Chad Warbington and Demetrius Young
City Attorney: C. Nathan Davis
(Virtual participants: BJ Fletcher, Bob Langstaff, Jr.,
Interim City Mgr.: Steven Carter

Mayor Dorough called the meeting to order at 8:31 a.m., and stated that the County will make their presentation ahead of the budget public hearing.

PRESENTATION RE: PROPERTY TAX AND ADMINISTRATIVE MATTERS

Mike McCoy, County Administrator introduced Shonna Coley, Dougherty County Tax Director and Kim Baylis, Collection Supervisor, to present a power point presentation (copy on file) and advised that County Attorney Spencer Lee is also present to answer questions.

Ms. Baylis stated that the presentation will answer the following questions: 1) why all properties are not taken to the tax sale; 2) how services used to collect delinquent taxes are paid; 3) alternatives for City/County/School Board to consider increasing collection of property taxes and, 4) other options to collect the cost of city demolitions. She advised that all procedures are followed as outlined in Georgia Taxation code Title 48 (Revenue and Taxation) and discussed: Collection percentages, unpaid taxes for 2018-2020, information on when bills are mailed, due and delinquent (including interest and penalty that is added), the mandate of the Tax Collections Department and tools listed, the process for tax collections (4 weeks-30 days), FiFa notices, pre-levy letters, title exams, federal/state liens (including notifications), advertisements in the newspaper, certified notification to owners, notification to IRS and DOR, sale day in August, process properties that are prepared for the tax sale, types of properties exempt from a tax sale, and, an example of a city demo lien. She advised that the Tax Department anticipates tax sales this year to be over 99%.

In reply to Commissioner Howard, Ms. Baylis explained why bankruptcy properties cannot be auctioned, how the Land Bank comes into play in assisting certain properties, how property owners from out of state are notified (via certified mail), the method used for an owner to redeem their property after auctioned and how liens are handled.

In reply to Mayor Pro Tem Fuller, Ms. Baylis explained how COVID affected the tax sale last year (not held), low value properties and average cost to process, i.e., title search, etc., being \$300-500, 714 parcels that are valued less than \$100, etc.

Commissioner Fletcher commented on working with the Land Bank and property owners who are no longer available and asked for in-rem information. Ms. Baylis explained the in-rem process, which is more costly, however, through the Land Bank, the Side Lot Program can help mediate the cost.

In reply to Commissioner Warbington, Ms. Baylis explained predatory and punitive, an internal formula in which annual training is provided to assist with the formulation, i.e., marketability vs cost. Commissioner Warbington commented on the unmarketable property aspect and how this comes into play with Ms. Baylis giving an example of a parcel with \$8,000 in taxes but is valued at only \$5,000 making it unmarketable real estate. Commissioner Warbington suggested that every parcel should go to auction every year for delinquent tax bills as other counties do. Ms. Baylis explained that in good conscious, she could not take a parcel with a \$100.00 tax bill and attach \$300.00 in fees and sell it on the courthouse steps. Ms. Josey explained that there are other options for properties that are unmarketable, adding that the County, City and School Board must agree to bid those properties at the tax sale, adding that with no type of agreement in place, the Tax Department must adhere to Georgia law. In reply to Commissioner Warbington, Ms. Josey said that fees are mandated by state guidelines, i.e., FiFa's, etc. Commissioner Warbington asked if some counties have a contract with their attorney who is paid only when properties sell which would be very proactive measures to incentivize payment. Ms. Josey stated that all properties are charged a fee whether sold or not. Commissioner Warbington suggested being more aggressive, looking at what other counties do, etc., with Ms. Josey advising that the County Attorney is used by the Tax Department, which keeps costs lower. Commissioner Warbington countered that the County Attorney represents the plaintiff in lawsuits against the City and questioned if the City can have a say in who represents them. Ms. Josey explained that this would need to be discussed by the County Commission, County Attorney, County Administrator, and herself. Commissioner Warbington stated that he feels the City's best interest is compromised with Ms. Baylis explaining that the County Attorney provides a title opinion, which has nothing to do with collecting taxes. Commissioner Warbington stated that he [county attorney] is involved in discussion regarding a property being sold or not; Ms. Baylis countered that he is not. Commissioner Warbington discussed the scenario if the City Attorney represented the City in the process.

Commissioner Young stated that the County is responsible for collecting taxes and decisions are made by the County Commission and staff; Ms. Josey agreed, adding that this is also in conjunction with state guidelines. In reply to Commissioner Young, Ms. Josey explained that this can be changed by the state legislature, which is the starting point for any change. In reply to Commissioner Young, Ms. Josey explained the 99% collection tax rate according to GA law and the guidelines.

Mayor Dorough asked if there is a breakdown in the unincorporated areas. Ms. Josey stated that the city is higher, and the digest is approximately 35,000 parcels within the city and the unincorporated being approximately 9,000. Mayor Dorough stated there is a 3-1 ratio of properties in default. Regarding the presentation showing an example of deceased property owners, Ms. Baylis stated that the records show that 99% of taxes are collected, which refers to the dollar amount collected from the digest. Mayor Dorough discussed the demo lien of the property noted in the presentation, the Land Bank assisting with properties, i.e., had action been taken on the property in question years before, the outcome could have been different. He stated that he supports the concept of the Land Bank, but the board has very limited resources and the inventory is dozens of properties, not hundreds. Ms. Baylis discussed the inception of the Land Bank and properties being acquired with Mayor Dorough reiterating that had the property been acquired by the Land Bank before it fell into disrepair, it could have been rehabilitated and stayed on the tax roll, adding

that the City, not the County, incurs substantial expense to demolish dilapidated properties. He also suggested that an attorney representing the City, would act early on before the property reaches a condition that causes a significant expense to the City, adding that the Tax Department does not understand this; it is not an expense or problem the County worries about with something needing to be done. Additional discussion followed with Ms. Josey and Mayor Dorough noting that the Tax Department makes the decision of which properties goes to the tax sale and, all parties needing understand the process. Ms. Josey advised that all properties are taken to auction, and properties declared unmarketable is a decision made within the process. Mayor Dorough countered that the City spends millions of dollars and has some responsibility that should have been addressed years ago, adding that the Tax Department has an obligation to the City Commission. In response to Mayor Dorough, Ms. Baylis advised that the delinquent parcel count is 2,092 (City/County), with 714 having a current bill of less than \$100. Reiterating that her office determines if a property is unmarketable, she explained that a vacant house does not indicate that taxes have not been paid, adding that her department reviews all of them. She commented on the process which includes the ad valorem amount. Mayor Dorough suggested that these type properties should have been taken to the Land Bank with Ms. Josey explaining the criteria.

Commissioner Howard asked if he provided a list of properties, Ms. Josey could advise him of their status and asked if the City and County could jointly appoint an attorney who mainly deals with delinquent properties for the City, County and School Board. He stated his concern regarding in-rem properties and the concerted effort to notify property owners living out of state. Regarding the hiring of an attorney for the city, Ms. Josey stated that this is a conversation to be had by all entities. Regarding school properties, Ms. Josey stated that this is property owned by the school board and is exempt; there are no taxes due. A decision would have to be made by the School Board, adding that there are issues with the properties in question.

Commissioner Warbington asked if any of the three, City/County and School Board can take action to collect taxes. Mr. Davis agreed, adding that he will research as it may be included in HB 489. Ms. Josey stated that the Tax Department collects for the County, School Board, and the City. Commissioner Warbington noted Glynn County/City of Brunswick and the agreement reached so that Brunswick has their own tax sale, their own attorney, etc., with the County not having a say in city properties. Mr. Davis agreed that this is something that can be done legally. Commissioner Warbington asked to look at what Glynn County/Brunswick does.

Commissioner Langstaff stated that he agrees with looking at what Glynn County/Brunswick is doing.

Mayor Dorough commented on the annual decline of property value, unmarketable property, demolitions, and City dollars being spent to maintain the property, etc., which is why he is asking that the current approach be revisited (financial and quality of life it has on the City of Albany).

BUDGET PUBLIC HEARING

1. James Hubbard commented on working with children, juvenile court, coaches/refereed athletic programs, etc., and asked if there is more money to assist with the

Recreation Department. He mentioned that in the past, the City gave money to different recreation programs and asked that money be invested for the children, adding that in his travels, he sees other cities investing in recreation and having various programs, including basketball, recreation football, track, etc.

2. William Wright stated that budget hearings typically get ten minutes for speakers with Mayor Dorough stating that he is unaware of this and that he is giving everyone five minutes. Mr. Wright spoke from information (copy on file) regarding waste in local government, population declining in the city, Reverse Robinhood, monies not being given appropriately to minorities, tax base, etc.

In reply to Commissioner Howard, Mr. Wright explained that he is the only one with the information that he discussed due to his access to other agencies.

Commissioner Young asked Mr. Wright if he has comments on the American Rescue Plan with Mr. Wright stating that he contacted the Senate/House Majority Leaders regarding the uses of the monies, adding that the City should have a plan in place. With the city being 80% African Americans, when the money comes, the City should have something in place to assist those citizens. He mentioned workshops in June to assist with use of funds and explained the process.

3. John Hawthorne advised that he worked with the City during the 1994 flood recovery as the Deputy Director of Community & Economic Development and stated that the primary focus at that time was to get citizens back in their homes. He briefly discussed HUD's determination that it must be a combined approach – both homes/neighborhoods and businesses are necessary in the recovery/revitalization process. Serving on the Community Development Council, he encouraged discussions with City Commissioners to make necessary change.

Commissioner Howard asked Mr. Hawthorne if he has considered training City staff on available programs from which the public/businesses may benefit. Mr. Hawthorne stated that he was approached by Ms. Brown and Ms. Tuck to provide training to staff and that is being looked at. Commissioner Young stated that City funds are not allocated to Community and Economic Development and that HUD fully funds that department. He asked Mr. Hawthorne how much of a difference it would make for the City to allocate General Fund money to that department. Mr. Hawthorne stated that it will be a game changer and discussed other opportunities including City resources i.e., personnel, not just funding.

4. James Pratt briefly discussed his credentials to show that he has experience in areas of crime and public safety. He stated that his request today is to: 1) recommend allocating \$100,000 to hire someone focused on public safety, i.e., psychologist/sociologist, etc. to design programs; 2) \$300,000 for a program at Albany State designed to research using professors and students to do a study, training program to bridge the gap, providing structure for internship for public safety and law enforcement 3) providing an estimate for funds collected from the saggy pants ordinance to be used for the development of a Youth Commission, reentry programs and a general community board to redistribute funds as a form of reckoning and repair from a racist law, 4) estimate of fees from marijuana citations due to the racist nature of the law to be used to develop

and support a music and art center and 5) funds to support a small and minority business center based on this community's support of those issues.

Commissioner Howard thanked Mr. Pratt for his insight and observation.

Commissioner Young asked for information on the movement towards initiatives for racial inequities. Mr. Pratt mentioned W.B.E Du Bois whose research in Albany, Georgia helped build what is now Albany State University, adding that this claim is that direction is needed to be focus on developing black communities due to activities that are happening today and being smart on crime and having community support. He recommended deconstructing the police department and creating one with different cultures, especially in dealing with racism and racial violence and briefly discussed the Center's purpose and providing a holistic focus on public safety and crime.

5. Jesse Massey briefly discussed the ASU Youth Enrichment program, which replaced the National Youth Sports Program, a nationwide program at colleges and universities, that is now defunct because of no federal funding. Regarding recreation, he asked that more help be provided to ensure that the program continues to operate and distributed a flyer (copy on file) regarding the upcoming Summer Camp at Albany State University.

Commissioner Young thanked Mr. Massey and for asking the Commission to support the program, adding that as an ASU Alumni, he is familiar with the endeavors.

6. James Gibney (was absent)

Mayor Dorough asked if Sherrell Byrd, Michael Hill and Amber Jackson are speaking on the budget. A brief discussion followed on the process with Mayor Dorough requesting that speakers present a form as opposed to emails.

7. Michael Hill stated that he is speaking on behalf of The Market Place, representing the Southern Regional Coalition of Black Chambers (AL, FL, GA, MS, NC, SC, TN) and, using a power point presentation (copy on file), he asked that the Commission take into consideration areas as noted in the presentation including infrastructure programs for schools and noted other cities which have provided support (Savannah/Macon, etc.) in relation to the \$1.1 trillion federal funding that is on its way.

Commissioner Young apologized for the way that information was organized today and asked that Mr. Hill come back with his presentation to provide more information regarding monies being applied for infrastructure vs. community issues, i.e., Covid recovery. Mr. Hill explained the monies coming from the federal government and allocations regarding infrastructures as noted in the power point.

Mayor Dorough asked Mr. Hill if he is available next Tuesday morning (6/9 at 9:00 a.m.) to get the full presentation for a better understanding of available monies.

7. Sherrell Byrd, SOWEGA Rising Co-Founder and Co-Chair, spoke to the American Rescue Act and COVID-19 Long Term recovery plan. Using a power point presentation (copy on

file), she discussed the goal of SOWEGA Rising, PPE drives, school-box program, etc., areas that they assisted with, effects of COVID 19, economic health, health solutions, etc.

Commissioner Howard thanked Ms. Byrd for her presentation as it pertains to healthy eating habits and asked if they will do more to bring information regarding high blood pressure, diabetes, etc.

Commissioner Young commented on using monies to fund organizations like SOWEGA Rising and how important this is. Ms. Byrd noted information in the power point regarding monies to be used for recovery due to COVID, adding that they are asking for \$1.0 million to assist with food insecurity and rural health and \$1.0 million for economic restoration of small businesses.

8. Amber Bell spoke to resources to assist the community and, using a power point presentation (copy on file), she discussed health issues, etc., due to COVID-19, using public health within the public infrastructure and mentioned the Winn Dixie Building on Oakridge Drive that can be used to provide health options and information. She showed a graph of the proposed location to include providing fruits and vegetables to the community, graphs of the proposed outside parking, etc., areas and inside use of the building and asked that the City support the project.

In reply to Commissioner Young, Ms. Bell explained that fresh fruits and vegetables are primary to a healthy life; one of the main components is being able to offer those items inside the building. The second component is teaching individuals how to prepare the fruits/vegetables and Phoebe is a partner in this effort. Also included are exercise classes, a walking trail (inside or outside) with the focus for the facility is the community and wellness.

Mayor Dorough asked if there is a budget, with Ms. Bell stating that they will have a budget next week and, in reply to Mayor Dorough, she advised that additional funding information will be provided as well as more detail regarding the request that SWGA Project is making to the City

SPEAKER APPEARANCES

1. James B. Pratt, Jr. discussed Ethics and City Government and referred to a letter that he sent (copy on file) and his request for impeachment regarding various issues he has encountered. During discussion, Mayor Dorough asked the Clerk to pull minutes when Mayor Dorough told the Clerk that certain people would not be able to speak. Calling a point of order, Commissioner Young asked to allow Mr. Pratt to have the extra two minutes that he requested. Following a roll call vote, the consensus was to not allow Mr. Pratt to reclaim two minutes due to interruptions.

Commissioner Young commented on miscommunications in the Clerk's office last year with Mr. Pratt commenting on the abuse of power, adding that he has a timeline of these issues starting back in February and Mayor Dorough not allowing people to speak on matters, other times when not being allowed to speak, communications with various Commissioners, etc., as it pertains to City staff and emails.

2. Henry Thomas distributed information (copy on file) and discussed the Call to Unity campaign regarding the GA Music Assn. and asked local entities City/County and Chamber for \$1.0 million each to help with a five-year comprehensive plan. He mentioned the proclamation presented to Willie Moody regarding a song he wrote and quoted a scripture from the Bible. He asked the Mayor/Commission/City Manager go the Association’s website to help raise the funds they need, or it will have to come from the City.

PUBLIC ADMINISTRATION AND FINANCE MATTERS

PURCHASES:

Yvette Fields, Central Services Director, discussed the following:

1. Audit services - Mauldin & Jenkins, Albany, GA

Est. expenditure	\$149,750.00
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In reply to Commissioner Howard, Derrick Brown, Finance Director, stated that it is a slight decrease and gave the amount for the last five years. Regarding the formula when proposals are submitted, Ms. Fields explained the process.

Mayor Pro Tem Fuller asked the proposed fee of Guardian with Mr. Brown stating approximately \$40,000.

Mayor Dorough asked how many consecutive years Mauldin/Jenkins has done the City’s audit with Ms. Fields stating several years and explained the bidding process.

Ms. Fields discussed the following (copy on file):

2. Fiber Distribution Equipment - Graybar of Rock Hill, SC

Total expenditure	\$108,327.38
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In reply to Mayor Dorough, John Dawson, Interim TAC Director stated that this fiber will serve City/County and residential customers to pass data services to customers and internal customers. Mayor Dorough discussed information presented to the Utility Board, with the Board having a \$200,000 purchasing limit; however, the policy requires SPLOST expenditures to come to the City Commission.

Ms. Fields discussed the following (copy on file):

3. Pace Building (Phase II/Change Order 1); Artic Aire, Leesburg, GA

Total increase	\$125,683.39
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Don Gray, Facilities Director, stated that architects are on the [zoom] line for questions, adding that locating the Data Center in the Pace Building resulted in the change order based on the HVAC requirements in the Center to control room temperature and humidity. In reply to Commissioner Warbington, Ms. Fields stated that the \$125,683 is in addition to the original cost.

Mayor Dorough asked the required room temperature and humidity level, with Mr. Dawson stating that he will provide that information.

508/510 PINE AVE. (FORMER LIBERTY HOUSE)

Laquita Gaskins, Downtown Director, discussed information (copy on file) regarding the disposition of 508/510 Pine Avenue which has reverted to the City with a value of \$134,600. She showed designs of the second floor, basement, etc.

In reply to Commissioner Howard, Ms. Gaskins said a tour can be arranged.

Mayor Pro Tem Fuller asked if this is three separate apartment units, with Ms. Gaskins explaining the use of space as it currently stands.

In reply to Commissioner Warbington, Ms. Gaskins agreed that the agenda item is to establish the option to 1) keep the property or 2) sell it, adding that the building will need renovations if it is kept. Commissioner Warbington stated that he is in favor of selling.

Mayor Dorough asked to have an appraisal of the property before making a final decision. Ms. Gaskins stated that her recommendation is to put the property on the tax digest [sell it]. The consensus was to have the property appraised.

BUDGET DISCUSSIONS

Mr. Carter stated that the optimum temperature of the Data Center is between 68-72 degrees, with the humidity range between 40-55%. Regarding the former Liberty House property, recommended not keeping it due to the need for extensive renovations. Regarding the budget, he advised that a budget workshop is scheduled for June 8 at 9:00 am with public safety (APD and AFD), Recreation and Parks, Code Enforcement, and Utilities being discussed. He mentioned that the gunshot detection system, Police Department study, and Fire Department pay issue will need discussion. He asked that questions on other departments are shared with him to discuss on June 8th so that accurate information can be brought forth. Regarding information from the budget hearing this morning, he advised that potential funding cannot be budgeted and asked that this be kept in mind, adding that additional information can be brought to the June 15 meeting for a vote on June 22.

In reply to Commissioner Howard, Mr. Carter stated that monies not used in the current fiscal year will be rolled over to the next budget year, adding that a projection can be made at this time. Commissioner Howard asked that projections be provided for public safety.

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Commissioner Young asked to have staff on hand to discuss information that came from the budget hearing this morning. Mr. Carter stated that he will work with Commissioner Young regarding the agenda and concerns/budget requests from those presenting this morning.

Mayor Dorough mentioned DCA Commissioner Christopher Nunn's discussion pertaining to stormwater sewer and available funding, adding that Mr. Nunn will be at the meeting next Tuesday to explain the process. He also mentioned possible 'cliff notes' from Georgia representatives on the use of funding. Mr. Carter stated that information will be shared as it is received.

Commissioner Young commented on the American Rescue Plan and making it clear that the money has a priority of COVID recovery, and that the money is looked at as disaster recovery. He mentioned utility bills, monies from utilities proceeds to repair the sewer, etc., different ways to do different things, adding that priorities should be set as set forth by the current Presidential Administration.

CITY MANAGER'S UPDATE

Mr. Carter stated that he has no updates at this time.

ITEMS FOR FUTURE AGENDA(S)

Commissioner Howard asked to add the disparity information at the next meeting. Mayor Dorough stated that he received a letter from Chairman Cohilas, stating that a presentation on the process regarding a firm to conduct the study should come first. Chairman Cohilas also suggested that the County's cost should be proportional to its expenditures on government projects as well as gauging the School Board's interest in participating and asked that this be put on the agenda.

Commissioner Young asked the process and clarification regarding agendas pertaining to the email he sent to have speakers to appear on the agenda and to have more than five minutes. He also mentioned the issue Mr. Pratt discussed earlier regarding racial issues, adding that he (Commissioner Young) speaks the facts on what is said and happened. He asked to make sure that we are dealing with facts and what is happening, adding that it may be a personnel issue that needs to be addressed, including if it was a miscommunication. He mentioned emails that were exchanged and discussions he had with the City Clerk, adding that executive session is appropriate to discuss since Mr. Pratt said City staff were involved.

Mayor Dorough stated that the three individuals were not signed up to speak, adding that his recommendation is that Commissioners should not send emails, but to adhere to the process requiring citizens sign up to speak. Additional discussion followed with Mayor Dorough advising that the public can speak and have opportunity reiterating that Commissioners should not send emails but should follow the process that is in place.

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Commissioner Howard asked Mr. Carter to send Code back to Roses Dept. Store that was discussed last week due to not having air conditioning, etc. Mr. Carter stated that he will need to speak with Mr. Davis and, in reply to Commissioner Howard, Mr. Davis asked that he call him later to discuss.

There being no further business, the meeting adjourned at 12:11 a.m.

SONJA TOLBERT
CITY CLERK