

DECEMBER 2, 2021

SPECIAL CALLED MEETING OF THE BOARD OF CITY COMMISSIONERS OF THE CITY OF ALBANY, GEORGIA  
GOVT. CTR. – RM. 100 (Virtual and in-person)

PRESENT Mayor Bo Dorough  
Mayor Pro Tem: Matt Fuller (virtual)  
Commissioners: Jon Howard, BJ Fletcher, Chad Warbington  
(Bob Langstaff, Jr. virtual) and Demetrius Young  
City Attorney: Nathan Davis

Mayor Dorough called the meeting to order at 8:31 a.m., and advised that the agenda will be revised with the executive session being first on the agenda. Commissioner Warbington moved to approve the revised agenda, seconded by Commissioner Fletcher and, following a roll call vote, the motion unanimously carried.

The Clerk read the call as follows:

Mayor and Board of City Commissioners  
P.O. Box 447  
Albany, Georgia

Dear Mayor and Commissioners:

There will be a Special Called Meeting (virtual meeting and in person) on Thursday, December 2, 2021, at 8:30 a.m., in room 100 of the Government Center Building located at 222 Pine Ave., Albany, Georgia. The purpose of the meeting is to discuss and/or approve the following Ordinance and Resolutions:

1. (Second Reading) Amending Chapter 2, Article II, Division 2 of the Code of Ordinances of the City of Albany, Georgia, to provide for Rules of Procedure and Compartment
2. Authorizing the Mayor to sign Acknowledgment of Service re: MGAG's proposed Portfolio V Bond Issuance; and authorizing for the City Attorney to sign answer to said petition and verification to said petition
3. Accept the Material Terms of the Distributor and Janssen Settlements pursuant to the Georgia Memorandum of Understanding and consistent with the terms of the July 21, 2021, National Opioid Settlement Agreements

Sincerely,

/s/ Steven Carter  
STEVEN CARTER,  
INTERIM CITY MANAGER

/s/Bo Dorough  
MAYOR

Notified via email  
JON HOWARD, WARD I  
CITY COMMISSIONER

/s/ Matt Fuller  
MATT FULLER, WARD II  
MAYOR PRO TEM

Notified via email  
BJ FLETCHER, WARD III  
CITY COMMISSIONER

/s/ Chad Warbington  
CHAD WARBINGTON, WARD IV  
CITY COMMISSIONER

/s/ Bob Langstaff, Jr.  
BOB LANGSTAFF, JR., WARD V  
CITY COMMISSIONER

/s/Demetrius Young  
DEMETRIUS YOUNG, WARD VI  
CITY COMMISSIONER

Commissioner Warbington motioned to move the executive session to first on the agenda, seconded by Commissioner Fletcher; and, following a roll call vote, the motion unanimously carried.

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At 8:33 a.m., Commissioner Warbington moved to enter Executive Session to discuss a personnel matter and potential litigation, seconded by Commissioner Fletcher and, following a roll call vote, the motion unanimously carried as follows:

Ward I	yes
Ward II	yes
Ward III	yes
Ward IV	yes
Ward V	yes
Ward VI	yes
Mayor	yes

At 9:15, Commissioner Warbington moved to exit executive session, seconded by Commissioner Fletcher and, following a roll call vote, the motion unanimously carried as follows:

Ward I	yes
Ward II	yes
Ward III	yes
Ward IV	yes
Ward V	yes
Ward VI	yes
Mayor	yes

Calling the meeting back to order, Mayor Dorough advised that the consensus in executive session was to appoint Steven Carter as City Manager following the 14-day period requirement before final action is taken, adding that no action was taken on the potential litigation.

Barry Brooks, Asst. to the City Manager, briefly discussed the following item regarding the second reading to adopt the Rules of Procedure/Comportment.

Commissioner Howard clarified that additional discussion on the rules will be discussed at the upcoming retreat; Mr. Brooks agreed, adding that he will also review the document individually with each Commissioner if needed.

A brief discussion followed regarding adding a line to operate under Roberts Rules of Order with Mr. Brooks explaining to Commissioner Warbington that a policy will be brought forward once the Rules of Procedures are adopted, adding that the rules are the ordinance. He further explained that Commissioners may have other policies they feel should come out of the rules, stating that we go from the Charter document, to ordinances and then to policies. He clarified that henceforth, amendments via ordinance will be required when changes are made. He advised that the speaker policy was a resolution and explained the difference in an ordinance vs. resolution regarding these items.

Commissioner Warbington clarified and agreed with the process regarding how it will be discussed in the future and then introduced for the second reading:

AN ORDINANCE NO. 21-137

Amending Chapter 2, Article II, Division 2 of the Code of Ordinances of the City of Albany, GA, to provide for Rules of Procedures and Comportment

Commissioner Warbington then offered the ordinance and asked for its adoption, seconded by Commissioner Fletcher.

Commissioner Howard clarified again that this will be discussed at the retreat in Tallahassee.

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In reply to Commissioner Warbington, Mr. Brooks agreed that the newly elected Commissioners will have a meeting to discuss and become familiar with the new procedure and will know that changes are allowed regarding the process.

Discussion followed with Mayor Dorough expressing concerns regarding implementing sanctions for violating rules, fines, etc., and referenced pages 23-26 ‘point of order’ and the Mayor being challenged by the Commission. Regarding discussion on sanctions, Mr. Brooks said he will research what other cities have in place and suggested that censuring is commonly used, i.e., ‘being out of line’. Mayor Dorough stated that having censure without sanctions is pointless, adding that having the authority to opt out of rules by a majority vote, is not a rule, but rather a guide, etc.

Commissioner Young commented on best practices, amendments, posting live to FB, keeping Commissioners from having people in the building, taking guests to conferences, etc. He suggested that the rules came from the last two years whereby certain members of the community came to meetings with problems arising because meetings were not fair/consistent; also suggesting that the rules are to stifle or control what is going on. He contested voting on this matter now and suggested having more discussions.

Mayor Dorough stated that he also felt there should be improvements before the policy is implemented and asked for a copy so that he can review and suggest revisions. He commented on the rights of the public and having all behave professionally, adding that he is not in favor of streaming on FB but agreed that this is a discussion that the Commission should have.

A heated discussion followed with Commissioners Warbington and Young expressing differing opinions regarding the policy. The question was called on the motion to adopt the ordinance and, during the roll call vote, when Ward II (MPT Fuller) did not respond, the motion failed 3-3 with Mayor Dorough and Commissioners Howard and Young voting no.

Mr. Davis briefly discussed the following resolution regarding issuance of a bond as it relates to the MGAG Portfolio. In reply to Mayor Dorough, Mr. Davis discussed the process, adding that a resolution was also adopted last year.

Commissioner Howard moved to adopt the following resolution, seconded by Commissioner Fletcher, and following a roll call vote, the motion unanimously carried.

A RESOLUTION NO. 21-R204

Authorizing the Mayor to sign Acknowledgment of Service re: MGAG’s proposed Portfolio V Bond issuance; and authorizing the City Attorney to sign answer to said petition and verification of said petition

Mr. Davis discussed the following resolution regarding the Memorandum of Understanding with the State and Opioid Participation Agreements. In reply to Commissioner Howard, he clarified that the Georgia Attorney General is the final decision for cities to join the lawsuit. Mayor Dorough added that this is not a settlement and that whether the City of Albany will receive payment is not determined at this time. Mr. Davis agreed.

Commissioner Warbington moved to adopt the following resolution, seconded by Commissioner Fletcher and, following a roll call vote, the motion unanimously carried.

A RESOLUTION NO. 21-R205

Accepting the Material Terms of the Distributor and Janssen Settlements pursuant to the Georgia Memorandum of Understanding and consistent with the terms of the July 21, 2021, national Opioid Settlement Agreements

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A brief discussion followed regarding the agreements including potential money received and spent and whether Dougherty County is participating.

At 10:06, it was noted that Mayor Pro Tem Fuller was back on the [zoom] call and Commissioner Warbington asked if it is in order to reconsider the vote on the ordinance that failed 3-3. Mr. Davis opined that the vote can be reconsidered to allow Mayor Pro Tem Fuller to vote.

A heated debate followed regarding whether to reconsider the vote with Commissioner Young strongly disagreeing with Commissioner Warbington who motioned to re-vote. At issue was whether Mayor Pro Tem Fuller was officially absent (had left the meeting) with Mayor Pro Tem Fuller stating that he did not declare himself absent. Mr. Davis stated that the meeting had not adjourned so the vote is allowed. Mayor Dorrough advised that the Clerk stated that in her years with the City a situation like this has never occurred. The Clerk clarified that she was referring to other instances whereby a Commissioner left the meeting briefly and the meeting continued without the vote of the Commissioner. Mayor Dorrough suggested that there is no re-vote to reconsider in the absence of the Mayor Pro Tem.

After continued discussion, Commissioner Warbington again moved to reconsider the vote, seconded by Commissioner Fletcher and following a roll call vote, the motion carried 4-3 with Mayor Dorrough and Commissioners Howard and Young voting no.

Commissioner Warbington moved to re-vote on the above referenced ordinance, seconded by Commissioner Fletcher and, following a roll call vote, the motion carried 4-3 with Mayor Dorrough and Commissioners Howard and Young voting no.

There being no further business, the meeting adjourned at 10:23 a.m.

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MAYOR

ATTEST

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CITY CLERK