

OCTOBER 19, 2021
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

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

Mayor Dorough called the meeting to order at 8:31 a.m. and opened the Public Hearing.

PUBLIC HEARING re: ZONING MATTERS

1. Zoning Case # 21-050 - City of Albany/Applicant; Marion G. Jones/Owner;
request to rezone 1004 Newton Rd. from R-3 to C-5. PC approved 9-0 Ward 3

Using a power point presentation (copy on file), Paul Forgey, Planning Director, reviewed the application, showing a map of the surrounding zoning, aerial map and discussed planning considerations including traffic count, future land use map, etc. He advised that the Planning Commission recommended approval.

In response to Mayor Dorough, Mr. Forgey explained why 1002 Newton Road was not also rezoned, advising that it should not be rezoned until the owner has a purpose in mind.

Marion Jones, Applicant - 1004 Newton Road - spoke in favor of the rezoning and asked the Commission to consider the request.

Commissioner Young stated that the area has always been commercial and confirmed that the second piece of property would have to go through the rezoning process with Mr. Forgey agreeing and explaining the two ways to request a rezoning, i.e., owner request or City request.

Ms. Jones again asked that this matter be resolved and commented on the length of time it took for her to get to this point (since February of this year), again asking that adjacent property also be rezoned commercial.

In reply to Ms. Jones, Mayor Dorough advised that an application would have to be submitted for the adjacent property and, stated that the vote will be taken at the October 26 meeting. Mr. Forgey explained the process again, adding that once the Commission votes, it is approved and the applicant can move forward immediately.

Ms. Jones asked to be considered for monies coming in the south part of Albany to assist small businesses.

OCTOBER 19, 2021
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

ACCEPT \$70K BID RE: SURPLUS PROPERTY (Liberty House)

Kimberly Williams, Buyer, discussed information (copy on file) regarding the request to surplus the property at 510 Pine Avenue

In reply to Commissioner Warbington, Ms. Williams advised that the use of the property was not indicated and advised that the purchaser is a non-profit entity and will be tax-exempt.

Mayor Dorough asked who drafts the memo of understanding with Mr. Davis stating that he drafted the Memorandum of Understanding (MOU). Lequica Gaskins, Downtown Manager, explained the process with Mr. Davis discussing the MOU and use of proceeds. He asked if the bid does not close, can the second bid be considered. The consensus was to consider as presented (highest bidder). Commissioner Young suggested going with the second option. Mr. Carter asked for clarification on what will be voted on with Mayor Dorough explaining that he feels the option to go with the second bidder should have been in the agenda item. Mr. Carter stated that the agenda item will be revised for consideration of both options. Mayor Dorough asked for an update on how the funds will be used with Ms. Gaskins stating that the information will be provided.

RESCHEDULE NOVEMBER 16 WORK SESSION

Mayor Dorough discussed information (copy on file) regarding the pros/cons of rescheduling the meeting from Tuesday November 16 to Monday, November 15; the consensus was for the Mayor Pro Tem to chair the meeting on Tuesday, Nov. 16, 2021.

PUBLIC FUNCTION MATTERS

COMPREHENSIVE PLAN FIVE-YEAR UPDATE/ADOPTION

Mr. Forgey discussed information (copy on file) regarding the process to adopt the Comprehensive 5-year plan, advising that broadband is inclusive this time in the plan.

In reply to Commissioner Howard, Mr. Forgey stated that the comp plan will be resubmitted for vote in the near future.

Commissioner Young asked if the County is also adopting the plan with Mr. Forgey agreeing and explaining the process. Regarding broadband, Commissioner Young stated that the County will be using AT&T for broadband and questioned use of City fiber optics. Mr. Forgey explained requirements, adding that both governments are working independently regarding broadband, i.e., funding, etc., adding that the next plan will provide more options. Commissioner Young commented on having an opportunity to implement broadband in underserved areas (south, east and county rural areas) and working together with the County.

OCTOBER 19, 2021
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

Discussion followed regarding use of AT&T with Mr. Carter stating that he was contacted by them (AT&T) and explained that they wanted to own the system with the City having the opportunity to assist with this. Additional discussion followed regarding areas abutting city limits and whether these areas will be serviced with Mr. Carter agreeing.

PUBLIC ADMINISTRATION AND FINANCE MATTERS

PURCHASES:

Peter Bednar, Director of Fleet, discussed information as noted (copy on file), adding that the tractor is readily available locally and no extended lead-time is expected.

1. 6135E Utility Tractor (Facilities Management); John Deere & Co.; Cary, NC.
Total expenditure \$75,687.07

Mayor Pro Tem Fuller mentioned the five-six months lead-time in the packet, asking if there will be any additional lead-time due to the current John Deere strike. Mr. Bednar explained that they have one readily available, which will be modified for the City's needs and should be in service in a month.

Mr. Bednar discussed the following (copy on file), explaining that CNG's run hot and some previous buses had aluminum pistons, which broke resulting in additional expenditures/down time:

2. CNG Buses (Transit); Gillig Corporation; Hayward, CA
Total expenditure \$1,870,026

In reply to Commissioner Warbington, Mr. Bednar advised that these are three new items and are not replacing any in fleet, with the City being 100% CNG. Discussion followed regarding modification on the buses complying with COVID requirements, etc., with Mr. Bednar stating that Gillig will be making the installations.

In reply to Commissioner Young, David Hamilton, Transit Director, advised that a full-size, spare bus will be available when repairs are necessary.

In reply to Mayor Dorough, Mr. Bednar explained the City's process when first converting to CNG buses. Mayor Dorough commented on having hybrid buses, as in Athens-Clark County, asking if this has been looked at. Mr. Bednar explained the cost of electric buses and building infrastructure to accommodate. Mayor Dorough asked to be on the front end of this since infrastructure will be necessary and monies are being funneled to municipalities. He asked that on future agendas, an option for more environmental vehicles be included

Commissioner Howard discussed the blighted area where old, junk buses, cars etc., are stored with Mr. Bednar stating that he can look into this and bring back a recommendation.

OCTOBER 19, 2021
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

Christina Strassenberg, Buyer, discussed the following (copy on file):

3. Construction Rock Materials Contract; Oxford Construction Co., AAA Concrete Products and Reeves Construction Co.
The split award: Est. expenditure \$79,887.50

Don McCook, Deputy Director (PW/Utility Operations) discussed the options and why each were selected from different vendors (crushed concrete, crushed asphalt, etc.) based on DOT requirements.

In reply to Commissioner Howard, a brief discussion followed regarding the splitting of this purchase with Ms. Fields and Ms. Strassenberg explaining the process, adding that this has been done in the past based on what is best for the City.

In reply to Commissioner Warbington, Mr. McCook stated that the City will pick up the product from the vendor and explained recycling process including keeping some of the materials.

In reply to Commissioner Young, Ms. Fields stated that the bidding process did not incur any additional expense.

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

4. Construction of Underground Utilities; A. West Enterprise of Albany, GA;
Est. expenditure \$8,410,480.00

Kendall Hodge, Deputy Director of Utilities Operations, stated that he is the internal staff working on this project, which includes meeting with A. West Enterprise, making sure funding is in place, etc.

A. West Owner Eddie West gave a background of the project, the locations for the underground, including fiber optic and going underneath the river to the other side and up a riser pole.

In reply to Commissioner Howard, Mr. West stated that they have two major subcontractors; the boring contractor, having two from which to choose, and the fiber optic will be by Albany Electric/Metro Power, with A. West doing the high-voltage work. Discussion followed regarding using minority contractors, with Mr. West stating that certifications and regulations are specific and requires bonding.

Regarding the funding source, Ms. Fields stated that it is primarily grant funded with some SPLOST VII and stated that she will provide a break-down of funding.

In reply to Commissioner Warbington, regarding the \$8.0 million grant, Ken Stock, Asst. City Manager, stated the total project was originally estimated at \$10.6 million; the \$8.0 million grant and \$2.6 million is from SPLOST. Discussion followed regarding Tift Park, with overhead/high

OCTOBER 19, 2021
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

voltage wires; Commissioner Warbington asked if this means that the park will be totally underground. Jimmy Knight, Utilities Construction Superintendent, agreed that the overhead that is part of the project will be underground.

Regarding having additional opportunities, Mr. West suggested looking at these options ASAP since supplies are increasing.

Mayor Dorough questioned the \$8.0 million grant that was awarded in 2019 with discussion following regarding extensions due to COVID, the deadline looming. Mayor Dorough asked for a map of the area being converted to underground.

Commissioner Young asked if this project would take care of wiring for the old bridge that is being rebuilt; Ms. Fields replied negatively.

Mayor Dorough recognized William Wright to speak to this item. Mr. Wright distributed information (copy on file) and suggested that this project is reverse Robin Hood, requires equal opportunities, etc., pertaining to civil rights. He chastised Mr. West for not using minority vendors and stated that black business contractors in Albany are qualified/skilled, and can be used. He gave a brief history of American Society being unequal and commented on the 1964 Civil Rights Act, discriminations.... Commissioner Warbington called a point of order, requesting Mr. Wright to not criticize another business, but to stay with the point in question. Mr. Wright continued with his presentation regarding discrimination.

Commissioner Fletcher briefly addressed comments regarding use of black-owned businesses.

Commissioner Young commented on the City providing opportunities and stated that he welcomes Mr. West to clarify his comments regarding not using minority contractors. He suggested that with a project this size, the City should have a mechanism in place that ensured the \$8.0 million contract could be carved out in pieces to include smaller/minority/disadvantaged contractors.

Mr. Wright stated that four years ago, \$60.0 million went to Metro Power and he will provide this information.

Mr. West clarified his statement and said if there is a local contractor who is qualified, and can provide a payment performance bond, he will accept a quote from them now on the fiber optic. He commented on his efforts and the process of hiring subcontractors, bidding on the project and asked that a bidder list be provided so that contractors will know who is/is not bidding on projects.

Commissioner Howard stated that the vote is next week and asked for good faith efforts when projects are bid on.

Commissioner Young agreed that certain things should be clarified in the bidding process to ensure opportunities happen. Ms. Fields advised that 19 minority contractors, who had the qualifications to do this job were directly solicited, however, no one responded.

OCTOBER 19, 2021
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

RFQ-ENGINEERING SERVICES, SANITARY/STORM/CSO IMPROVEMENTS

Ms. Fields discussed information (copy on file) regarding the request to accept the Utility Board's recommendation to contract for Engineering Services for the CSO Project with the Ardurra Group, Inc., Augusta, GA, for an amount not to exceed of \$9,994,000.00.

In reply to Commissioner Howard, Ms. Fields stated that they worked with Constantine, however; this is their first time working with the City.

In reply to Commissioner Warbington regarding the bid, Ms. Fields explained the Brooks Act, regarding hiring engineers through an RFQ, negotiations with the top proposer; and being prohibited from moving to the next proposer unless the first one will not be used; resulting in being unable to compare prices. She added that Mr. Stock was heavily involved ensuring that this was a not to exceed amount of \$9,994,000.00. Mr. Stock stated that this award covers all remaining engineering to get the City in compliance of the permit; noting the timeline that was also provided.

Discussion followed with Mayor Dorough clarifying the Brooks Act, i.e., price cannot be considered as a factor and using qualifications only. Mayor Dorough asked for a map of basins and an explanation of how various projects will work together to achieve the 85% separation.

Commissioner Warbington asked Derrick Brown, Finance Director, if the \$9.0 million can be spent quickly and/or when other sources of funding will come into place. Mr. Brown suggested making application by the spring for additional funding, i.e., borrowing funds, use of the infrastructure bill, etc., advising that the City can borrow up to \$25.0 million per year through GEFA, which has attractive rates. Mr. Carter stated that this is one of the items being applied for in the grant.

Joey Crews, SE Water Practice Director with Ardurra; Butch Gallop, Gallop Associates; Haley Mahaffey, Dewberry and Associates and Abie Lawson (CSI) was available to discuss working on the 2019 Master Plan Study and the transition from Constantine to Ardurra.

In reply to Commissioner Howard, Mr. Crews stated that Constantine is now with Ardurra. Regarding minority participation, Mr. Gallop explained that they will follow the City's procurement process and that they will reach out to contractors whose bids were unsuccessful, adding that workshops will be provided to ensure minority participation is considered. In reply to Commissioner Howard, Mr. Gallop stated that they will reach out to the firm, which has local ties and has an office in Albany; they, too, will establish an office here. Commissioner Howard recommended a series of meetings to educate the public regarding underground infrastructure. Mr. Gallop agreed and stated that updates will be provided to the Commission quarterly and, public forums will keep citizens educated, etc. Commissioner Howard asked if Ardurra has encountered infrastructure as bad as Albany's in other cities; Mr. Crews stated that they are seeing infrastructure rebuild like this across the U.S.; however, Albany has older areas that they do not see in other cities, as well as having a combined system.

OCTOBER 19, 2021
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

Mayor Pro Tem Fuller asked if Ardurra is comfortable with the timelines and deadlines the City is working with; Mr. Crews agreed.

In reply to Commissioner Warbington, Mr. Crews stated that at least 10-12 full-time people will be hired and discussed having worked with a CSO separation in Augusta. Commissioner Warbington commented on the disruption to the neighborhoods and community and asked how this will be handled. Mr. Crews explained the process of educate the public and letting citizens know what is about to happen is the key. Commissioner Warbington commented on leaving the areas better by adding sidewalks, crossings, etc., with Mr. Crews stating that they have staff to come in to improve.

Commissioner Young commented on the project, using discretionary funds, educating the public, having clean-up efforts in place, addressing street flooding, having problems with blight, poverty and community needs.

Mayor Dorough commented on rate increases, discussed the Constantine report (convoluted, poorly presented) and noted that getting from problem to solution is what Ardurra is providing. He discussed the project cost with Mr. Crews commenting on funds on hand and funds for the future. Discussion followed on negotiation of salaries/hourly fees and using discretion in how the project is charged and, design charged by 'percent of completion' based on a flat fee

In reply to Commissioner Howard, Mr. Crews explained items listed for which Ardurra will not be responsible as they are not in the business for certain work i.e., sidewalks, which the City will take charge of.

2021-22 EMERGENCY SOLUTIONS GRANT AWARD

Phyllis Brown, Interim Director Community & Economic Development, discussed information (copy on file) regarding the \$90,000.00 ESG Program.

In reply to Commissioner Warbington, Ms. Brown stated that this is a yearly grant that is applied for and that the City has been awarded the grant every year.

5307 AND 5339 ANNUAL TRANSPORTATION GRANTS

Mr. Hamilton discussed information (copy on file), regarding the 5307 and 5303 grant and their amounts and matching funds.

Mayor Dorough mentioned increasing the number of benches at bus stops and asked for information to include funds and location. He then recognized Mr. Wright to speak.

Mr. Wright distributed information (copy on file) including the program's support administration as noted, requirements (citizen/minority participation) as it pertains to federal law. He suggested that the City is not eligible to receive these funds.

OCTOBER 19, 2021
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

In reply to Commissioner Young, Mr. Wright explained his accusations pertains to FAA/FTA and not providing due process of law, adding that the agencies are understaffed, and someone must call to bring information to their attention. Affirmative action is needed and is the law which includes diversity and inclusion as required by law.

CLARK AVE., RAILROAD CROSSING UPDATE/FUNDING

Mr. Maples discussed information (copy on file) regarding the request for funds in the amount of \$97,179 regarding the GA/FL Railroad Grade Crossing at Clark Ave.

In reply to Commissioner Howard, Mr. Maples explained that this is done because of rideability and having a smooth transition across the railroad tracts with governance from the federal government, etc., requirements, which are minimal). He also explained why this is in TSPLOST, etc., funded.

In reply to Mayor Dorough, Mr. Maples gave the exact location of the railroad crossing.

CITY MANAGER'S UPDATE

Mr. Carter noted two grants that were applied for and were received.

In reply to Commissioner Warbington, Mr. Carter stated that the County's decision to go with AT&T does not affect the City (regarding broadband). Discussion followed on partnering with Dougherty County and fund allocations. Mayor Dorough also commented on the applications (City and County) regarding fund allocations with the County going with AT&T.

OTHER BUSINESS

Commissioner Howard reported receiving calls from a business owner regarding the 1100 block of Blaylock and the new camera at the school crossing location. He asked if flashing lights can be in place to assist motorists. Chief Persley advised that this is a School Board matter. Commissioner Howard asked if the School Board and County Commission have gotten back to him regarding a minority business office being established. Mr. Carter stated that this is on his radar and is active.

Commissioner Young commented on the alcohol license in Radium Springs and information from the business owner regarding his plans to renovate the location, restrictions on renovations in the flood zone, etc., adding that he will be meeting with community leaders and they would like to know the intention of the business owner (will gas be sold, will it be a chain-type establishment).

In reply to Commissioner Warbington, regarding transfer of alcohol licenses, Mr. Davis explained that the same rules that applies to new licenses also applies to transfers. A brief discussion followed regarding the process.

OCTOBER 19, 2021
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

Mayor Dorough clarified that the grant that was received regarding recreation/Civic Center etc., with the funds going to the City. He also commented on the Ritz Center and \$2.0 million for the Cultural Center with Mr. Carter stating that he will confirm. Mayor Dorough commended the City Attorney's office for contacting various cities that provided resolutions in support of the City's request for funding and asked that someone from staff send a letter of appreciation. Mr. Carter stated that the letters can be provided for the Mayor's signature.

ITEMS FOR FUTURE AGENDA

In reply to Commissioner Howard regarding a pay study, Mr. Carter stated that the contract will be extended and no vote is required to do the pay study. Mayor Dorough asked to have this item on the first work session for consensus. Mr. Carter stated that this item can be brought for information, but cautioned that a pay study can set an unachievable bar.

A brief discussion ensued regarding the observance of Halloween which falls on the weekend this year. Commissioner Warbington recommended the City celebrating on Saturday and letting citizens know this is the preferred date. Mayor Dorough suggested hearing from Chief Persley. Chief Persley stated recommended observing on Saturday due to school on Monday and people going to work. He asked people to be safe, careful of what is eaten and that parents remember that they are responsible for their children and will be held accountable. Mayor Dorough suggested having lights on Saturday and not having lights on Sunday. Mr. Carter stated than an announcement will be made and the public will be notified. Additional discussion followed with each Commissioner giving their opinion on this matter.

Mayor Dorough asked to revisit the decision on the fire station at Tift Park which should have had a public hearing, with Mr. Carter stating that he will provide information regarding the site and clarified that an agenda item is needed. Mayor Dorough commented on drag racing in parts of the city, with Chief Persley briefly discussing speeding and areas where people congregate and drag race on isolated streets on weekends. Commissioner Young stated that he hears what sounds like drag racing in the area where he lives. Mayor Dorough asked for a report and what can be done.

There being no further business, the meeting adjourned at 11:22 a.m.

SONJA TOLBERT, CMC
CITY CLERK