

MARCH 15, 2022
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

PRESENT: Mayor Bo Dorough
Mayor Pro Tem Vilnis Gaines (virtual)
City Commissioners: Jon Howard, Jalen Johnson, Chad Warbington
Virtual Attendees: Bob Langstaff, Jr., and Demetrius Young
City Manager: Steven Carter
City Attorney: C. Nathan Davis

Mayor Dorough called the meeting to order at 8:32 a.m., followed by the attendance roll call.

ADOPTION OF THE WORK SESSION AGENDA

Commissioner Warbington moved to approve the agenda, seconded by Commissioner Howard and following a roll call vote, the motion unanimously carried.

REPORT OF THE CITY CLERK

The Asst. Clerk advised that the 2nd quarter expense report will be emailed to the Board this week

REPORT OF THE CITY ATTORNEY

Mr. Davis advised that he has been working with Dep. Attorney General Anne Enfinger in the Attorney General's office, with the State opting into the opioid matter. A proposed estimate of available funds was sent, and an executed document is expected from Ms. Enfinger soon.

Commissioner Howard asked Mr. Davis to explain the funds the City will receive (\$298,000) versus what Dougherty County receives (\$427,000) based on population. Mr. Davis advised that Dougherty County used the entire population of the city and county, while the City used only numbers of residents within city limits. He reported that Commissioner Johnson asked to change his vote on the CED matter regarding a grant, which is allowable under Roberts Rules of Order and requires unanimous consent of Commissioners. Commissioner Howard moved to allow Commissioner Johnson to change his vote, seconded by Commissioner Warbington and, following a roll call vote the motion unanimously carried.

PUBLIC SAFETY COMMITTEE

NEW ALCOHOL LICENSES:

Marshal Walter Norman, Code Enforcement Director, discussed the following (copy on file):

1. Lounge Eleven 20 LLC; d/b/a Lounge Eleven 20; 242 W. Broad Ave;
K. Duffy/Agent; Liquor, Beer and Wine Consumption; WARD 3

In reply to Commissioner Howard, Marshal Norman agreed that the closest school is Albany State University.

Marshal Norman discussed the following (copy on file):

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2. IAV Business Consulting LLC; d/b/a Brother's Pizza; 207 E. Oglethorpe Blvd.; I. Vega/Agent; Beer and Wine Package; WARD 2

A brief discussion followed with Commissioner Howard clarifying the criteria regarding perimeter requirements and suggested that this be looked at for future applications.

Mayor Dorough recognized Eural Chastang to speak to this alcohol license. Mr. Chastang stated that he is speaking on behalf of Union Missionary Baptist Church in opposition of the application and noted that the establishment is directly across the street from the church and asked that the Commission vote no on this license.

Marshal Norman discussed the following (copy on file):

3. Family Dollar Stores of Georgia LLC; d/b/a Family Dollar #30958; 2408 Dawson Rd; C. Hicks/Agent; Beer and Wine Package; WARD 5

Commissioner Howard stated that it is time for the Commissioners to consider a city-wide moratorium and spoke in opposition of this item, adding that there are seven other Family Dollar Stores, which will probably apply for an alcohol license.

Commissioner Warbington stated that it appears to be standard with all the dollar stores. He asked if ABC card approvals will be required with Marshal Norman agreeing and explaining the process (i.e., meeting City/State requirements). Commissioner Warbington asked the self-check-out process with Mr. Norman stating that there is typically an employee at the self-check-out and that once the item is scanned it notifies store staff, etc.

Commissioner Johnson asked if other cities are selling alcohol in dollar stores with Marshal Norman stating that he will provide this information.

Commissioner Warbington, using Google Search, stated that this initiative began in 2019 and is not something new. He questioned targeting the stores, i.e., convenience stores sell gas and alcohol and this is a business model that is being used nation-wide, adding that this is the first one for Albany, but is not the first one for a dollar store and is the wave of the future.

Commissioner Young expressed concern of the community being inundated with alcohol licenses and asked if this is what Albany wants for the community vs setting standards. He agreed with the comments of Commissioner Johnson regarding the majority of dollar stores being located in the poorer neighborhoods.

Mayor Dorough stated that he understands the issues, however, this is a company in business and if they qualify, they should have the license, adding that he feels there is nothing wrong with selling alcohol in convenience stores, drug stores, etc., and noted that people will go to other places to purchase alcohol.

Mr. Carter recalled that Commissioner Young presented an alcohol study with the intent to make changes in Albany. He advised that working with Georgia Tech over the past four years on other projects, he had the opportunity to present this to them as one of their research options, which they chose as a project to fully fund/research this summer. Students will be in Albany for a few months to collect information, look

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at City policies, history, location of stores, etc. He stated that this will be non-biased, scholarly research that will be published in one of their scholarly journals, adding that the study will provide data that the Commission can use in their policy-making decisions.

Discussion followed with Commissioner Howard mentioning a lobbyist group advocating for alcohol at the State, adding that plans are to sell alcohol at university/college football games.

Commissioner Johnson agreed with Mayor Dorough's comment about establishments, such as Walmart, selling alcohol and businesses fitting the criteria should not be deprived of the same privilege. In reply to Commissioner Warbington, Mr. Davis advising that there are specific, objective reason, such as density, to deny an alcohol license, adding that maybe Georgia Tech can also look at that as well and, Commissioner Young stating that he is looking forward to the study. He noted that research has already proven the negative effects of alcohol on a community, which he has presented to the Commission and briefly discussed the detriment caused by the proliferation of alcohol.

TRANSFER OF OWNERSHIP LICENSE

Marshal Norman discussed the following (copy on file):

1. Craft Axe Throwing LLC; d/b/a Craft Axe Throwing; 2302 N. Slappey Blvd.; D. Ball Jr./Agent; Beer Consumption; WARD 2

In reply to Commissioner Johnson, Marshal Norman stated that the owners are new to this area and explained the change of ownership and name of the establishment.

In response to Mayor Dorough, Marshal Norman explained that there is a prorated charge of the fee when the establishment is already functioning when the transfer occurs.

PLANNING/ENGINEERING

ADDITION TO SERVICE DELIVERY STRATEGY

Planning Director Paul Forgey discussed information (copy on file) regarding a grant application resulting in having to add a new agreement to the existing Service Delivery Strategy (SDS) in order to upgrade overhead electrical line which are not covered in the current SDS.

In reply to Commissioner Warbington, Mr. Forgey explained that the City of Albany is the only local government entity providing electrical services and the need to add this to the SDS in order for the City to apply for grants/funding.

PUBLIC ADMINISTRATION/FINANCE

Interim Central Services Director Joshua Williams discussed the following (copy on file), with Interim TAC Director John Dawson adding additional information, stating that this is a standard, annual renewal.

1. ESRI Software, Annual Subscription: \$53,900.00

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In reply to Mayor Dorough, Mr. Dawson stated that they could shop around for other providers, however, but it is not just about price. He explained the software agreements through first party providers, the City engaging specialists with more experience, who are familiar with the products and providing the best service.

Regarding GIS software, Commissioner Young likened ESRI to Microsoft, which is a superior tool that, used in planning, allows us to know exactly what is in our community.

Mr. Dawson reported that last year, the renewal fee was \$64,000, adding that any hours not used last year, roll over into this year.

Corey Gamble, Buyer I, discussed the following (copy on file).

2. Albany Utilities Trucks; Altec Industries: \$1,045,554.00

Dale Henry, Fleet Asset Supervisor, discussed discounts, age of trucks being replaced, etc. In response to Commissioner Warbington, Fleet Director Peter Bednar, confirmed that the trucks were budgeted. In reply to Mayor Dorough Mr. Bednar discussed the increased value of surplus vehicles because of the shortage of new vehicles.

Mr. Gamble, discussed the following (copy on file):

3. City Trucks; Wade Ford, Smyrna GA: \$310,207.00

Mr. Henry commented on trucks that are surplus, delivery of new trucks, Wade Ford having the trucks in the order bank prior to the bank being closed by Ford Motor Co., etc. Mr. Bednar commented on ordering trucks and the delivery process.

Commissioner Warbington commended staff for being on top of finding inventory and working through current issues.

Kimberly Allen, Buyer, discussed the following (copy on file):

4. City Wide Property Survey- Consultant Services; iVueit, Westerville, Ohio; Not-to-exceed expenditure: \$495,000.00

Mr. Forgey stated that it was difficult to find contractors due to this being an innovated project and explained the grant, process, i.e., smart cities initiative, having access to parcels i.e., flooding, blight, etc.

Commissioner Johnson asked if this would help with targeting blighted properties. Mr. Forgey explained that this is a planning tool that will assist in putting information into a database. In reply to Commissioner Johnson, Mr. Forgey explained that the timeline is six months; the expectation was a year or longer, but iVueit believes they can do it faster.

Commissioner Warbington commented on the database that is being created and asked if it will be annually updated. Mr. Forgey explained the process including the need for upgrades and funding opportunities needed to learn how to update in house, adding that the information will be available in

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various locations. Discussion followed regarding the type of information that will be provided, i.e., property owner address, etc. Commissioner Warbington commented on the monies being less than the amount of the grant and asked how the excess monies will be spent with Mr. Forgey stating that additional projects will be negotiated and planned per DCA's guidelines.

In reply to Mayor Dorough, Mr. Forgey agreed that plans are to integrate the database with ERSI.

Discussion followed with Mr. Carter explaining that the database will reside in a central place so that whoever needs information can get it. Regarding the maintenance of the database, he advised that it is a physical database with logical connections to other systems.

Mayor Dorough referred to the balance of the funds, asking if they must be returned to DCA or is the City allowed to use them. Mr. Forgey discussed being able to use the entire amount if needed, and again noted that other related projects would have to be approved by DCA otherwise, the remaining funds will be returned to HUD.

In reply to Commissioner Warbington, Mr. Forgey stated that this is CDBG Disaster Recovery Funding for planning purposes.

Regarding the following, APD Chief Michael Persley, Joshua Williams, Central Services and Ken Breedlove, Engineering, discussed information (copy on file)

5. School Safety Flasher Controllers; Temple, Inc. - Total exp. \$275,163.87

Discussion included why the City pays for school safety controllers, with the Dougherty County School System not contributing (Commissioner Howard), having cameras, signage, being consistent city-wide and being more cosmetic (Commissioner Johnson). Mr. Breedlove commented on timing of the flashers and updated equipment to aid in knowing exact times. Even if school is out, which is in accordance with state law, violators will be issued citations (Mayor Pro Tem Gaines).

In response to Commissioner Warbington, Mr. Breedlove discussed the look of flashers, adding that a standard look will help drivers be aware that they are in a school zone. Commissioner Warbington asked if eventually, 100% of school zones will have flashers. Mr. Breedlove replied negatively, explaining that some schools will not have them because of their lower volume of traffic, adding that signs with times and speed will be posted instead. He explained that typically, flashers are used at schools with a crossing guard and high volume of traffic. Commissioner Warbington asked the number of schools that will be equipped with flashers; Mr. Breedlove advised that 25 schools will have flashers. In reply to Commissioner Warbington, Mr. Breedlove also explained the number of flashers within the city, on high volume roads, protecting crossing guards, etc., with additional flashers being installed at Monroe, Blaylock and Mock Road. Regarding travel safety app, Mr. Breedlove explained that when approaching school zones, the app will alert the driver to the approaching school zone.

Commissioner Young clarified that the cost will be paid from proceeds of 'Red Speed' with Chief Persley agreeing.

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In reply to Commissioner Howard, Chief Persley provided information regarding times of the school zones (elementary, middle and high schools), with additional signage possibly being added, i.e., more notification to the public. He added that after 3:30, cameras shut off for violation purposes.

Commissioner Warbington asked if this could be a budget amendment due to the amount of money accumulated from the Red Speed initiative being new and that was passed after the budget was adopted. Mr. Carter stated that he will work with the Finance Department to ascertain how to properly handle this and bring it to the Commission.

Mayor Dorough stated that the aesthetics will be a plus and consistency is needed throughout the city. He asked if the City should identify the schools not equipped with flashers and approach the School Board to determine if they are interested in installing controllers at those locations, or at the very least, contribute toward the cost. Chief Persley advised that the upgrades only apply to school zones within the corporate limits, not those located in the count, adding that there are ten school zones outside city limits.

Bruce Maples, Interim Asst. City Manager/Engineering Director, discussed information as noted (copy on file) regarding the following and explained the Memorandum of Agreement with GDOT, funding, etc., and asked for approval.

6. GA Dept. of Transportation Pavement Resurfacing Project

In reply to Commissioner Warbington, Mr. Maples stated that if put out for bid, he feels comfortable that the cost would be very close. In reply to Commissioner Young, Mr. Maples discussed the connection of this project and the CSO project (the separation at N. Jefferson Street and being able to open cut/patch). Mayor Dorough asked to see a timeline for the project.

Commissioner Howard asked if GDOT has provided a date for the Oglethorpe Bridge, with Mr. Maples stating that they provided a schedule and advised that public hearings will begin next month.

Mr. Maples discussed information regarding the following (copy on file) as it pertains to acceptance of GDOT Grant Award and being mandated to follow the Plan Development Process if the grant is accepted.

7. Transportation Alternatives Program Grant Award

Felecia Basolo, DOT Project Manager, discussed the timeline of the Planned Development Process, (four-six years including design), interagency approval (DNR, State Historic Preservation Division), etc.

Commissioner Warbington commented on the timeline and litigation and asked if there is an environmental risk with the different departments. Ms. Basolo explained that they work with all departments and agencies, which creates more documentations and time if issues arise, adding that many times the trail can be shifted. Commissioner Warbington commented on crossing intersections with Ms. Basolo explaining that this is factored through engineering, i.e., traffic volume, speed, etc., and is taken into consideration through mitigations and negotiations, etc. Mr. Maples interjected that public input is inclusive and cost is looked at to ensure requests are feasible. Commissioner Warbington asked what the trail will be made of – asphalt/pavement/concrete, etc. Mr. Maples stated that it was designed with asphalt and explained the process, which includes public input, determining if there are changes and whether cost effective, etc.

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Commissioner Langstaff stated that he sees this being challenging and asked for outside counsel handling the litigation to give input to determine a workable way to use the money and suggested that it is too problematic to accept the grant.

In reply to Commissioner Young, Mr. Maples gave a brief update of the process, including pending litigation/grant application/awards, etc. Commissioner Young expressed concern of the process, environmental study, not using grant monies, etc., with Mr. Maples explaining that if the City uses local funds that are not tied to the Federal highway/GDOT we would not be under the National Environmental Policy Act requirements, which is how we proceeded with the design and how the design was completed several years ago.

Mayor Dorough stated that the concern is the cost of the design. Discussion followed regarding state funding and no recommendation from staff on whether to accept the grant. Mr. Carter stated that there was no recommendation due to the issues/concerns that have been discussed. In reply to Mayor Dorough, Ms. Basolo stated that their company is under contract with GDOT and her role here is representing GDOT. Mayor Dorough asked if the grant is utilized and financed with local match, will that enhance the prospect for the City to secure State funds to build the trail. Ms. Basolo agreed. Regarding different stages, Ms. Basolo explained the process including concept development, preliminary design phase, completion dates and final design phase which is when GDOT determines funding.

Commissioner Warbington commented on 2019 discussions with Lee County; the Rails to Trail Group stopped/imploded the process, adding that we may be sued again due to designs from 2019. He suggested that there is a problem and it is hard for him to move forward with background issues currently taking place.

Commissioner Young commented on funding and having the grant for future use and to have the City Attorney reach out to Rails to see if they are amiable rather than starting the project and having continued issues.

At this time, Mayor Dorough recognized William Wright to make comments.

A brief discussion followed regarding whether Mr. Wright presented his Citizen Comment form and information for the Commission to the Asst. Clerk. It was determined that the information was on the floor by the chair and that the Asst. Clerk did not see it and, it was decided that Mr. Wright will speak to page 76 and 82 regarding the purchase of trucks. Mr. Wright mentioned accounting methods, the costs that are sent to the dealers from corporate (which is built into the formulas) that is inclusive in the bids. He stated that staff said there was a \$700 savings, however, he suggested that the savings is \$11,000. He commented on knowing what the floor plan is. The Asst. Clerk distributed the information that was provided by Mr. Wright (copy on file).

Mr. Wright noted page 5-6 of his information regarding the GDOT award to the City of Albany and discussed receiving federal monies with 80% coming from the federal government, which requires an approved DBE Plan.

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MEMBER REQUEST/COMMENTS

Commissioner Howard commented on property located near the Flint River Golf Course and the eyesore that needs to be demolished located at 2000 McAdams St. Mr. Carter stated that this will be looked at and reported back.

Mayor Pro Tem Gaines commented on alcohol licenses and said he has worked for Miller/Molson Coors for over twenty years, which has nothing to do with his approving licenses that are brought to the table. He stated that Miller-Coors will be devastated if something were to change regarding sale of alcohol.

Mayor Dorough commented on the following: 1) on an email from Jake Reese from LRA inviting the Commission to a luncheon and the need to be in front of construction; 2) the DARTS meeting last week and Bruce Capps asking that the City apply for a RAISE Grant. He asked staff to investigate the grant, which would provide funding to transition to a carbon neutral fleet; 3) due to rising gas costs, he asked for a policy that the City will transition to electric vehicles in five-ten years; 4) mentioned a notice/email from Sen. Ossoff regarding spending requests which was due last Friday with Sen. Warnock’s list due this Friday. He said he received only one response from his email to the Commission which was from Commissioner Langstaff who suggested that the Federal Lobbyist should be involved in matters of this nature; 5) asked the Commission to authorize him to send a letter to Sens. Ossoff, Warnock and Congressman Sanford Bishop to address funding/identifying projects; 6) regarding professional services bid out for the best proposal and not the lowest cost (Brooks Act), he said he was told that some cities get the three highest proposers, which then have an opportunity to give a financial proposal. He asked Mr. Davis to investigate this; 7) regarding Turner Gym, with consultants advising that it should not be demolished, he said the facility can better serve the community if it were at CW Heath and asked that an analysis be done of the building to determine whether to renovate and, 8) being aware of having monies in the bank, not spending and construction costs going up.

CITY MANAGER'S COMMENTS

Mr. Carter noted: 1) Dougherty County is at medium risk by the CDC and dropping masks from being mandated; 2) LOST training is Monday from 9-4 at the Civic Center with registration at the GMA Website; 3) Transportation Center luncheon on Thursday at the Transportation Center; 4) conditional items will be on a special call meeting on 4/5 with information forthcoming; 5) executive session following this meeting with public safety briefing postponed until April.

EXECUTIVE SESSION – Pending/potential Litigation/property acquisition

At 11:17 Commissioner Warbington moved to enter executive session, seconded by Commissioner Howard 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

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At 12:48 p.m. Commissioner Howard moved to exit executive session, seconded by Commissioner Warbington and, following a roll call vote the motion carried unanimously as follows:

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

At 12:54 p.m., Mayor Dorough reconvened the work session, announcing that no action was taken in executive session; there being no further business, the meeting adjourned at 12:54 p.m.

SONJA TOLBERT, CMC
CITY CLERK