

JUNE 21, 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 and Chad Warbington
and Demetrius Young
Virtual Attendee: Bob Langstaff, Jr.
City Manager: Steven Carter
City Attorney: C. Nathan Davis

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

AGENDA ADOPTION

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

PUBLIC PARTICIPATION

SPEAKER APPEARANCE

1. William Wright – Diversity/Inclusion re: SLBE Program

Mr. Wright discussed the lack of DEI (diversity/equity/inclusion), adding that it became law in 1920, signed by President W. Wilson. He stated that there is not one in place in the city of Albany and commented on the law. He noted page one of his handout (copy on file) regarding rebuilding the economy, to include DEI and looking at sales, etc., as noted, which includes land, labor and capital.

Commissioner Howard suggested having a DBE office (similar to Savannah) after the budget is adopted. Mr. Carter agreed that this can be an agenda item.

REPORT OF THE CITY CLERK

1. One appointment to KADB to fill unexpired term ending Jan. 2024

The Clerk discussed information as noted (copy on file) regarding the appointment to fill a vacancy due to a resignation on KADB.

There were no questions/comments on this item.

REPORT OF THE CITY ATTORNEY

1. Quit Claim Deed: 1001 Highland Ave.

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Mr. Davis discussed property on 1001 Highland Ave., regarding expanding Highland Park, transfer of title review, etc. Mayor Dorough commented on surveying the property; filing of quick claim property with Mr. Davis explaining the process, environmental assessment, with a recommendation that the school board do this (Commissioner Howard); requesting input from the school board regarding their intent (Mayor Dorough); expediting the process due to vandalism, etc. (Commissioner Warbington); demolition of the property and environmental study (Mayor Dorough).

2. Director, Municipal Court Administration

Mayor Dorough recognized Dr. James Pratt to discuss. Dr. Pratt asked to consider public safety at large when amending the charter and explained his reasons, adding that a Director of Public Safety instead of Director of Municipal Court should be considered. A brief discussion followed with Mayor Dorough asking Dr. Pratt to remain on the subject matter instead of discussing public safety, saggy pants, statistics, etc.

Commissioner Johnson discussed municipal court and the amendment to the charter to add a Director of Municipal Court Administration as mentioned by Mayor Dorough at a prior meeting. Mr. Davis briefly explained the process should the item be approved.

In reply to Commissioner Howard, Mr. Davis stated that this will be amended according to Home Rule requirements, adding that he has not seen a job description. Commissioner Johnson stated that this will be worked out after the position is in place. He also noted the unique opportunity by the Commission to appoint the position and to discuss the goals, etc.

Mayor Pro Tem Gaines stated that he is in favor of this item.

In reply to Commissioner Warbington, Mr. Johnson stated that this is a separate item from the last meeting whereby Municipal Court was discussed on a broad spectrum with varying opinions. Additional comments followed regarding who will report to the Director with Mr. Carter suggesting that personnel work/report to the appointed person. Who hires/fires, approves days off, travel and people management (i.e., other appointed officials are at the table today) with no way to engage the new appointee.

Commissioner Langstaff questioned whether Re-engine recommended that the person be appointed by the Commission. Barry Brooks, Director of Municipal Court, replied affirmatively, adding that a follow-up letter will be forwarded by Re-engine; however, he cannot provide that information at this time regarding an appointment. Discussion continued regarding the appointment and whether to have another appointment for the Commission to manage. Commissioner Langstaff asked that the information in the report be provided and why they (the consultant) are recommending the appointment. He asked if there are any other cities that appoint this position to Municipal Court, with Mr. Brooks stating that Re-Engine provided examples, adding that the structure of the appointment is determined by the Commission. In reply to Commissioner Langstaff, Mr. Brooks advised that Columbus has this type of appointment and the information will be provided. Mr. Brooks stated that he will review his notes and provide information on the function of the court by other cities. Commissioner Langstaff asked that Valdosta be included as they recently revamped their municipal court and asked Mr. Carter for his opinion on the structure of the

court. Mr. Carter stated that he is in favor of having this in place and will do what he can to make it work.

Commissioner Johnson commented on moving the item forward and mentioned other appointments made by Commissioners (City Clerk, City Attorney and City Manager), adding that if this does not work, it can be reviewed in the future. He recommended that the public safety committee be responsible for providing some oversight.

Mayor Dorough stated that there are concerns; however, he agreed that the position is needed noting that details can be worked out later and suggesting that practical matters be addressed (which was not addressed by the consultant). He recommended having this discussion at the next retreat and to ask the Solicitors and public defender be part of discussions.

3. Extending Hours of Solicitation

Mayor Dorough discussed information (copy on file), including minutes from 2013 regarding hours of solicitation, based on a request to extend the hours to 7:00 p.m. during the months of April - October.

There were no questions/comments on this item.

4. Amending MEAG Resolution

Mayor Dorough discussed information (copy on file), which is a request from MEAG for a document authorizing them to communicate with the City Manager and Asst. City Managers on behalf of the City, which has been considered by the Utility Board. Mr. Carter agreed, adding that this is a housekeeping item to update the current names/titles, adding that ACM Bruce Maples is his alternate.

There were no questions/comments on this matter

COMMITTEE REPORTS

I. Public Safety:

Chief Deputy Anthony Donaldson discussed the following (copy on file):

1. New License Approval: Anaya's Kitchen LLC d/b/a Anaya's Kitchen; 1926 Martin Luther King Jr. Dr; T. Jerome/Agent; Beer package - WARD 6

Commissioner Warbington clarified the application with Chief Dep. Donaldson explaining that it is a new name, (formerly Maryland's Fried Chicken) and that items will be 'to go' because it is a limited restaurant, which is it noted as beer package rather than consumption.

In reply to Commissioner Young, Chief Dep. Donaldson stated that he discussed the 'to go' item with the owner and was told consumption will not be onsite. Commissioner Young stated that he was told consumption would be onsite at the establishment.

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Commissioner Warbington referenced the ordinance established during COVID, which allowed alcohol ‘to go’ with Chief Dep. Donaldson explaining that it was a State law that was temporary and has expired. Mr. Davis stated that a provision allows a bottle of wine in a proper container being allowed, with Chief Dep. Donaldson stating that it must be sealed, it cannot be open. Commissioner Warbington asked for follow-up information regarding whether the ordinance should be repealed.

Mayor Dorough recognized Dr. Pratt to speak on this item. Dr. Pratt discussed establishing alcohol requirements, hosting AA meeting, innovative ideas, adding that mediation is a way to mitigate crimes related to alcohol, with experts trained in mediation strategies to mitigate arguments leading to violence.

Chief Dep. Donaldson discussed the following (copy on file):

2. New License Approval: Sikotar Khodal Inc; d/b/a David Food Mart; 2609 Sylvester Rd; O. Martin/Agent; Beer/wine Package - WARD 1

Commissioner Howard noted proximity with Chief Dep. Donaldson confirming that the license meets proximity from the church.

In reply to Commissioner Warbington, Chief Dep. Donaldson confirmed the establishment, renovations, etc., at the location and this being a new application; it is not a transfer.

Mayor Dorough recognized Timothy Coley, representing St. Paul Missionary Baptist Church, to speak on this item. Mr. Coley spoke in opposition of the application due to it being located near the church and undermining the ‘spirit of God’, which will do more damage than good within the community.

Mayor Dorough recognized Dr. Pratt to speak to this item. Dr. Pratt commented on data regarding crimes that result due to alcohol, which includes concentration of licenses in areas, suggesting that an overhaul be considered and a different approach when approving applications. Commissioner Warbington called a point of order regarding derogatory comments with Mayor Dorough asking Dr. Pratt to be considerate of his comments.

Mayor Dorough recognized Mr. and Mrs. Sampson to speak to this item. Ms. Sampson spoke in opposition to the item regarding proximity to the church, with the establishment being within half a mile to their residence and other establishments selling alcohol within a four-mile radius of this establishment, asking that the license be denied. Mr. Sampson spoke in opposition and stated that the establishment is directly at the entrance of their neighborhood.

Commissioner Howard confirmed that the June regular meeting is scheduled for Wednesday instead of Tuesday at 6:00 p.m. next week.

Chief Dep. Donaldson discussed the following (copy on file):

3. New License Approval/Transfer of Ownership: Albany Food & Gas Inc; d/b/a Albany Food; 2400 Clark Avenue; S. Ahmad/Agent; Beer/wine Package - WARD 1

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In reply to Commissioner Young, Chief Dep. Donaldson referred to the map in the package that shows the location of other establishments selling alcohol within a mile/half mile of this location.

Chief Dep. Donaldson discussed the following (copy on file)

4. New License Approval/Transfer of Ownership: Gas Express LLC; d/b/a Gas Express #1103; 2447 N. Slappey Blvd.; S. Evans/Agent; Beer/wine Package
WARD 3

There were no questions/comments on this item.

MOU Re: APD AND MCLB POLICE DEPARTMENT

Chief Michael Persley discussed information as noted (copy on file) regarding the agreement with APD and MCLB.

There were no questions/comments on this item.

MOA Re: APD AND MCLB (Rifle Range Training)

Mayor Dorough recognized Dr. Pratt to speak to this matter. Mayor Dorough asked Dr. Pratt to limit his comments to the rifle range. Dr. Pratt suggested lock boxes for residences, having residents trained by APD, etc., policies that deal with the safe use of guns, including de-escalations.

Chief Persley discussed information as noted (copy on file) regarding the agreement with APD and MCLB regarding use of rifle range training.

Commissioner Johnson stated that he did a ride-along with all law enforcement agencies in Albany/Dougherty County and thanked all forces for the job that they do.

II. Planning/Engineering:

1. Magnolia Sidewalk Change Order

Commissioner Warbington discussed information (copy on file) regarding the sidewalk on Magnolia at Florence Drive and issues/solutions as noted.

In reply to Commissioner Howard, Charlie Clark, Engineering Dept., explained the process and noted the schedule of completion of this project being in September.

2. Request for extension of City Sanitary Sewer

Stacey Rowe, Utility Operations Director, discussed information (copy on file) regarding the request to extend the sewer.

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In reply to Commissioner Howard, Bruce Maples, Asst. City Manager, noted the location pertaining the ditch in the area.

Commissioner Warbington questioned the possibility of annexation, with Mr. Maples stating that he contacted parties, but no decision has been made at this time. Commissioner Warbington commented on sewer fees, etc., and Beattie Road not being a city street whereby a subdivision is being connected to a city street, etc., and asked if there is a time certain regarding annexation with Mr. Maples stating that no time was discussed by the parties. Commissioner Warbington asked for an update before the voting meeting.

III. Public Administration/Finance:

Corey Gamble, Buyer I, discussed information as noted (copy on file):

1. APD & Airport Vehicles; Wade Ford, Smyrna GA – Total expenditure: \$146,839.00

In reply to Commissioner Warbington, Dale Henry, Asset Supervisor, explained the use of the vehicle at the airport.

In reply to Mayor Dorough, Peter Bednar, Director of Fleet, commented on electric vehicles with 22 being currently in service, adding that he can provide information regarding gas savings.

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

2. 2022 Ford Lightning Pickup Truck; Wade Ford, Smyrna GA – Total expenditure: \$50,774.00

Commissioner Warbington questioned the charging format with Mr. Bednar stating that it comes with the ‘residential package’; however, moving forward they will look at other charging mechanisms. In reply to Commissioner Warbington, discussion continued regarding the new truck, charging, etc., regarding this being is a test vehicle to determine its pros/cons.

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

3. Hooklift Trucks; MHC GA Kenworth, Atlanta, GA – Total exp: \$525,600.00

Mr. Bednar provided additional information regarding the three current trucks needing to be replaced.

Joshua Williams, Central Services Dept, and David Hamilton, Director of Transportation, were available to provide information (copy on file) regarding the following:

4. Passenger Info Display System

There were no questions/comments regarding this item.

Mr. Williams and Robert Griffin Interim Director of Engineering, discussed the following (copy on file):

3. Installation of School Flashers Equipment; MetroPower, Inc., Albany, GA –
Total expenditure: \$299,000

Mayor Dorough asked if the school board wanted schools in the unincorporated areas to participate in the program, with Mr. Griffin stating that he called, but they were not interested.

4. Hooklift Trucks; MHC Georgia Kenworth; Atlanta, GA – Total expenditure:
\$525,600.00

BUDGET DISCUSSION

1. Historic Preservation Commission (HPC) Funding

Commissioner Johnson discussed information (copy on file) regarding the request of \$200,000 to assist with Code Enforcement, etc., within the Historic District.

In reply to Commissioner Howard, Mr. Forgey stated that funding is for one year and continuing funding at the discretion of the Commission. Commissioner Howard asked for a map of the area of the Historic District, with Mr. Forgey stating that he will provide a hard copy.

Commissioner Johnson commented on the Historic District, with this providing a proactive way to preserve structures, etc.

In reply to Commissioner Warbington, Mr. Forgey advised that this is not a budgeted item and explained the current process, which requires a budget to enforce. Discussion followed, addressing various situations, etc., with Mr. Forgey suggesting that priorities are set, including those having historic merit and the process, i.e., securing properties, making repairs to prevent further deterioration, etc., with this being a 'pilot type program'.

In reply to Commissioner Langstaff regarding outsourcing the position, Mr. Forgey explained the process which includes it being a decision of the Commission on whether to outsource. Discussion followed regarding the process, employee benefits, how the \$200K will be spent, etc., with Mr. Forgey stating that he can provide approximate figures on repairs, adding that the HPC will make selections based on the historic value. In reply to Commissioner Langstaff, Mr. Forgey stated that the \$200K amount was figured with staffing included and the rest for repairs, with Commissioner Langstaff asking to review the contract/information.

Mayor Dorough asked how many planners are budgeted, with Mr. Forgey explaining that he has ten positions with six currently on staff. Mayor Dorough suggested that the person could rotate into one of the vacant positions and expressed concern on giving money to the HPC, suggesting that reports should be given to the Commission regularly. He asked for more information to include guidelines, limitations on how much to spend on individual projects and who has the authority to spend funds. Discussion continued regarding required rehabs, roof replacement costs, etc., with Mayor Dorough suggesting that

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Planning should determine how the funds are used with HPC only recommending and not controlling funds. Commissioner Johnson agreed and noted language in the agenda item and asked Mr. Forgey to provide additional information as requested before the voting meeting next week.

Commissioner Warbington commented on the current process and suggested this being an innovative way to stop tearing down structures, adding that some clarity is needed. He reminded the Commission that last year the Commission contemplated a vacant structure registration program which could be of benefit as well.

Mayor Dorough commented on the ADICA Board's meeting last week and the Downtown Master Plan, adding that he asked for a list of properties suggested to be demolished

At this time, Mayor Dorough stated that the Commission would take a 20-minute break before continuing with budget discussions.

BUDGET DISCUSSION (continued)

After the break, discussion continued with Mr. Carter commenting on the funding source for the prior item that will come from the General Fund and asked the decision so that modifications can be made to the general fund. He referenced information (copy on file) regarding budget alternatives, budget proposals (four different versions that were sent via email) and explained that his and the Mayor's versions will be discussed, adding that there is a 4.5% CPI increase for employees in his budget and other tweaks that were made. He commented on mentioned Commissioners expense account being increased and advised that it will be incorporated into the budget.

In reply to Commissioner Howard, Mr. Carter stated that the 4.5% will cost approximately \$600K. Regarding the discretionary fund (\$50,000/each Commissioner; \$100,000/Mayor), Mr. Carter explained that the funds will be used for Commission projects (speed bumps, joining with other Wards to complete larger projects with no earmarks for projects).

In reply to Commissioner Warbington, Mr. Carter discussed the 4.5%, which includes the increase to the Pension fund. Positions were discussed with Mayor Dorough proposing that this will not be increased and Mr. Carter listing the departments that will include increased personnel, adding that he will provide the list to the Commission. In reply to Commissioner Warbington, Mr. Carter advised that the \$200K from HPC is not included. Commissioner Warbington stated that he proposed \$10K increase to Commission expenses with Mr. Carter asking for an answer/direction on whether to include additional expenses in the proposed budget. Commissioner Warbington suggested having a policy regarding the discretionary funds that are proposed. Mr. Carter suggested a policy be developed before funds are spent.

In reply to Commissioner Young, Mr. Carter discussed the American Rescue Fund, and advised that money has been set aside for the CSS project with a projected cost of \$105 million. Commissioner Young asked if the ARF is part of the budget with Mr. Carter replying in the affirmative as it relates to projects. Commissioner Young asked about the 2021 infrastructure monies with Mr. Carter stating that they are awaiting information.

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Regarding the COLA, Derrick Brown, CFO, explained the original proposal of a 3% net vs. 3% gross. Discussion followed regarding the 4.5% gross/4% net to employees and 0.5% for the Pension Plan.

Commissioner Johnson asked Mr. Carter to provide information regarding current budget discussions.

Mayor Dorough commented on the Pension fund increase and mentioned his alternate budget, which will not include hiring or reclassification since the pay study will be available within the next few months. He stated that there are challenges nationwide retaining qualified employees and cost of living increasing, etc. Discussion followed regarding number of employees with Mr. Brown explaining how employee allocation per department/percentages are calculated. Additional discussion included recruiting/retaining employees, health insurance per employee from 2005-2020 along with healthcare costs for other cities.

Commissioner Johnson commented on positions vs. vacancies and what is budgeted, with Mr. Carter explaining the percentage process of calculating what is budgeted.

Mayor Pro Tem Gaines also commented on the number of employees and asked if money can be budgeted for 2023 Juneteenth, with Mr. Carter stating that this is the time to add it, however he recommended allowing the County to take the lead on Juneteenth since the City has an elaborate July 4th event. In reply to Mr. Carter, Mayor Pro Tem Gaines suggested setting aside \$40K for next year's Juneteenth celebration.

In reply to Commissioner Warbington, Mr. Carter explained that only planned events are budgeted. Discussion followed regarding the amount of money the County spent for Juneteenth. Commissioner Warbington suggested that monies be allocated for HPC items, however, no money is to be spent until the details are decided. He noted that Commission expense accounts are to be amended via revising the ordinance.

Commissioner Young asked the rationale of the discretionary funds, with Mr. Carter explaining being proactive regarding projects/ideas. Discussion followed regarding spending fairly and establishing a vetting process so that a consensus will guide how funds are spent.

Mayor Dorough stated that he does not support the discretionary fund, however it will fund HPC and adding more funds for Commission travel. Commissioner Warbington suggested having Commission expense raised to \$9K (with Mayor Dorough recommending allocating \$10K each) and the Mayor going from \$10K to \$12.5K. Mayor Dorough recommended that this will be used in lieu of a discretionary fund and polled Commissioners for their input.

Commissioner Howard supported discretionary fund and guidelines on what it can/cannot be used for.

In reply to Commissioner Johnson, the discretionary fund vs increasing travel was explained. Commissioner Johnson agreed with Commissioner Howard. Mayor Pro Tem Gaines agreed with the group. Commissioner Warbington agreed with discretionary funds and adopting a spending policy. Commissioner Langstaff agreed with Commissioner Warbington and Commissioner Young expressed

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concern of a discretionary fund that must be approved by the Commission. The consensus was 5-2 to proceed with the discretionary fund.

Regarding the Commission expense account, Mayor Dorough proposed a \$25,000 increase (\$10,000 for Commissioners and \$15,000 for Mayor). The consensus was to increase expense accounts as noted.

Regarding the Juneteenth celebration, and in reply to Commissioner Howard, Mr. Carter stated that \$40K is allocated and will be spent at the discretion of the Commission. In reply to Commissioner Johnson, Mr. Carter stated that this is not a budgeted item. Commissioner Johnson suggested lowering the cost and partnering with the County, asking to see details. Mayor Pro Tem Gaines said he is in favor of partnering with the County and/or the Downtown entity. He asked what is budgeted for 4th of July celebrations. It was determined that \$40K is set aside for fireworks and entertainment per Craig Potter, Recreation Supervisor. Commissioner Warbington agreed to share costs with Dougherty County. Commissioner Langstaff stated that inhouse employees are used to keep the cost low for the 4th of July celebrations. Commissioner Young said he supports \$40K and asked the additional costs for recording artists and other items relating to the 4th celebrations sponsored by the City. He asked to partner with other organizations, as well as with the County, for Juneteenth celebrations.

Mayor Dorough stated that staff needs direction on: HPC, Juneteenth, increasing the Commission travel account and the fact that there are two proposed budgets needing a decision.

Discussion followed with Commissioner Howard recommending the 4% for employees, Commissioner Johnson agreed with Mayor Dorough's comments. Mayor Pro Tem Gaines, Commissioners Warbington, Langstaff and Young expressed support for the 4.5% increase. The consensus was 4-3 for the 4.5% increase.

CITY MANAGER'S COMMENTS

Mr. Carter commented on Express Disposal's proposal for a fuel surcharge increase and stated that after discussions, staff is recommending a floor of \$3.50 per gallon and once prices go to \$3.49 per gallon, the surcharge goes away. He mentioned the email that was provided (copy on file) with the recommendations.

Commissioner Howard suggested no increase. In reply to Commissioner Johnson, Mr. Carter stated that the company was in favor of the negotiated amount as proposed. Commissioners Johnson, Warbington and Langstaff, along with Mayor Pro Tem Gaines agreed with the negotiated amount. Commissioner Young agreed with Commissioner Howard and Mayor Dorough agreed with the negotiated amount.

ITEMS FOR FUTURE AGENDA / MEMBER COMMENTS

Commissioner Howard asked that consideration be given to opening a cooling area for residents during the extreme heat. Mr. Carter stated that a plan is in place for cooling stations through parks and recreation, with announcements being made soon.

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Commissioner Johnson commented on alcohol licenses and looking at other Georgia cities (Tifton, Carrollton and Newnan).

Mayor Pro Tem Gaines noted flooding in Ward 3 and asked that this be looked at. Mr. Carter explained the process and having a webpage regarding sewer projects.

Commissioner Warbington asked if a list of agenda item requests and/or questions are kept. Mr. Carter stated that notes are kept and, follow-ups are given. Commissioner Warbington asked Mr. Davis if alcohol transfers can be staff approved instead of being on the Commission agendas. He also asked if the vacant property registration be moved up on the priority list based on the needs of the Planning Department.

Commissioner Young agreed with comments from Commissioner Johnson regarding alcohol licenses and asked to focus on the American Rescue Plan monies since additional monies are forthcoming. He mentioned additional concerns regarding mental health issues, COVID effects from the pandemic and being proactive in getting ahead of these type concerns, etc.

Mayor Dorough asked that each Commissioner submit a proposal to the City Manager regarding ARP monies. He asked the status of the noise study at the carwash on N. Slappey with Mr. Carter giving a brief update regarding enforcement of the code.

EXECUTIVE SESSION (Real-Estate Acquisition and Pending Litigation Matters)

At 12:14 p.m., Commissioner Howard moved to enter executive session to discuss matters as noted, seconded by Commissioner Johnson, 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 1:00 p.m., Mayor Dorough moved to exit executive session, seconded by Commissioner Howard, 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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Mayor Dorough reconvened the meeting at 1:01, announcing that no action was taken in executive session and, there being no further business, the meeting adjourned at 1:01 p.m.

SONJA TOLBERT, CMC
CITY CLERK