

MAY 24, 2022

REGULAR MEETING OF THE BOARD OF CITY COMMISSIONERS OF THE CITY OF ALBANY, GEORGIA
GOVT. CENTER – RM 100

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

Mayor Dorough called the meeting to order at 6:03 p.m.; the invocation given by Pastor Jim McBride was followed by the pledge of allegiance.

Commissioner Howard moved to approve the minutes of the previous meeting, seconded by Mayor Pro Tem Gaines and, following a roll call vote, the motion unanimously carried.

OBJECTION TO CONSENT AGENDA ITEMS

Commissioner Young referred to number the second resolution and question whether there will be a funding allocation attached to the resolution; Mayor Dorough agreed, adding that it is \$882,000 (Chehaw) and \$200,000 (Flint RiverQuarium). A brief discussion followed regarding the budget and approving these funds separately, with Commissioner Young requesting to remove the item from the consent agenda.

Mr. Davis requested to amend the agenda to add the civil claims in the Adonis Butler wrongful death matter due to it being resolved by the parties. Mayor Dorough stated that following ordinances, but before Members Comments/Items for Future Agenda, Commissioners will go into executive session to discuss this matter.

AGENDA ADOPTION

Commissioner Warbington moved to adopt the agenda, with the exception of Commissioner Young's objection to Item #2 and Mr. Davis' addition of the legal issue, seconded by Commissioner Howard and following a roll call vote, the motion unanimously carried.

CONSENT AGENDA

Commissioner Warbington moved to approve the consent agenda as reviewed by Mayor Dorough, seconded by Commissioner Howard, and following a roll care vote, unanimously carried.

A. Resolutions:

A RESOLUTION NO. 22-R133

Accepting the recommendation from the Community Development Council to fund Public Services Grants through Community Development Block Grant Funds

A RESOLUTION NO. 22-R134

Renewing the GDOT Procurement Policy for the Procurement, Management and Administration of Engineering and Design Related Consultant Services

B. Purchases:

One set of four mobile column vehicle lifts Steril-Koni USA, Inc. (Sourcewell Contract)	Total exp. \$53,731.86
Well #15 and #16 Rehab/Upgrades Woodrow Sap Well Drilling, Inc.; Brunswick, GA;	Est. exp. \$518,955.62
Janitorial Services, LEC Good Success Company, Inc.; Atlanta, GA	One-year contract \$64,825.00
Cemetery Software CemSites; Perryopolis, PA	1 st year contract \$71,8830.00

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Following a brief discussion, it was decided to move to the next item on the agenda so that Commission Langstaff could review the revised Chehaw and Flint RiverQuarium agreements.

ORDINANCE(S)

In reply to Mayor Dorough, Mr. Davis advised that the reference to Sec. 2-42 was a typo and that this corrects the error by providing for notice/summons when penalties are involved.

Commissioner Young asked if this provides policing powers to the Historic Preservation Commission (HPC); Mr. Davis replied negatively, explaining that it provides certain standards. If the standards are not met, the offender will be summoned to Municipal Court subsequent to notice by HPC. Commissioner Young suggested ascertaining the proper process as it seems HPC is being given policing powers if they are allowed to issue tickets.

Commissioner Warbington introduced

AN ORDINANCE NO. 22-102

Joint Ordinance of the City of Albany, GA and Dougherty County, GA so as to provide for penalties

Commissioner Warbington then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Howard.

Commissioner Young requested that the City work with HPC to see how they operate with this ordinance since they have a voice regarding penalties and facilitating action that results in court action for citizens.

Mayor Dorough asked Mr. Davis to look at the Code and provide a summary, as it could be Code Enforcement issuing citations; if it is not in the Code, it will need be to be addressed.

Hearing no additional comments, and following a roll call vote, the motion unanimously carried.

RESOLUTIONS

In reply to Mayor Dorough, Commissioner Langstaff stated that the part he wanted change, did not change, therefore, he will be a 'no' vote.

Commissioner Howard moved to adopt the following resolution, seconded by Mayor Pro Tem Gaines.

A RESOLUTION NO. 22-R135

Authorizing a new One Year Management Agreement regarding the Parks at Chehaw between the City of Albany, GA, the Albany Convention & Visitors Bureau, Inc. and the Chehaw Park Authority

Commissioner Warbington mentioned Commissioner Langstaff's consternation regarding the AZA accreditation and asked if it is a requirement or a desire/goal.

In reply to Mayor Dorough, Commissioner Langstaff explained that the original contract with Chehaw stated that in addition to being required to comply with State/Federal laws, all AZA guidelines must be met. He stated that currently they are not accredited and do not meet the AZA guidelines, adding that it is an unnecessary expense for Chehaw, and, it has been added to the RiverQuarium. He said he does not support requiring them to meet AZA standards, adding that he feels it is up to the respective Boards whether or not to attempt AZA accreditation suggesting that it is not a burden the City should require, which ultimately results in more tax dollars going to meet accreditation standards.

Mayor Dorough stated that both the Authority and Commission have the goal of being accredited, with Chehaw taking the obligation on themselves.

Tommy Gregors, Director, explained the benefits and downside of accreditation, adding that both Chehaw and RiverQuarium follow AZA standards, with the intent to become accredited within the next couple of years. He advised that the care of the animals is top priority and stated that he misunderstood the Commission's requested and rather than omitting it from Chehaw, he added it to RiverQuarium; however, if it needs to be struck from the agreements, that can be done.

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Commissioner Langstaff shared an issue created by the AZA when he served on the Chehaw Board, resulting in a cost of several hundred thousand dollars to comply with their requirements for fencing. He said he has no problem with it being a goal, but it should not be in the agreement.

Commissioner Young agreed with Commission Langstaff that the AZA language should be omitted from the agreements and discussed aiming for the highest possible care of the animals.

Mayor Dorough stated that the objections are unfounded, adding that the Boards should be commended for assuming the responsibility to become accredited and achieving a higher standard; the City should not be negating those goals.

Hearing no additional comments, the motion carried 6-1 with Commissioner Langstaff voting no.

Regarding the next resolution, Mayor Dorough asked Mr. Davis to explain any limitations on the Hotel/Motel Tax with Mr. Davis advising that he did not have the information readily available and asked to send a memo. Mayor Dorough stated that there is a requirement that the funds be used for economic development, tourism, etc.

Commissioner Howard moved to adopt the following resolution, seconded by Commissioner Young and following a roll call vote, the motion carried 6-1 with Commissioner Langstaff voting no.

A RESOLUTION NO. 22-R136

Authorizing a One Year Memorandum of Agreement regarding the Flint RiverQuarium between the City of Albany, GA, the Albany Convention & Visitors Bureau, Inc. and the Flint RiverQuarium

At 6:37 p.m. Commissioner Warbington moved to enter executive session for the purpose of discussing potential litigation, seconded 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

At 6:45 p.m. Commissioner Howard moved to exit executive session, seconded by Commissioner Warbington 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 6:49 p.m. Mayor Dorough reconvened the meeting, announcing that in executive session pending litigation was discussed in response to the claim asserted by the parents of Adonis Butler against the City of Albany and the Transit bus driver. He advised that the matter was resolved with a release of all civil claims, concluding all claims against the City, Safety National Insurance Company and civil claims against the bus driver, with the claim settled in the statutory amount of \$500,000. The City has paid its self-insured retention of \$150,000 and Safety National paying the \$350,000 difference.

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

MEMBER COMMENTS/ITEMS FOR FUTURE AGENDA

Commissioner Howard entreated everyone to be safe on the roads this holiday weekend.

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Mayor Pro Tem Gaines asked the status of the City’s involvement with the Juneteenth celebration. Mayor Dorough advised that the proposal was presented to Mr. Carter, who declined the request for funding. Mr. Carter explained why the funding request was declined, adding that Juneteenth celebrations are going on, with the City supporting in any way that it can; however, he did not want to set a precedence on how we are participating. He stated that various other groups also have celebrations planned, adding that he could not say ‘yes’ to this group and ‘no’ to the rest. The City could not accommodate all their requests on a complimentary basis. In reply to Mayor Pro Tem Gaines, Mr. Carter noted that the City will be contributing and ensuring that the requested venues are available, but they cannot be comped.

Commissioner Young echoed the comments of Commissioner Howard, urging that we all think about others and their safety; no texting/drinking while driving. Regarding the decision on Juneteenth, he recalled that former City Manager Sharon Subadan partnered/participated in observance of this historical event by offering facilities/services and suggested that the request should have come before this Board to make a decision.

Mayor Dorough reported that he sent an email today regarding the budget, suggesting a meeting next Tuesday following the alcohol license denial hearing. He asked that Commissioners let him know if they are amenable to having a budget hearing prior to the first work session in June.

Commissioner Howard supported holding as many meetings as necessary to discuss the budget. Commissioner Warbington commended Mayor Dorough for the email; however, he said he does not feel the Commission necessarily needs to meet, as staff can answer all questions of Commissioners. He explained that he is on vacation next week and will not be at the hearing. Commissioner Langstaff agreed with Commissioner Warbington. Commissioner Young supported as many meetings as possible. Mayor Dorough stated that once Commissioner Johnson weighs in, we will know what course of action we are taking.

Mr. Carter invited Commissioners to join in a celebration on Friday, May 27 to acknowledge Mary Ann Petty’s 50 years of service to the City of Albany.

There being no further business, the meeting adjourned at 7:03 p.m.

MAYOR

ATTEST:

ASST. CITY CLERK