

JUNE 29, 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, 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 6:02 p.m., and, the invocation given by Dr. Anthony Tate, New Resurrection Church of God by Faith, was followed by the pledge of allegiance.

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

OBJECTION TO CONSENT AGENDA ITEMS

Commissioner Howard asked to remove Resolutions 10 & 14 (Magnolia sidewalk and change order fuel surcharge); Commissioner Warbington asked to remove Resolutions 3 & 12 (HOME ARP Allocation Plan) and Extension of city sanitary sewer. Commissioner Howard moved to approve the consent agenda with the aforementioned items removed for discussion, seconded by Commissioner Warbington, and following a roll call vote, the motion unanimously carried.

APPOINTMENT

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

Commissioner Warbington moved to appoint Janet Puckett, seconded by Commissioner Howard and following a roll call vote, the motion unanimously carried.

CONSENT AGENDA

Commissioner Warbington moved to adopt the following resolutions on the consent agenda as reviewed by Mayor Dorough, seconded by Commissioner Howard, and following a roll call vote, the motion unanimously carried.

A. Resolutions:

A RESOLUTION NO. 22-R139

Establishing both a Voting Delegate and Flag Bearer for the City of Albany to the Georgia Municipal Association's 2022 Annual Convention

A RESOLUTION NO. 22-R140

Adopting an urban Redevelopment Plan for urban Redevelopment areas

A RESOLUTION NO. 22-R141

Approving Agreement with Aero Bridgeworks, Inc., to repair the SWGA Regional Airport's Passenger Boarding Bridge

A RESOLUTION NO. 22-R142

Authorizing use of Red Speed Camera Funds to purchase tasers for the Albany Police Dept; Further authorizing budget amendments over the next five years, the total of which shall not exceed \$319,733.36

A RESOLUTION NO. 22-R143

Authorizing use of SPLOST VII and TSPLOST funds for subsurface utility engineering services to be performed by Inframap Corp

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A RESOLUTION NO. 22-R144

Authorizing the City Manager and Asst. City Manager of Utilities Administration to communicate to MEAG Power any decisions made by the City of Albany re: Municipal Competitive Trust

A RESOLUTION NO. 22-R145

Authorizing a Memorandum of Agreement between the City of Albany, GA and the Marine Corps Logistics Base, Albany, GA for the purpose of officer training

A RESOLUTION NO. 22-R146

Authorizing a Memorandum of Agreement between the City of Albany, GA and the Marine Corps Logistics Base, Albany GA for rifle range training

A RESOLUTION NO. 22-R147

Approving Quit Claim Deed to the Dougherty County School System re: 1001 Highland Ave.

A RESOLUTION NO. 22-R148

Authorizing use of Red Speed Camera funds for installation of school flasher equipment; Further authorizing a budget amendment of \$299,000

Discussion followed regarding the following resolution with Phyllis Brown, Deputy Director, Community and Economic Development Dept answering questions:

A RESOLUTION NO.

Approving the Substantial Amendment FY 2021-2011 Annual Action Plan to include HOME-ARP Allocation Plan

In reply to Commissioner Howard, Ms. Brown discussed the recommended location of the ‘Tiny Homes’ which is outside of downtown Albany. Commissioner Howard expressed support for tiny homes, and no support for rehabbing older hotels. Commissioner Johnson expressed sentiments similar to Commissioner Howard’s comments. Commissioner Warbington expressed concern and suggested language be added to the resolution that the Commission will have final approval as the process moves forward, asking Mr. Davis to insert language to that effect. Commissioner Langstaff also expressed concern regarding staff deciding which of the options (hotel vs tiny homes/location) is approved and agreed that the Commission should have final approval as the decision makers. Discussion continued regarding having revised language added to the resolution and whether this item is urgent. Commissioner Langstaff suggested tabling with Mayor Dorough expressing concern of rising construction costs and delaying the vote. Regarding the question of operational costs raised by Mayor Dorough, Ms. Brown explained that duplexes would cost between \$45,000-55,000 (approximately \$600,000/30 units). In reply to Mayor Dorough, she advised that this program is only for unsheltered, homeless adults; two homeless programs targeting families are already in place.

Commissioner Warbington moved to table for 30 days or have a Special Called meeting, seconded by Commissioner Langstaff, and following a roll call vote, the motion carried 6-1 with Commissioner Howard voting no.

Discussion followed regarding the following resolution with Bruce Maples, Asst. City Manager, providing answers to questions:

A RESOLUTION NO. 22-R149

Authorizing use of SPLOST VII funds re: 2020 sidewalk project on Magnolia Street

Commissioner Young questioned the initial design, with the explanation that ADA requirements and costs were looked at and that the right-of-way is owned by the City of Albany to allow repairs, etc.

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

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Discussion followed regarding the following resolution with Mr. Maples providing answers to questions:

A RESOLUTION NO.

Authorizing extension of sanitary sewer for Muscogee Subdivision

Commissioner Howard commented on the fiscal impact of the location with Mr. Maples explaining the deed process, City maintaining infrastructure, etc. Commissioner Warbington commented on annexation and streetlights with Mr. Maples explaining that no decision was made to annex by the developers and that it will not be streetlights, but rather security lights, which the residents will have to pay for as well as the power. Commissioner Warbington suggested tabling with Commissioner Young moving to table so that options can be discussed, seconded by Mayor Pro Tem Gaines, and following a roll call vote, the motion carried 6-1 with Mayor Dorough voting no.

Discussion followed regarding the following resolution with Yvette Fields, Asst. City Manager, and Derrick Brown, Chief Finance Officer, providing answers to questions:

A RESOLUTION NO. 22-R150

Amending Resolutions 20-R150 and 21-R121 providing for a fuel surcharge; Authorizing the City Manager to execute such amendment with Concrete Enterprises, LLC

In reply to Commissioner Howard, Mr. Brown explained the original (3.5%) and proposed CPI, the cost of the surcharge (6.5%) and the formula used, advising that the impact to taxpayers will be \$2.31 extra. In reply to Mayor Pro Tem Gaines, Mr. Davis stated that this does not affect the other bidders. Commissioner Warbington expressed concern regarding the CPI and the three parties (the company, the City and citizens) paying a share with Mr. Carter providing information regarding the responsibility of the City to provide services, etc.

Commissioner Warbington moved to adopt the resolution, seconded by Commissioner Johnson, and following a roll call vote, the motion carried 5-2 with Commissioners Howard and Young voting no.

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

B. Purchases:

1. Police Cameras; Motorola – Total expenditure: \$69,400.00
2. Police Radios; Motorola Solutions – Total expenditure: \$41,009.50
3. Property Maintenance; James Unlimited, Albany, GA – Estimated expenditure: \$134,735.00
4. APD/Airport Vehicles; Wade Ford, Smyrna, GA – Total expenditure: \$146,839.00
5. Ford Lightning Pickup Truck; Wade Ford, Smyrna, GA – Total expenditure: \$50,774.00
6. Passenger Info Display System; Birmingham, AL – Total expenditure: \$308,891.21
7. Hook lift Trucks; MHC GA Kenworth, Atlanta, GA – Total expenditure: \$525,600.00

GENERAL BUSINESS

A. Alcohol Licenses:

Anthony Donaldson, Chief Dep., Marshall discussed the following:

1. Anaya's Kitchen, LLC; 1926 MLK Jr., Dr; T. Jerome/Agent; Beer Package

In reply to Commissioner Young's concerns regarding the sale of alcohol, a brief discussion followed with Mr. Donaldson commenting on his discussion with the owner's wife and Commissioner Young questioning the whether the owner will be reimbursed the license fee of \$600 fee with Mr. Donaldson replying affirmatively and explaining the process.

Commissioner Warbington moved to approve the license, seconded by Commissioner Johnson.

Mayor Dorough expressed the concern of giving an onsite license setting a precedence and the change in law due to COVID with Mr. Davis citing state regulations/laws.

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Hearing no additional comments, the motion to approve failed 4-3 with Commissioners Johnson, Warbington and Langstaff voting yes.

Chief Dep. Marshall Donaldson reviewed the following:

2. Sikotar Khodal, Inc; d/b/a David Food Mart; 2609 Sylvester Rd; P. Martin/Agent; Beer/wine package

Commissioner Howard moved to deny and stated his reasons of the State giving discretion to deny and this being consistent with the City Code regarding the location not being suitable for this establishment. He also gave statistics of Ward 1, etc., seconded by Commissioner Young.

Mayor Dorough mentioned emails from the church and that they have heard from the residents of the subdivision regarding this license. He added that he is voting no to deny the license, explaining that this establishment has had a beer/wine license for some time.

Hearing no additional comments, the motion to deny failed 4-3 with Commissioner Howard, Mayor Pro Tem Gaines and Commissioner Young voting yes.

Commissioner Warbington moved to approve the license, seconded by Commissioner Langstaff and, following a roll call vote, the motion carried 4-3 with Commissioners Howard, Mayor Pro Tem Gaines and Commissioner Young voting no.

Commissioner Warbington moved to approve the following transfer of ownership license seconded by Commissioner Johnson and following a roll call vote, the motion carried 6-1 with Commissioner Howard voting no.

3. Albany Food & Gas; 2400 Clark Ave., S. Ahmad/Agent; Beer/wine package

Commissioner Warbington moved to approve the following transfer of ownership license, seconded by Commissioner Johnson, and following a roll call vote, the motion carried 6-1 with Commissioner Howard voting no.

4. Gas Express #1103; 2447 N. Slappey Blvd., S. Evans/Agent; Beer wine package

#### ORDINANCES

In reply to Commissioner Howard, Mr. Davis advised that the second reading of the following ordinance will be held at the next regular meeting

#### AN ORDINANCE NO.

Amending Sect. 3(i) of the Charter of the City of Albany mandating appointments; Adding the position of Director, Municipal Court Administration; to provide for appointment of such position

Commissioner Langstaff moved to table until the next regular meeting, seconded by Commissioner Howard and following a roll call vote, the motion carried 5-2 with Mayor Dorough and Commissioner Johnson voting no.

A brief discussion followed regarding the following ordinance.

#### AN ORDINANCE NO.

Amending City Code Section 16-105(e) to provide for an additional two hours in which to solicit

In reply to Commissioner Howard, Mr. Davis commented on having ‘No Solicitation’ signs in the yard of residents, adding that there are three classes which are exempt, one being religious organizations.

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In reply to Commissioner Warbington, Mayor Dorough stated that he asked to put this item on the agenda with discussion continuing on whether a vendor asked to bring this item forward. Mayor Dorough stated that he asked the Clerk to pull minutes which, dating back to 2013, established times of solicitation. He then asked for a motion to approve which died. Additional discussion followed regarding denial with Commissioner Howard moving to deny, seconded by Commissioner Warbington and, following a roll call vote, the motion to deny carried 4-3 with Mayor Dorough, Mayor Pro Tem Gaines and Commissioner Johnson voting no.

Mayor Dorough advised that the following will increase each Commissioner's account to \$10,000.00 and the Mayor's to \$15,000.00

Commissioner Warbington introduced

AN ORDINANCE NO. 22-103

Amending City Code Sec. 2-47(r) providing for expense accounts for the Mayor and Commissioners

Commissioner Warbington then offered the motion and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Young, the motion carried 6-1 with Commissioner Johnson voting no.

Mr. Carter discussed the adoption of the proposed budget including: the total budget of \$299,592,399.00 (\$68.0 million – General Fund; \$157.0 million for Utility Fund). The drivers of the proposed budget include: 4% COLA for employees, increased fuel charges and increased contracted costs, \$200,000 - historic allocation; \$40,000 – 2023 Juneteenth celebration; Commission expense increase; \$250,000 – land acquisition; discretionary funds - \$50,000/each Commissioner and \$100,000 for Mayor. Other factors affecting the budget include: increase in cost of goods sold, especially in the Gas Dept.; \$1.6 million transfer - Transit; Flint River Entertainment Complex - \$2.4 million; Airport operating revenue - \$1.5 million, with grant revenue of \$7.0 million and TSPLOST - \$4.5 million.

In reply to Commissioners Howard and Young, he discussed the transit subsidy and gym options, which has funding allocated. Mayor Dorough asked to have the budget ready for discussions next year by the end of April. Additional discussion followed regarding the American Rescue Plan, CSS allocations and Mr. Carter providing additional information regarding funding sources. In reply to Commissioner Howard, Mr. Carter advised that the \$20.0 million ARP funds are allocated for the sewer separation project and is in the budget. A brief discussion ensued regarding the \$20.0 million ARP funds.

Commissioner Johnson expressed support of the budget and using funds to repair infrastructure. He corrected the misinformation that the City is flushing money down the toilet', explaining that the City must have this project completed within the next two/three years.

Mayor Pro Tem Gaines moved to adopt the budget as proposed, seconded by Commissioner Warbington.

Additional comments included having more discussion on the CSS and the American Rescue Fund having monies for COVID relief, housing, education, economic development, budget reflects what the Commission cares about, etc.

Hearing no additional comments, the motion to adopt the proposed budget unanimously carried.

RESOLUTION

A lengthy discussion followed regarding the following resolution:

A RESOLUTION NO.

Authorizing Officials to receive Cost of Living Adjustments

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In reply to Commissioner Howard, Mayor Dorough explained his reasons for bringing this item forward, stating that if the Commission sets the salaries for these individuals, the Commission needs to act independently to adjust the salaries of appointed individuals. He added that appointed officials are in a different category compared to all the employees who work under the City Manager.

Discussion followed with Commissioner Warbington questioning why the resolution excluded Municipal Court with Mayor Dorough advising that they are not full-time employees. Mr. Carter stated that the current practice is to include part-time employees in the COLA. Commissioner Warbington clarified that the resolution also does not include the City Manager and suggested adding the part-time municipal court employees.

Commissioner Young asked why this is changing and setting new precedence rather than relying on the process and customs that are in place.

Commissioner Warbington moved to approve the resolution to include Municipal Court employees, seconded by Mayor Dorough.

Commissioner Howard agreed with Commissioner Young, adding that a formal resolution will be needed annually with Mayor Dorough agreeing.

Commissioner Johnson moved to table, seconded by Mayor Pro Tem Gaines and following a roll call vote, the motion carried 4-3 with Mayor Dorough, Commissioners Warbington and Langstaff voting no.

Mr. Carter advised that no action was taken to move forward with the COLA.

Additional discussion followed regarding the tabled item, including Mayor Dorough stating that the Commission adopts the formal salary [for appointed employees], Commissioner Warbington commenting on information he received from Veronica Wright, HR Director, regarding COLAs given to appointed officials. Commissioner Langstaff asked if raises are included in the budget with Mayor Dorough agreeing, however it does not include Municipal Court and Mr. Carter stating that the allocation of money is approved, not how it is spent. Mayor Dorough stated that the matter was tabled.

#### MEMBER REQUEST/ITEMS FOR FUTURE AGENDA

Commissioner Howard commented on the situation on Thompkins, regarding the sewer issue with Mr. Maples giving a brief update on the water main repairs.

Commissioner Warbington stated that the matter of giving the COLA to appointed officials was not resolved and discussion continued with Mr. Carter stating that a special call meeting can be scheduled for the July 5<sup>th</sup> meeting. Commissioner Young stated again that tradition should be followed regarding the pay and asked what meeting is scheduled for July 5, with Mr. Carter remembering that the next meeting is scheduled for July 13<sup>th</sup>. Commissioner Young moved to ratify the process of allowing the City Manager to include appointed officials in the COLA.

At 8:44 pm, Commissioner Warbington moved to have a brief recess, seconded by Commissioner Johnson and, following a roll call vote, the motion unanimously carried. It was noted that Commissioner Langstaff was no longer on the call at this time.

The meeting reconvened at 8:50 pm, with Commissioner Warbington moving to include allocated funds and to authorize the Finance Department and City Manager to give the COLA to appointed officials, seconded by Mayor Pro Tem Gaines and, following a roll call vote, the motion unanimously carried.

Commissioner Young asked to add an agenda item to adopt an ordinance authorizing the COLAs for appointed officials.

Mayor Dorough commented on having redistricting meetings during the month of July. He mentioned Commissioner Howard's comments on deplorable living conditions and said he discussed

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with Senator Ossoff having a point of contact for apartment complexes so that individuals can be notified when there are situations/concerns.

There being no further business, the meeting adjourned at 8:54 p.m.

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MAYOR

ATTEST:

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CITY CLERK