

SEPTEMBER 6, 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
Virtual Attendee: Bob Langstaff, Jr., and Demetrius Young
City Manager: Steven Carter
City Attorney: C. Nathan Davis

Mayor Dorough called the meeting to order at 8:33 am, followed by attendance roll call.

AGENDA ADOPTION

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

PUBLIC PARTICIPATION

SPEAKER APPEARANCE

1. Jana Dyke re: 3-Year Strategic Plan Update

Ms. Dyke discussed economic development and developing a three-year plan, adding that there are four pillars 1) recruitment 2) retention 3) marketing and 4) communications and explained three in detail. Regarding industries, they are working to strengthen relations and have added a marketing director. She discussed the audit, having a bus tour at the end of the month and calls received from the state regarding businesses, adding that Mary Singleton is instrumental in handling various requests. She noted the GA Quail in January and an EDC meeting the end of September, adding that the strategic plan will be on the website.

In reply to Commissioner Howard, Ms. Dyke stated that developers are still determining what will go in the location on Slappey/Gillionville Rd. Commissioner Howard mentioned a grand opening in E. Albany and invited Ms. Dyke to attend.

Commissioner Warbington stated that he and the City Manager serves with Ms. Dyke on the EDC Board, adding that she is involved in various ribbon-cutting and noted the retail development that is actively being pursued.

In reply to Commissioner Young, Ms. Dyke stated that the development is being finalized and they are working with the state to secure the project with inventory being moved in and are hiring. She said she is not sure of how many Albany residents are being hired and that a job fair will be hosted in October.

Mayor Dorough commended the EDC in bringing new businesses with an emphasis on retention, adding that marketing and communications is essential. He noted the role of the state level is included in projects and the need to emphasis strengths and being aware of weaknesses.

REPORT OF THE CITY CLERK

APPOINTMENTS

1. Community Development Council: 19 apps. for three-year term ending June 2025

In reply to Mayor Dorough, the Clerk advised that the bylaws state that this is now three-year appointments and are all made at the same time.

2. Land Bank Authority: 1 appt. for two-year term ending June 2024
3. Stadium Authority: 1 appointment for four-year term ending June 2026

STAFF TRAVEL

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

1. S. Carter, City Manager; Annual Chamber Mtg. w/Federal Delegation; Washington, DC; Sept. 13-16, 2022; \$1,962.32
2. S. Carter, City Manager; ICMA Annual Conference; Columbus, Ohio; Sept. 16-22, 2022; \$3,780.92

REPORT OF THE CITY ATTORNEY

Municipal Court: Speed Photo Enforcement Hearing

Mr. Davis discussed the hearing process as noted (copy on file), locations, etc.

Barry Brooks, Director of Administrations in Municipal Court provided additional information regarding the civil hearings and the proposed policy, adding that there are over 500 cases from last school year with this being a quick way to address.

Judge Weaver explained that due to Covid, etc., they were not able to hold court and are not currently back to normal, adding that they are actually over 800 in backlog from redspeed and this will help remedy the backlog.

In reply to Commissioner Howard, Chief Persley explained the speed tickets in school zones process, adding that flashers are being installed currently with the cameras already in place, adding that state law can be enforced when school is in session. Commissioner Howard suggested having more information for citizens to be aware of the process.

Commissioner Johnson asked the timeline of the new implementation with Mr. Brooks explaining that there is no existing policy for hearings, adding that they became aware that Municipal Court was the

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department to hold hearings three/four months ago thus the development of the policy. Judge Willie Weaver stated that municipal court was not involved initially with redspeed and when citizens started getting tickets, municipal court was called. Regarding holding court at the LEC, Judge Weaver explained the process of the civil hearing with information housed at APD. In reply to Commissioner Johnson, Mr. Brooks discussed the backlog, adding additional staff to work on reducing backlog and using tools from Re-engine [consultant], etc. Regarding redspeed tickets, at this time information is not readily available, however he indicated that once the hearings are established and made known, the court hearing process should reduce the number of cases. He commented on the court being full time which will require more employees and reduce court cases. Discussion continued regarding the municipal court process/having civil court cases, etc. In reply to Commissioner Johnson, Judge Weaver explained COVID guidelines from the state. Mr. Brooks explained the hearing Judge/officer process with Chief Persley advising that an officer has been identified to work with the court cases.

Mayor Pro Tem Gaines stated that he supports the process.

Commissioner Warbington agreed with the process and questioned use of a judge with Mr. Brooks suggesting substitute judges being used, etc., with responsibilities as noted in state statute. Commissioner Warbington commented on having consistency and using only one judge with Mr. Brooks suggesting drafting verbiage and Commissioner Warbington requesting the judge be local. Judge Weaver discussed the appeals process is in place [state statute]. Regarding having enough seating, Chief Persley agreed that LEC can accommodate the hearings; regarding the backlog process, Mr. Barry explained the number of people appearing at a time (approx. 50) with Chief Persley and Judge Weaver adding comments on the process. Commissioner Warbington asked if redspeed monies can be used with Chief Persley stating that with the process in place there will be no additional costs since the time schedule is one year and one month.

Mayor Dorough addressed complaints from citizens and using redspeed vs being stopped by officers, adding that communication is needed so that citizens can understand the process. Chief Persley noted the first week of school and having 30K violations and discussed the process of having redspeed being civil with this not being held against the driver, i.e., not being on the record, not having insurance notified, etc. Mayor Dorough agreed with the comments and asked for clarification regarding the civil process vs appearing in Municipal Court.

Commissioner Johnson asked to be updated regarding the new process to be able to communicate with constituents.

Commissioner Warbington asked if there will be amendments to what was presented with Mr. Brooks stating that the hearing officer will be addressed by the end of the month with the policy ready for approval at the end of the month.

Commissioner Young asked to have a report on the locations of cameras with Chief Persley stating that he will provide the map. Regarding the hearing officer, Commissioner Young stated that he feels staff's recommendation is sufficient.

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Mayor Dorough suggested having maps on the website to assist with citizens being aware of the locations. Chief Persley stated that there are instructions on the notice of violation whereby citizens can see the video.

COMMITTEE REPORTS

I. Community & Economic Development:

UNITED WAY SWGA PARTNERSHIP RE: TEEN MENTAL HEALTH

Phillis Brown, Deputy Director discussed information (copy on file) regarding the partnership with United Way SWGA to assist with teen mental health due to Covid-19, etc.

Phillip Gentry, Special Projects Manager discussed the power point, program overview, statistics (according to United Nations children's Fund – UNICEF), focusing on the resilience of teens due to COVID, plan of action, scope, goals, impact, how it works, program budget, program partners and what was learned from similar programs (Augusta, GA).

In reply to Commissioner Howard, Mr. Gentry stated that this is the pilot program, adding that based on evaluations, it will be determined at that time if the program is successful. Regarding assisting senior citizens, Ms. Brown stated that funding was available and a program was established to assist.

Mayor Dorough commented on the high percentage of teenagers with mental issues, adding that the absorption of technology is aiding with mental challenges, adding that those who are introverted will be challenging to get into a program. Mr. Gentry stated that they will work with schools and counselors to identify. Discussion continued regarding recruiting/referrals, use of social media, YMCA, Boys/Girls Club, etc.

It was noted that Commissioner Langstaff was no longer on the call (approx. 10:00 am).

II. Public Administration/Finance:

Corey Gamble, Buyer I and Exylyn Mitchell, Materials Managers were available to discuss the following:

1. Padmount Transformers - Tri-State Utility Products, Marietta, GA
Total exp. \$1,613,516.00

There were no questions/comments on this item.

Joshua Williams, Interim Procurement Manager and John Dawson, Interim CIO were available to discuss the following:

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2. Billing Software Maintenance - Maintenance Agreement: Tyler Technologies, Dallas, TX; Total expenditure: \$277,457.82

There were no questions/comments on this item.

Using a power point presentation, Mr. Gamble and Kendall Hodge, Deputy Director-Utility Operations discussed the following:

3. Upgrade Substations 3&7 Breakers - G&W Electric Co., Total expenditure: \$302,652.00

The power point included a background and scope of work, photos of the station equipment, noting the height of the equipment/inadequate mounting, hard to access equipment, inconsistent equipment standards, electromechanical breakers failure points, corrective action/upgrades.

In reply to Commissioner Howard, Mr. Hodge gave the location of Substation 5 (intersection of Dawson Rd and Dawson Rd).

In reply to Commissioner Young, Mr. Hodge stated that upgrades will make the equipment safer and better to use in distributing energy to customers, having a resilient infrastructure, etc.

Mayor Dorough asked to provide Commissioners with a map of substations and an idea of when it is expected to replace equipment in other stations.

Commissioner Howard asked for a list of lift stations and addresses. Bruce Maples, Asst. City Manager stated that he will provide the information.

Mr. Gamble and Dale Henry, Asset Supervisor and Peter Bednar, Facility Director was available to discuss the following:

4. Boring Machine & Trailer - Ditch Witch, Albany, GA; Total annual exp. \$245,668.81

Mayor Dorough briefly discussed cost increases.

Mr. Gamble and Mr. Henry was available to discuss the following:

5. Patrol Car Change Order - Wade Ford; Total increase: \$113,100.00

In reply to Mayor Dorough, Mr. Bednar stated that they are all hybrid vehicles. In reply to Commissioner Johnson, Mr. Bednar explained the replacing of vehicles processes. In reply to Commissioner Warbington, Mr. Bednar commented on replacing due to maintenance cost and downtime.

6. Commission Discretionary Fund Policy

Ms. Fields discussed information (copy on file) regarding the policy.

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In reply to Commissioner Howard, Ms. Fields agreed that if funds are not spent by June 30, it will go back to the general fund with the Commission having a quorum to vote on the expense.

Commissioner Warbington noted ‘all expenditures’ comes before the Commission with Ms. Fields explaining and, in reply to Commissioner Warbington, Mr. Carter noted the ways to spend funds.

Mayor Dorough agreed that any expenditure should be approved regardless of the amount and asked for clarification regarding the Commission expense acct., with Commissioner Warbington explaining the difference between the two accts.

Commissioner Johnson noted #3 bullet point in the policy and asked the voting method and/or requests being denied with Mayor Dorough stating that this will be worked through and the options of being accountable or not. Commissioner Johnson countered that there should be a threshold. Discussion continued regarding possibly changing wording in the policy and listing what is appropriate/not appropriate, etc.

Mayor Pro Tem Gaines agreed with Commissioner Johnson regarding the process.

Commissioner Warbington agreed that there are ‘unknowns/political ramifications’ especially regarding the upcoming election next year, etc., suggested having a way to spend the funds, e.g., having a budget to protect the Mayor and Commission.

Commissioner Young stated that he does not see a necessity for this type of funding which has unintended consequences which he enumerated on. He asked where the language came from for the policy with Mr. Carter stating that he conducted research of places with discretionary funds and how to provide a policy. He agreed that maybe there should be a limit to not bring before the Commission, however having a transparency in place to include a reporting process monthly, etc., and asked that staff is not part of the decision-making process. Commissioner Young commented on various type of expenses which should be looked at, i.e., projects, etc.

Mayor Dorough commented on commission discussions and said he thinks a public vote is needed for total transparency with public scrutiny; adding that he spoke with the City Manager about install plaques at the Albany Transit regarding the civil rights movement, etc., including traveling to Oklahoma, etc., and adopting the policy now and making improvements. Mr. Carter stated that the main reason this came about was due to figuring out ways to fund mandates that are not funded.

Commissioner Johnson agreed with Mayor Dorough’s comments and the need for accountability.

Commissioner Young said he disagrees somewhat and mentioned unfunded items being brought to the table as has been in the past.

7. GEFA Loan re: Combined Sewer Separation Project

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Mr. Maples discussed information (copy on file) regarding the plan to provide improvements, etc., requesting approval to seek \$20 million in loans from GEFA. Derrick Brown, CFO gave additional comments regarding the loan, maximum amount that can be requested and the deadline.

A brief discussion followed regarding the cap of the loan with no limits on the number of loans, and whether to request more loans with Mr. Maples explaining the process and suggesting waiting to see whether SPLOST VIII passes in November. Commissioner Warbington asked why not ask for the maximum amount of the loan with Mr. Brown providing additional information and suggested that the maximum should be asked for. Commissioner Warbington recommended applying for the maximum and asked the benefits of GEFA vs. bonds with Mr. Brown stating that a bond is the most expensive option due to legal fees/attorney fees, etc.

Commissioner Young agreed with Commissioner Warbington in asking for the maximum amount and provided his reasons.

Mayor Dorough said he feels there are three more opportunities in the coming months 1) state allocations in the fall, 2) drinking water act funding 3) infrastructure funding in the billions of dollars and suggested making an effort to identify funds, using DC consultant [lobbyist] and being proactive regarding priorities. Regarding \$25 million in SPLOST to include projects outside CSS and having an understanding to also let the public know the particulars. He elaborated on the Water Infrastructure Finance and Innovation Act (WIFIA), a federal program similar to the GEFA loan, with the minimum loan being \$25 million, which can be set up with first payment due five years after the project is funded and asked if the consultant can assist with this.

8. 2023 Employee Group Health Benefits Plan

Angela Calhoun, Interim Director of HR and Tammy Starkey, NFP/ShawHankins discussed the information (copy on file) regarding the upcoming 2023 health care plan.

Ms. Starkey provided a power point presentation (copy on file) and discussed: the history of the plan from 2011, claim trends from 2016, stop loss reimbursement trends from 2015, stop loss paid claims from 2015, high-cost claims vs. total paid from 2016, covid impact, 2023 Renewal projected costs, plan change options, benchmarking, member impact plan changes, know the costs, i.e., co-pay, deductible, co-insurance by use of stand-alone facilities, 2023 renewal projected costs plan change, Medicare advantage renewal, ancillary renewals and recommendations and the open enrollment timeline.

In reply to Commissioner Howard, Ms. Starkey stated that diabetes is the most common affecting employees with blood pressure being second. Discussion continued regarding A1C blood tests, education for diabetes, monitoring high blood pressure, etc.

Mayor Dorough commented on higher costs and asked the number of claims per category; regarding monthly employee contributions comparison, he noted the amount is lower for city employees (\$100 less than Savannah) with Ms. Starkey explaining the process and stated that she can provide the percentage of contributions. Mayor Dorough commented on ethical considerations regarding insurance

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companies owning pharmaceutical companies with Ms. Starkey explaining the process, cost to the plan, transparency, etc.

CITY MANAGER'S COMMENTS

Mr. Carter stated that Marshall Walter Norman has a presentation regarding code enforcement at the request of Commissioner Howard.

Using a power point presentation (copy on file), Mr. Norman discussed grass cutting and gave a synopsis of the ordinance, notification of violation, the process, contractors and equipment and photos of before/after grassing cutting. He advised that this is not a maintenance process.

Commissioner Howard asked for a copy of the presentation and gave the location of a concern of overgrowth property. He asked the Commission to visit the Roses shopping center, which is dilapidated, adding that owners of the property should be notified.

Commissioner Warbington verified that the owner is sent the bill to cut the lot with Mr. Norman explaining the process of sending the information to finance who pursues the payment. Discussion continued regarding having a lien on the property with Commissioner Warbington agreeing that the old Regions Bank on S. Slappey/Oakridge Dr., is deplorable and asked Mr. Davis what can be done with Mr. Davis advising that an abatement can be filed with Municipal Court, however, it was noted that the building is not the problem, it is the overgrowth with Mr. Norman advising that they cut the grass.

Commissioner Young commented on high traffic areas requiring manicured lawns and asked how it is determined what is neglect with overgrowth and if this can be looked at.

Mayor Dorough stated that he receives complaints regarding the property on Oakridge Dr.

ITEMS FOR FUTURE AGENDA / MEMBER COMMENTS

Commissioner Howard asked if Elected Officials Retirement Plan can be on the Sept. 20 work session and addressed security of the meeting/building and bringing weapons in the building.

Commissioner Johnson commented on the drug/gang unit merger and asked Mr. Carter for clarification. Mr. Carter stated that

Mayor Pro Tem Gaines spoke to the machine purchased by utilities and it not put out for bid, adding that he disagrees with the amount of money that is given to them without Commission

Commissioner Warbington mentioned monies that are being allocated from the Governor which will qualify for grants, i.e., Driskell Park (turf), Henderson/Bill Miller/Carver Gyms and Turner is outside the tract and should be researched by staff. In addition, Broad Ave., sidewalks, recreation sidewalks,

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etc., can also be an something to apply for with \$2 million per project is allowed with a deadline of November 18.

Mayor Dorough asked for a list of alleys paving; 2) he wrote a letter regarding animal control and feral cats; 3) the extension project, i.e., N. Washington St., and monies being funding, asking to transfer money to Broad Ave., sidewalk project. Mr. Maples stated that he will look at it and bring

EXECUTIVE SESSION (Pending/Potential Litigation)

At 12:19 pm, Commissioner Warbington moved to enter executive session to discuss matters as noted, seconded by Commissioner Howard and, following a roll call vote, the motion carried as follows:

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

At 1;19 p.m., Commissioner Howard moved to exit executive session, seconded by Commissioner Johnson and following a roll call vote, the motion unanimously carried as follows:

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

At 1:25 p.m., the meeting was reconvened, with Mayor Dorough announcing that no action was taken in executive session.

There being no further business, the meeting adjourned at 1:25 p.m.

SONJA TOLBERT, CMC
CITY CLERK