

OCTOBER 18, 2022
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

Mayor Bo Dorough
Mayor Pro Tem: Vilnis Gaines (virtual – joined at 9:01)
City Commissioners: Jon Howard and Chad Warbington
Virtual Attendee: Jalen Johnson, 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 Warbington moved to adopt the agenda, with the exception of item #5 (Municipal Court Charter Revision), seconded by Commissioner Langstaff, and following a roll call vote, the motion carried 5-2 with Commissioners Howard and Young voting no.

REPORT OF THE CITY ATTORNEY

1. Code Amendment re: Sec. 2-47(c)(2)

Mayor Dorough discussed information (copy on file) regarding the amendment to the ordinance pertaining to Mayor/Commission Travel.

There were no questions/comments on this item.

2. Elected Officials Retirement Plan

Commissioner Howard suggested striking this agenda item and discussing the next item re: ACCG, advising that he had discussions with Ron Rowe, ACCG Rep, et al and asked Derrick Brown, CFO, to discuss the options.

3. ACCG 401(a) DC Plan

Mr. Brown discussed information (copy on file) and noted the two options, stating that option 2 is the recommendation from Commissioner Howard.

Mayor Dorough asked for clarification re: defined benefits, with Mr. Brown stating that this is a fixed, monthly amount/lifetime benefit; defined contribution does not require employees to contribute to the plan with the City putting in 12%, adding that the defined contribution is no cost to the pension plan.

Commissioner Howard commented on discussions he had with various departments and thanked them for their recommendation.

Commissioner Warbington stated that option 3 is what is being discussed, with Mr. Brown agreeing. Commissioner Warbington thanked those who were instrumental in coming up with a viable plan that is across the board, which is a 401K option that most counties offer to all employees.

OCTOBER 18, 2022
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

Mayor Dorough agreed with the option that was selected and then recognized William Wright to discuss the following:

4. Elected Officials Salary Adjustment

Mr. Wright discussed salary increases, inflation and the Commission waiting too long to raise salaries with it being more than 20 years, adding that he feels the City needs to have a separate, compensated committee to recommend a salary that is reviewed every seven years.

Mayor Dorough discussed information (copy on file) regarding salary adjustments, noting that the last adjustment was in 2008 and commented on the chart comparing various cities elected officials' salary. He explained the process and referenced that the increase will be effective after the next election in 2023, with a requirement to run notice in the paper, adding that the recommendation is to increase the salary by \$7,800 for Commissioners and \$10,000 for the Mayor.

There were no questions/comments on this item.

5. Charter Revision (Municipal Court) – was removed from the agenda

COMMITTEE REPORTS

I. Public Safety:

1. (New) License Approval: Los Molcajetes LLC; d/b/a Los Molcajetes; 2418 Sylvester Rd., Suite 6, 7 & 8; J. Galavlz/Agent; Liquor, Beer and Wine Consumption; WARD 1

Mayor Dorough recognized Attorney Jason Willcox to speak on the application.

Mr. Wilcox spoke to Sect 675 and sect 63 (A) of the City code regarding measuring distance, discussed the application and stated that he disagrees with the staff's recommendation to deny the application. He commented on the location of the establishment (vacant in an economically depressed area), the divided the highway with six lanes of travel and noted the section of the code regarding direct route of travel. He referenced a letter submitted last month that included a map and discussed moving from one establishment to another, which is not a direct route.

Anthony Donaldson, Deputy Marshal, discussed the application (copy on file) and advised that staff recommended denial due to not meeting the distance requirements of the ordinance. In reply to Commissioner Howard, Deputy Donaldson stated that the requirements did not meet the 1000' from the pedestrian walkway.

In reply to Commissioner Warbington, Deputy Donaldson explained the 1000' rule, which is a public safety requirement which aims to prevent barhopping. Discussion continued regarding the 1000' rule and the challenge, with Deputy Donaldson advising that the ordinance is specific, including 'gray areas' regarding interpretation of the rules.

OCTOBER 18, 2022
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

Commissioner Langstaff asked Mr. Davis if there are multiple interpretations on measurement, with Mr. Davis discussing, adding that this is somewhat unusual in that US HWY 82 is a factor. Commissioner Langstaff asked why this is before the Commission if it does not meet the measurement requirements, with Mr. Davis explaining that this gives the applicant an opportunity to speak. Discussion continued regarding discretion of the Commission with Commissioner Langstaff suggesting erring on the side of the applicant and giving the most favorable treatment, adding that the ordinance may not be drafted properly, suggesting that it should not be discretionary. It should be crafted so that it can be applied by staff that either the measurements are met or not; if not, the item should not come before the Commission, adding that there are some that are denied and do not come before the Commission. He asked Mr. Davis to bring an agenda item to see what other cities are doing (having a formula) and to take discretion away from the Commission regarding measurements. He briefly discussed problems created by the way the ordinance is drafted, the inequity of bars vs restaurants (being able to sell alcohol), the proximity of one to the other and which came first, etc., suggesting that the Commission's intent is to limit bars to the Entertainment District to avoid stacking them in wards. He asked if this is tabled to correct the ordinance so that restaurants are not penalized when going into a location after a bar has been established, could they get a license based on the revised ordinance or would it have to be under the current ordinance; Mr. Davis advised that the application date would control, adding that the applicant may not want to table with Commissioner Langstaff agreeing that it would be a chance that is taken. He asked if the ordinance can be revised by the night meeting so that this would not be a decision of the Commission.

Commissioner Young disagreed with there being a 'gray area' and agreed that the alcohol ordinance should be updated. He noted the concern of the effect on the surrounding community, stating that Tate's Tavern is more problematic because it is close to a residential neighborhood. He recounted the issue the owner of Café 5.0/Sandtrap encountered; even though he owns the entire plaza, he does not remember it ever being voted on. There was no discretion then, but now we have a gray area. He asked Mr. Davis how this is discretionary, with Mr. Davis explaining that the difference is the impervious surface and it being cumbersome to get to the other establishment.

Commissioner Warbington stated that this is an economic benefit to the citizens in E. Albany by having another Mexican restaurant and discussed the intent of the ordinance including ambiguity, suggesting that the City should support the business and review the alcohol license ordinance.

Commissioner Young stated that he supports the restaurant at the location as noted.

Mayor Dorough discussed the current ordinance regarding 'paved surfaces', etc., and suggested that the ordinance is antiquated. He explained his reason that there should be no 'commission discretion' involved and suggested that the City should have a bright-lined policy that is fair to everyone, and suggested reviewing the current ordinance and making updates. He also suggested that the applicant withdraw the application until this matter can be worked out if possible.

II. Planning/Engineering

Lequrica Gaskins, Downtown Manager discussed the following (copy on file):

1. Downtown Master Plan

OCTOBER 18, 2022
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

She noted that a market study was completed with TSW partnering with JB Advisory Group, then introduced Adam Williamson, TSW Principal. Using a power point presentation (copy on file) he discussed the planning process, reviewed: a map of the area that was studied, the public outreach process, existing market conditions, market potential summary, vision statement/goals, recommendations that include: 1) preserve/rehab downtown buildings; 2) infill housing /rehab; 3) central common; 4) more restaurants/entertainment; 5) branding/marketing updated every five-ten years; 6) Heritage trail extension; 7 (Albany HUB-new mixed/use District; 8) invest in parks/open space; 9) preserve historic character; 10) promote art; 11) support streetscape improvements; and 12) connecting downtown and ASU. Regarding action plans, the focus is priority projects, including the Herald Building, central common/parking, reuse Water/Gas/Light building and the Albany Theatre. In summary, he noted implementation strategies.

Commissioner Warbington commented on loft apartments and resistance of property owners in Albany, asking if there are tools to assist with encouraging participation of developing lofts. Mr. Williamson said that the City owns several properties and could offer developers incentives, using façade grants, etc., with Mr. Davis recommending changing the zoning on some properties. In reply to Commissioner Warbington, Mr. Davis stated that there is not much to update/report at this time. Discussion continued regarding investment capital and having a presentation by the Gordon principals. Commissioner Warbington commented on the Albany Herald building and agreed with the action items as presented. Mr. Williamson suggested completing one project to showcase to other developers.

Commissioner Langstaff commented on resistance to loft apartments with fire escape requirements being one of the challenges (cost) and asked if there are other cities adjusting the fire escape rules. Mr. Williamson stated that this is a national code issue and most likely the City cannot amend those requirements, but he will look to see what other communities have done.

Mayor Dorough said he is skeptical due to plans not being followed in the past. He noted the five priorities and challenges for revitalizing downtown, adding that private investment is a must to get traction and gain momentum.

In reply to Commissioner Howard regarding the WG&L building, Mayor Dorough stated that Mr. Davis discussed a letter that was sent to developers, etc., adding that something should be done. Mr. Davis stated that he will send copies of updates.

Mayor Dorough recognized Mr. Wright to speak to the Downtown Master Plan. Mr. Wright stated that Mayor Gray bought up downtown properties in the 1980's, great cities of the world being built on transportation (air/land/water) and commented on small businesses, corporations, etc., as it relates to the master plan.

III. Public Works

Robert Griffin, Interim Director of Engineering, discussed information (copy on file) regarding the request to advertise to close the following road:

1. Road Closure: @ 3rd Ave., between N. Jefferson & N. Jackson Streets

In reply to Commissioner Warbington, Mr. Griffin discussed the advertising process.

OCTOBER 18, 2022
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

Mayor Dorough asked for a traffic count in the area (specifically 4th Ave.) with Mr. Griffin stating that there are approximately 557 vehicles in the area. In reply to Mayor Dorough, Mr. Griffin explained sewer separation efforts at the intersection of Third/Jefferson, and Third/Jackson, adding that construction and detours will have to be coordinated for both

In reply to Commissioner Warbington, Mr. Griffin discussed the location of the closure and diverting traffic while in the construction process. Mayor Dorough suggested coordinating this process with Phoebe to be sure Phoebe does not interfere with the City's project.

IV. Public Administration/Finance

Joshua Williams, Interim Procurement Manager, and John Dawson, CIO/TAC were available to discuss the following (copy on file):

1. Annual Maintenance & Support re: Kronos – Total Exp. \$79,848.50

There were no questions/comments on this item.

Solid Waste Superintendent Josh Foster and Mr. Williams were available to discuss the following (copy on file):

2. Temporary Labor Service (Utilities); Corporate Temps, Norcross, GA – Total est. Expenditure: \$580,000

In reply to Commissioner Young, Mr. Williams noted the hourly pay full-time and part-time employees will be making.

Corey Gamble, Buyer 1; Dale Henry, Asset Supervisor; and Peter Bednar, Director of Fleet, were present to discuss the following (copy on file):

3. GPS Tracking Units – Verizon Connect: Total Exp. \$101,373.00

In reply to Mayor Dorough, Mr. Bednar explained the safety factors of the units.

Discussion followed regarding current GPS tracking on vehicles, with Mr. Bednar explaining that Transit utilizes them. Discussion continued regarding the placement of the GPS tracking, alerts, etc.

Mayor Dorough commented on the inordinate number of accidents/claims, and said he feels this will be beneficial and will motivate employees to be more cognizant of how they operate City vehicles.

Ricky Gladney, Central Services Materials Specialist, and Ken Breedlove, Traffic Engineering Manager, were available to discuss the following (copy on file):

4. Striping and Marking; Peek Pavement Marking, LLC; Columbus, GA: Total Exp. \$159,580.00

OCTOBER 18, 2022
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

Commissioner Howard commented on striping in E. Albany, with Mr. Breedlove explaining the criteria used to choose streets for the process.

In reply to Commissioner Warbington, Mr. Breedlove agreed that this is the same company that has been striping city streets in the past, adding that they do very good work.

Mr. Gamble and Mr. Henry were available to discuss the following (copy on file)

5. Ford Police Interceptors; Wade Ford, Smyrna, GA: Total exp. \$372,364.56

A brief discussion followed with the correct amount being \$422,770, which is the amount of the requisition instead of \$372,364.56.

Mr. Henry commented on vehicles being on back order. Mr. Bednar mentioned the amount that may be received from the sale of vehicles.

Mayor Dorough recognized Mr. Wright to speak on the following:

6. Transit Hardware & Software Upgrade; TripSpark – Total exp: \$540,218.00

Mr. Wright stated that this is ‘stealing’ from people who are certified and should get the work. He commented on the Utility Board meeting last week and a bid that was discussed, adding that federal monies comes to Albany with the assumption of DBE’s getting contracts. Discussion continued regarding federal dollars (sect. 45) that are to be spent without discrimination and making good faith efforts.

Mr. Gamble and David Hamilton, Transportation Director, were available to discuss.

In reply to Commissioner Warbington, Mr. Hamilton compared the current app used to track buses to the new app.

In reply to Commissioner Young, Mr. Hamilton stated that public meetings will be held, flyers will be posted at the bus station and info will be shown on the bus monitors. Discussion followed regarding the update vs the last upgrade, which was several years ago, not bidding, looking at other companies and the original company being bought out.

Commissioner Young commented on not getting a competitive bid, purchasing new software and new system that is compatible to the City’s equipment and ensuring due diligence is considered when in looking at minority companies. Mr. Carter stated that several vendors were looked at and an in-place upgrade was received with this being the preferred vendor.

Commissioner Howard noted a bus stop with the shelter missing (near Turner Fields). Mr. Hamilton gave an update on the contractor’s installation by mid-November.

Mr. Gamble and Exylyn Mitchell, Intern Central Services Director, were present to discuss the following (copy on file):

7. Primary Cable; Tri-State Utility Products; Total exp. \$296,550.72

OCTOBER 18, 2022
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

In reply to Commissioner Howard, Mr. Gamble commented on delivery time.

In reply to Mayor Pro Tem Gaines regarding delivery, discussion followed regarding the City's recourse if the equipment is not delivered within the 20 weeks.

Mayor Dorrough agreed with Commissioner Young's observations regarding the equipment not arriving in the specified time and asked to look at sanctions going forward.

Airport Superintendent of Operations, Shaun Cookson, and Mr. Williams were available to discuss the following (copy on file):

8. Airport Runway Painting; Ostrom Painting, Rock Island, IL – Total exp. \$47,963.00

In reply to Mayor Dorrough, Mr. Cookson discussed options for a long-term solution regarding painting.

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

9. Pay Study Incentives

He distributed additional information (copy on file) and discussed the items as noted in the email sent yesterday. 1) one time payout for those making \$90K and below (full-time and part-time) with a total cost of \$959K to the general fund; 2) targeted one-step pay increase for critical positions with a \$239,858 and a general fund cost of \$150,295.00; 3) one-step increase for those at step 1 in grades 1-3, with total cost to the general fund of \$46,903.00 and the general fund cost of 29,700.00; 4) allocation of \$75,000 for \$7,500 forgivable loan for hard to fill positions in Public Safety; 5) bring back on-call pay for positions approved by City Manager; 6) Tuition reimbursement increase to \$2,000; 7) Add one step to the end of the current pay table to accommodate those waiting for longevity increases, noting that the total impact is \$1.320 million. He added that the research reveals that over 75% of the City's employees pay for their positions are at or above the national average.

In reply to Commissioner Howard, Mr. Carter explained his concerns of using the company that was used to provide a pay study, which was done across the nation/based on the national average. Discussion continued on the company which is in contract with the City.

In reply to Commissioner Johnson, Mr. Carter advised that he sent the email to all.

In reply to Commissioner Warbington, Mr. Carter noted enterprise funds that make money and pay expenses vs general fund operations. He advised that the general fund would use fund balance and enterprise funds will be looked at re: operating cost vs. income. He asked that the vote be next week, which will require a budget amendment. Commissioner Warbington noted #2 with Mr. Carter explaining the process and number of employees and Commissioner Warbington suggesting 2 steps instead of 1. Commissioner Warbington also noted #4 as it pertains to housing, with Mr. Carter agreeing that it will be within the city limits of Albany with priority being public safety to include other departments with hard to fill positions and retaining employees.

OCTOBER 18, 2022
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

In reply to Commissioner Langstaff regarding forgivable loans, Mr. Carter explained the process with the requirement that if the participant does not meet their commitment, the money must be refunded, discussed the current loan program that is in place, giving the \$7500 lump sum, etc., information regarding over-time payments. Commissioner Langstaff expressed concern regarding recovering the funds, based on past experiences with programs like this. Mr. Carter mentioned liens being levied on those who default on loans and briefly discussed the benefit of a lump sum amount.

Mayor Dorough said he is disappointed because every ten years an organization should have a pay study. He asked the cost of the study, with it being noted the firm was paid \$49,000. He suggested that the real issue is not being addressed, i.e., which employees are not being paid fairly for services provided and commented on public safety pay raises. He said linesmen at the Utility Department and employees might stay to get the \$1,000 and then go to other companies making more money. He asked if the firm could go back and have specific benchmarks within this region with the purpose to determine if employees are being paid equitably. In reply to Mayor Dorough, Mr. Carter discussed the ‘on-call’ pay, which are mainly public safety, Public Works, etc., with Mayor Dorough asking the number of ‘on-call employees and the amount of compensation. Discussion continued with Mr. Carter advising that a pay study will not be completed until another six months or so. Mayor Dorough asked for a spreadsheet, with Mr. Carter stating that this is in the email attachment.

Commissioner Howard recommended having another pay study to compare. Mayor Dorough explained that the request is to move forward and to also have another pay study.

Commissioner Warbington agreed to have a second revision from the original pay study and hold the company accountable, adding that he supports the recommendation presented.

CITY MANAGER'S COMMENTS

Mr. Carter mentioned Government 101 training and the Paint the Town Pink fashion show this Friday. He advised that the County would remove the plexi-glass and asked the will of the Commission. After discussion, it was determined that the County is removing the plexi-glass regardless and suggested the City put it up for meetings. The concern was the amount of time City employees will spend each week to do this; the votes were as follows:

- Commissioner Howard – let it stay
- Commissioner Johnson – no response
- Commissioner Gaines – let it stay
- Commissioner Warbington – keep it down once the County removes it
- Commissioner Langstaff – agreed with Commissioner Warbington to keep it down
- Commissioner Young – remove
- Mayor – wait and see how long it takes to put it back up

ITEMS FOR FUTURE AGENDA / MEMBER COMMENTS

Commissioner Howard noted information just distributed by the City Attorney re: 207 Pine Ave. and asked to pin down the firm doing the renovation for the hotel across the street. Discussion followed with Mr. Davis stating that he will draft a letter to send to the firm requesting them to attend a meeting, with Mayor Dorough

OCTOBER 18, 2022
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

suggesting they return the deed if the contract is not fulfilled and they need to remove any belongings from the building.

Mayor Pro Tem Gaines commented on sidewalks needing attention at the 400 block of Pine Avenue in front of the church. During the ASU parade, there were a few people who tripped because the sidewalk was higher at the corner. He also mentioned hotels charged more for homecoming; the normal rate is \$145, but visitors were charged \$399, which needs to be looked into.

Commissioner Warbington asked that an agenda item be on a November meeting to instruct the City Attorney to hold the company in default re: Hotel Gordon. He asked for an agenda for the 1,000' in the alcohol ordinance change in November and asked for action to be taken on speed tables. Mr. Carter stated that \$500,000 can be reallocated from TSLOST for speed tables if it is the will of the Commission with Commissioner Warbington asking for this to be an agenda item.

Commissioner Young acknowledged the passing of former City Commissioner Charles Sherrod and suggested that Rev. Sherrod be recognized.

Mayor Dorough commented on 1) N. Washington extension funds to be reallocated for speed bumps; 2) implement policy whereby each ward gets the same number of speed bumps 3) contract it out 4) salaries for Mayor and Commissioners with Utility Board being paid according to ordinance adopted by the City Commission with the only one passed, in 1972, to be paid for \$100 per month. The Utility Board started meeting twice a month 15 years ago and the ordinance needs to be revised. 5) Chehaw's request to extend sewer to the campground and provide update on the cost; 6) look at renovating the Ritz Theatre as first phase and address Cultural Center at a later date; 7) Lake Park's feral cats and putting this on the agenda before the end of the year.

Commissioner Johnson said he will be voting yes to remove plexi-glass.

Commissioner Howard said the deadline is October 20, 2022, with equipment vacated by October 30, 2022, regarding Hotel Gordon. Mayor Dorough stated that he feels Mr. Benedict is going to walk away from this project; therefore; an answer is needed now.

EXECUTIVE SESSION (Pending/potential litigation)

At 12:28 pm, Commissioner Howard moved to enter executive session to discuss matters as noted, seconded by Commissioner Warbington and, following a roll call vote, the motion carried as follows:

Ward I	yes
Ward II	(had stepped away)
Ward III	yes
Ward IV	yes
Ward V	yes
Ward VI	yes
Mayor	yes

At. 12:58 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:

OCTOBER 18, 2022
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

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

At 1:05 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 1:05 p.m.

SONJA TOLBERT, CMC
CITY CLERK