

DECEMBER 13, 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, Vilnis Gaines, Chad Warbington and
Demetrius Young
Virtual Attendee: Bob Langstaff, Jr. (joined the mtg. at approx. 6:10 pm)
City Manager: Steven Carter
City Attorney: C. Nathan Davis

Mayor Dorough called the meeting to order at 6:03 p.m. and advised that the invocation will be given by Kenny Roberts, Sherwood Christian Academy Headmaster and Head Football Coach, which was followed by the pledge of allegiance.

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

Commissioner Howard noted a correction needed regarding 716 Johnson Road and moved to approve the minutes, seconded by Commissioner Johnson and, following a roll call vote, the motion unanimously carried.

AGENDA ADOPTION

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

PRESENTATION (Recognizing local High School Football Teams)

Mayor Dorough presented the following resolutions to the following schools:

A RESOLUTION NO. 22-R188

Recognizing Sherwood Christian Academy's 2022 Varsity Football Team

A RESOLUTION NO. 22-R189

Recognizing Deerfield Windsor's 2022 Varsity Football Team

A RESOLUTION NO. 22-R190

Recognizing Dougherty High School's 2022 Varsity Football Team

A RESOLUTION NO. 22-R191

Recognizing Westover High School's 2022 Varsity Football Team

GENERAL BUSINESS

A. Various Appointments

1. Two appointments: Community Development Council for term ending June 2025

Commissioner Howard moved to nominate Amber Bryant and Alethea Phelps, seconded by Commissioner Warbington, with Commissioner Young moving to close nominations on the two said names. Following roll call votes, Ms. Bryant and Ms. Phelps were unanimously appointed.

2. Two appointments: Economic Development Commission for term ending Dec. 2023

Commissioner Warbington moved to nominate John Inman, IV and Natalie Dixon. Commissioner Howard moved to close nominations on the said two names. Following roll call votes on the two nominations, Mr. Inman and Ms. Dixon were unanimously appointed.

DECEMBER 13, 2022

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

3. One appointment: Joint Board of Elections for term ending December 2024

Commissioner Warbington nominated Dr. Price Corr. Commissioner Young nominated Valerie Brown. Commissioner Howard moved to close nominations on the said two names. Following a roll call vote, Dr. Corr was reappointed 4-3 with Mayor Pro Tem Gaines and Commissioners Howard and Young voting no.

B. 2023 Annual Alcohol License Renewals

Chief Deputy/License Inspector Anthony Donaldson, reviewed the 2023 blanket renewals of 210 alcohol license, advising that staff recommends the blanket renewals.

Commissioner Warbington moved to approve the 2023 licenses as presented, seconded by Mayor Pro Tem Gaines and following a roll call vote the motion carried 6-1 with Commissioner Howard voting no.

ORDINANCES

Mr. Davis briefly discussed the following ordinance regarding the closing of the street and advised that if Phoebe were to stop using it for public health, the property can revert to the City.

Commission Warbington introduced

AN ORDINANCE NO. 22-119

Closing W. Third Ave. between N. Jefferson St. and N. Jackson St., more particularly described herein with certain reservations, authorizing the execution of quit claim deed

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 Johnson and following a roll call vote, the motion unanimously carried.

Commissioner Howard introduced (Second Reading)

AN ORDINANCE NO. 22-120

Amending Sec. 2-47(C)(2) to provide for the Mayor and Board of Commissioners attendance at conferences of MEAG, MGAG and ECG

Commissioner Howard then offered the ordinance and asked for its adoption, seconded by Mayor Dorough.

Commissioner Young reiterated comments from previous discussions, i.e., Commissioners need to be afforded every opportunity/reasonable assistance in attending MEAG conferences and that the ordinance should not be used to hinder Commissioners from attending MEAG meetings and representing the City of Albany and its citizens at the table.

Mayor Dorough countered that it should not be viewed as tying anyone's hands, but rather is specifying that these conferences are also included in the ordinance. Commissioner's expense accounts have been increased and expanded opportunities to attend the conferences; it doesn't limit what Commissioners can do but increases opportunities.

Hearing no further comments, and following a roll call vote, the motion carried 5-2 with Mayor Pro Tem Gaines and Commissioner Young voting no. (*scribe's note: Mayor Dorough later advised that Commissioner Johnson had stepped from the meeting and when he returned to the meeting he was advised of the vote and he asked that the record reflect a 'no' vote for him on this item. In reply to Mayor Dorough, Mr. Davis opined that Commissioner Johnson's vote could be incorporated into the record*), therefore, the motion carried 4-3.

Discussion followed regarding the second reading of the following:

DECEMBER 13, 2022

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

AN ORDINANCE NO. 22-121

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

A brief discussion ensued regarding who the person reports to, job description/salary range, etc., with it being noted that HR is working on providing information.

Hearing no further comments, and following a roll call vote, the motion carried 4-3 with Commissioners Johnson, Warbington, and Langstaff voting no. (*scribers note: The City Attorney opined that even though there was no motion or second, the vote was taken and stands as noted*)

Discussion continued and included having an update on the GBI's investigation, which is still on-going.

RESOLUTIONS

Charles Clark, Civil Engineering Superintendent, discussed the information (copy on file) regarding the contract and changes as noted, explaining that the change order was not at the request of the contractor, but staff directed it to achieve the desired functionality of the project. In response to Commissioner Howard, he explained the reasons for all three change orders.

Commissioner Warbington clarified that the change order did not come at the request of Zane Gray Co., but rather at the request of the Commission; Mr. Clark agreed.

Commissioner Johnson moved to adopt the following resolution, seconded by Commissioner Warbington; and following a roll call vote, the motion unanimously carried.

A RESOLUTION ENTITLED NO. 22-R192

Authorizing the use of SPLOST VII Funds for the Magnolia Street Sidewalk Project

Chief Financial Officer Derrick Brown discussed information (copy on file) regarding the following resolution.

Commissioner Howard raised concerns regarding using the funds on the Herald building with Mayor Dorough noting that the City purchased the building and that funds are needed for remediation.

In reply to Commissioner Langstaff, Mr. Brown agreed that the specifics regarding funds for housing and The Herald building will come back to the Commission for approval and reallocation of funds if necessary.

Commissioner Young stated that these specific funds should be used for other needs.

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

A RESOLUTION ENTITLED NO. 22-R193

Identifying and directing the allocation of \$10,199,252.50 of American Rescue Plan Act Funds

Regarding the following resolution, Mayor Dorough briefly discussed the two options being offered to Dougherty County.

In reply to Commissioner Howard, Mr. Davis stated that the City (or County) would have to call for a referendum next year if it is to be reinstated, should it fail this year. He explained that these funds are pure cash flow, unlike SPLOST/TSPLOST, for both entities that does not have to be tied to road, buildings, etc.

DECEMBER 13, 2022

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

In reply to Commissioner Warbington, Mr. Davis agreed that he will prepare the Certificate of Distribution.

Commissioner Warbington moved to adopt the second resolution in the packet, which starts at year five and takes it to 66-34% by year ten, seconded by Commissioner Howard, and following a roll call vote, the motion unanimously carried.

A RESOLUTION NO. 22-R194

Requesting the Dougherty County Commission accept the Albany City Commission's offer for distribution of LOST Proceeds

MEMBER COMMENTS / ITEM FOR FUTURE AGENDA

Commissioner Howard encouraged the spirit of understanding and unity to roll over into 2023 and that Commissioners continue to do what is best for Albany and its citizens. He wished everyone happy holidays and to be safe during this season.

Commissioner Warbington asked the plan for Driskell Park project since it came in overbudget. Mr. Carter stated that the plan is to reengineer the project and modify plans to stay within budget, which will be brought back to Commissioners.

Commissioner Young mentioned receiving many calls regarding speed tables and asked to find funds to complete speed tables for the ones which have gotten signatures. Mr. Carter stated that Mr. Brown has been engaged in finding funds for this.

Mayor Dorough mentioned rubber speed bumps, which are bolted to the pavement and are probably a more economical alternative. He expressed concern regarding cyclists riding bikes at night and mentioned a law requiring bikes to be equipped with lights. He asked that law enforcement stop them and give them a warning. He reminded Commissioners of the Special Called Meeting tomorrow at 6:30 p.m.

EXECUTIVE SESSION (Pending litigation, Worker's Comp settlement)

At 7:10 p.m., Commissioner Johnson moved to enter executive session, seconded by 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 7:25 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 7:27 p.m., Mayor Dorough reconvened the meeting, reporting that attorney, Todd Handleman, was authorized to proceed with the resolution settling the Worker's Compensation claim filed by employee, Michael Johnson, for \$75,000.00, adding that no action was taken on the pending litigation discussion.

DECEMBER 13, 2022

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

There being no further business, the meeting adjourned at 7:28 pm.

MAYOR

ATTEST:

CITY CLERK