

JANUARY 17, 2023
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

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

Mayor Dorough called the meeting to order at 8:31 am, followed by attendance roll call.

AGENDA ADOPTION

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

Mayor Dorough opened the public hearings for the following:

PUBLIC HEARING

1. Zoning Case # 22-076 - Lanier Engineering, Inc./Applicant; Phoebe Putney Memorial Hospital, Inc./Owner; requests Special Approval to construct a living and learning center (educational space and dorms for nursing program associated with Albany Tech) located at 1000 N. Jefferson Street. PC Approved with Condition(s) 5-1.

Using a power point presentation, Paul Forgey, Planning Director, discussed the request to develop the parcels as a Living and Learning Center, showing surrounding zoning, photos of properties in the area, aerial view and commented on special approval criteria. He discussed trip generations and advised that a traffic study will be conducted as requested by the Planning Commission, adding that additional parking, landscaping and lighting etc., was asked to be provided. He advised that the Planning Commission recommended conditional approval as follows: The owner implements all recommendations provided by the required traffic study which relates to the proposed project.

In reply to Commissioner Warbington, Mr. Forgey explained potential recommendations after the traffic study is conducted along with the cost, number of lanes, additional signage (and who bears the cost), etc. Commissioner Warbington asked for any preliminary findings.

Mayor Dorough suggested not voting on the item until after completion of the traffic study regarding who pays the cost, etc. Bruce Maples, Asst. City Manager, commented on the project, traffic study, etc.

Commissioner Warbington suggested waiting 30 days to get clarification from Phoebe, with Mr. Forgey stating that he will provide information.

PUBLIC PARTICIPATION/ SPEAKER APPEARANCE

1. Alice G. Jenkins discussed property located at 245 E. Broad Ave. and requested that the lot in question be removed from the Downtown Redevelopment district so that she can place an ice machine on the lot.

In reply to Commissioner Johnson regarding the downtown redevelopment district, Ms. Jenkins stated that the lot stops on the edge of the redevelopment district.

Mayor Pro Tem Gaines stated that he supports the request.

Commissioner Warbington commented on it not being a drive thru and is more like a convenience store, adding that the others in the district were ‘grandfathered in’ and, any new businesses are not inclusive.

Commissioner Young stated (at 8:55) that he also supports the request.

In reply to Commissioner Howard, Mr. Forgey explained that this is a new business in a district which does not allow drive up or drive thru businesses.

In reply to Commissioner Johnson, Mr. Forgey discussed the current ordinance, which protects the downtown area and future development with the lot being on the gateway of downtown since it is on the edge and is contrary to what was passed by the Commission initially. He also commented on the Riverfront Overlay and suggested the issue be looked at comprehensively.

Ms. Jenkins mentioned the recycling center in the area with people walking up with buggies, etc.

Commissioner Warbington asked if a one-time variance can be looked at, with Mr. Forgey advising that the ordinance does not allow variances and explaining changing the rules adding that he will look at this again. He mentioned that the City has put money in the area for landscaping, etc.

Commissioner Young’s comments at this time were inaudible regarding Ms. Jenkins wanting to develop her property.

2. Yaz Johnson, PR Director for 1891 Sports League in Atlanta, discussed the new Albany Good Life Semi-Pro PVA Basketball Team and provided information of the formation (October 2022), games played, use of local cheerleaders, etc. He Introduced the team manager, Mike Jones, and head coach (Tracy Brown), adding that there are 15 players and explained that the City is being asked to support the efforts of this venture.

In reply to Commissioner Howard regarding support, he said they will be asking for in-kind services in the future, i.e., use of a building.

Mayor Pro Tem Gaines stated that he is support of in-kind services, with Commissioner Warbington stating that he was in the area and was impressed with the show of support.

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Mayor Dorough asked if there is a charge for use of the gym, with Mr. Johnson stating that he is not sure if there are charges to use Robert Cross gym. It was noted that the team is paying for use of Robert Cross with Mayor Dorough commenting on in-kind services, which will be reviewed by staff.

REPORT OF THE CITY CLERK

The Clerk discussed information regarding the MEAG celebration of Plant Vogtle 3&4 and changing the work session date change should it be on Wednesday, Nov. 8, explaining that it is the day after the election, which is normally when the work session is rescheduled.

Commissioner Warbington called a point of order to ‘open/close the public hearing’ to allow citizens an opportunity to speak Discussion followed with Mayor Dorough asking if anyone wants to speak to the rezoning special approval item; there being no response, he closed the public hearing portion of the meeting.

A. Appointment(s)

The Clerk discussed the following that will be voted on at the January 24 meeting.

1. 2023 Annual Appointments

The Clerk stated that the next item will be up for vote to include job description, salary and length of time to advertise the following positions:

2. Appointed Officials Job Description and Salary

REPORT OF THE CITY ATTORNEY

Mr. Davis discussed information (copy on file) regarding Redistricting Map (V4). Mayor Dorough stated that the metes and bounds are included and asked if this needs to be a separate ordinance. Mr. Davis advised that the ordinance is inclusive of the metes and bounds.

Commissioner Howard asked that larger maps be provided, with Mr. Forgey stating that he will work with Engineering to provide additional maps.

Commissioner Warbington asked if there is a budget for advertising to include mail-outs so that the public is notified. Discussion continued regarding notification to the public, with Mayor Dorough suggesting that notification only be sent to the two affected wards (3 & 4). Commissioner Howard advised that the election superintendent handles this by sending cards to voters.

COMMITTEE REPORTS

I. Public Safety

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Chief Deputy Anthony Donaldson discussed information (copy on file) as follows:

1. Family Dollar Stores of Georgia LLC; d/b/a Family Dollar #20339; 211 S. Slappey Blvd; P. Sawyer/Agent; Beer and Wine Package; WARD 3

In reply to Commissioner Howard regarding page 48 of the agenda packet, Deputy Donaldson explained the different leasing months/term limits (180-months, 200-months, etc.) of the various buildings.

Representing Family Dollar, Tommy Jackson spoke in favor of the application and commented on training employees, i.e., IDing customers regarding age requirements and complying with state laws.

Deputy Donaldson discussed the following (copy on file):

2. Family Dollar Stores of Georgia LLC; d/b/a Family Dollar #20427; 301 E. Oglethorpe Blvd.; P. Sawyer/Agent; Beer/Wine package; WARD 2

There were no questions/comments on this item.

Deputy Donaldson discussed the following (copy on file):

3. Family Dollar Stores of Georgia LLC; d/b/a Family Dollar #24873; 110 Cordele Rd; P. Sawyer/Agent; Beer and Wine Package; WARD 1

Mayor Dorough commented on the location of all stores in Albany, with it being noted that Ms. Sawyers is the manager of all locations. Deputy Donaldson explained the process should Ms. Sawyers leave Albany.

Deputy Donaldson discussed the following (copy on file):

4. Family Dollar Stores of Georgia LLC; d/b/a Family Dollar #26111; 1031W. Gordon Ave; P. Sawyer/Agent; Beer and Wine Package; WARD 3

There were no questions/comments on this item.

Deputy Donaldson discussed the following (copy on file):

5. Family Dollar Stores of Georgia LLC; d/b/a Family Dollar #26485; 1502 Radium Spring Rd; P. Sawyer/Agent; Beer/Wine Package, WARD 6

There were no questions/comments on this item.

Deputy Donaldson discussed the following (copy on file):

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6. Family Dollar Stores of Georgia LLC; d/b/a Family Dollar #31047; 1000 N. Slappey Blvd.; P. Sawyer/Agent; Beer and Wine Package; WARD 2

Commissioner Howard stated that he has concerns of the six applications throughout the City of Albany and asked each Commissioner to ride in the areas and note ingress/egress, etc.

Commissioner Warbington asked if a license has been approved with stipulations, i.e., safety plans, additional camera surveillance, etc. Dept. Donaldson stated that he is not aware of this. Commissioner Warbington asked Mr. Davis if the Commission can dictate where alcohol is sold in the store with Mr. Davis stating he did not think this is appropriate, however, questions can be placed on the actual application. Commissioner Warbington addressed Mr. Jackson regarding product placement with Mr. Jackson stating that he can take the question to corporate and provide additional information.

Commissioner Young stated that Family Dollar and other corporations are engaging in a wave of high alcohol use with health problems and young people showing up in hospitals as chronic alcoholics. He expressed concerns of stores being close to schools (Radium Springs area and the one on N. Slappey) which are detrimental to the community and suggested not selling alcohol in the stores due to problems of crime, youth problems, violence, etc., within the community and asked that they rescind their applications.

Mr. Jackson asked to look at correlation and population differently, adding that there are other stores selling beer/wine, which is an individual choice.

Commissioner Howard commented again on ingress/egress. Commissioner Johnson asked to change the application to require size of building, quality, etc., to hinder some from getting licenses by, i.e., strengthening the licenses and adding additional requirements.

Commissioner Young stated that he supports the comments of Commissioner Johnson with additional discussion following regarding looking at revising the ordinance and Mayor Dorough suggesting a moratorium until this is looked at. Mr. Carter stated that staff will evaluate what is in the ordinance and bring back for the Commission to look at regarding amendments. Commissioner Johnson stated that he has sent information to staff and the City Manager regarding other cities and asked that this move forward. Commissioner Howard agreed with a moratorium, to which Mr. Davis said is at the discretion of the Commission re: a moratorium being 30, 60 or 90 days. Discussion continued regarding taking action on these applications, when the moratorium needs to be voted on, etc., Mr. Davis advised that the moratorium will be an Ordinance to be voted on. Mr. Jackson stated that he will discuss this with corporate.

II. Public Administration/Finance:

Materials Specialist Ricky Gladney, Sales Projects Manager Scott Tennison, Asst. Engineering Director Robert Griffin, and Sewer Maintenance Engineer Jeff Hughes were available to discuss the following (copy on file):

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1. Albany Pipe Rehab - Inliner Solutions LLC: \$6,940,470.00 based on est. quantities for the project

In reply to Commissioner Howard, Mr. Hughes stated that this vendor has not been used in the past; however, it is a well-known, nation-wide company. Additional discussion followed regarding having a local project manager, etc. Commissioner Warbington asked the differences in the bid quotes, with Mr. Hughes explaining the base bid/alternates and location/area. Mayor Dorough asked to have cons added from the Utility Board meetings before bringing the item to the Commission for review, adding that there is a large amount of money to be spent.

Materials Specialist Corey Gamble and Dep. Utility Director Kendall Hodge were available to discuss the following (copy on file):

2. Directional Boring Services – U-tec Construction, Inc. – Total exp. \$695,250.00

In reply to Commissioner Warbington, Mr. Hodge stated that this group supplements City crews. Mayor Dorough noted cons that he identified, includes having only one bid, hiring staff with this expertise, etc.

Mr. Gamble and Director of Utility Construction Jimmy Norman were present to discuss the following (copy on file):

3. Right-of-Way Trimming/ECG Piggyback - W.A. Kendall & Company, Inc.: Estimated exp. \$790,757.00

In reply to Mayor Dorough, Mr. Norman explained the use of WA Kendall & Company in assisting with trimming.

In reply to Commissioner Howard, Mr. Norman explained why the prior company is not being used and the tree trimming process.

Mr. Gamble and Mr. Hodge discussed the following (copy on file):

4. LED Post Top Lights - Lade Electric Supply: Total exp. \$498,576.00

There were no questions/comments on this item.

Mr. Gladney, et al (see above #1) discussed the following (copy on file):

5. Jefferson St. / 3rd Ave. Basin - HTS Construction, Inc., Albany, GA - \$3,007,926.96

Commissioner Howard asked Mr. Carter if there is information available to help familiarize citizens

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with the location of this project with Mr. Carter stating that regular updated information and a map are on the website.

In reply to Commissioner Warbington, Mr. Hughes stated that this project and the next one on the agenda are within Jefferson St. R-O-W, with all of it being in the pavement adding that traffic will be diverted off of Jefferson to the east/west. He advised that he is unaware of a deadline with the projects being let at the end of the year, with the intent of having the work completed in 2024. Mr. Maples stated that the City will be working with the Corps of Engineers regarding authorization, adding that money is not appropriated at this time and additional information will be forthcoming.

Mr. Gladney, et al (see above #1) discussed the following (copy on file):

6. Jefferson St. / Booker Basin - HTS Construction, Inc., Albany, GA - \$4,015,321.00

There were no questions/comments on this item.

Mayor Dorough advised that the Audit Report will be next. Derrick Brown, Chief Financial Officer, stated that the presenter needs to be in S. Carolina at 6:00 today and asked to be moved up on the agenda.

Hope Pendergrass, Mauldin & Jenkins used a power point (copy on file) to discuss the audit. Information included: 1) clean, unmodified opinions on financial statements, 2) strong General Fund balance regarding revenues/expenditures; 3) stable Utility funding; 4) Pension Plan; 5) federal monies; 6) Enterprise funds; 7) new accounting pronouncements, i.e., GASB and, 8) Government Clients/free quarterly continuing education.

Commissioner Howard asked for a hardcopy of the report. In reply to Commissioner Johnson, Ms. Pendergrass said there were no findings or concerns. Commissioner Warbington commended staff for the positive report.

Mayor Dorough asked if the Sanitary/Sewer (enterprise) fund is a net income of \$2.6 million, with Ms. Pendergrass and Mr. Brown explaining the changes, transfers, salaries, absorbing increases in gas prices, stormwater fund, transit fund, etc.

Mr. Forgey discussed the following proposed policy (copy on file):

7. Historic Preservation Emergency Maintenance Fund

Comments included this being a good policy, with five months to implement and 17 months to evaluate.

Mayor Dorough discussed the following regarding Utility Board recommendations (copy on file):

8. Electric Customer Consideration Options

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Mr. Carter explained why this item is before the Commission and the need for budget adjustments due to increasing funding for the programs, i.e., weatherization program and the conservation loan program.

Commissioner Howard asked if renters could participate in the programs with Mr. Carter replying negatively and explaining the process.

Commissioner Warbington agreed with the recommendation and suggested aggressive marketing of the programs to reach all citizens through all avenues.

Mayor Dorough stated the objective and questioned how many will take advantage of the program.

Commissioner Warbington commented on renters investing in smaller parts of the programs, with Mr. Carter agreeing.

Mayor Dorough discussed the following (copy on file):

9. Alabama Cities Power Sales

There were no questions/comments on this item.

Commissioner Warbington commented on the following:

10. Police Officer Pay Increase

Mr. Carter discussed the 5% increase for APD, which will be \$272,498 through the end of this fiscal year and the next fiscal year the cost will be \$653,995. He advised that a budget amendment will be required and asked that instead of doing the 5% increase now, to do it in conjunction with the budget, and asked that a retention incentive be awarded in the amount of \$2,500 payout to all 155 critical employees (which he identified) instead of just APD. He discussed using the residual of the budgeted amounts that were not spent for critical positions that are vacant and explained that he is considering adding a longevity piece to that, but the details need to be worked out. He reiterated his request to consider the 5% for police officers during budget discussions.

At 11:42 a.m., Commissioner Young arrived at the meeting.

Commissioner Warbington stated that the challenge is considering the information and gave his suggestions regarding Mr. Carter's request.

Commissioner Howard spoke in favor of this being an across-the-board incentive for all City employees. He asked when the pay study will be complete, with Mr. Carter stating that his deadline to have it complete is by April. Commissioner Howard said he will be in favor of FY 23-24 implementation.

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Commissioner Johnson agreed with Commissioner Warbington, noting that he does not think everyone should receive the incentive, adding that 5% now will make Albany competitive in our region.

Mayor Pro Tem Gains agreed with the 5%.

Commissioner Warbington discussed recruiting not being a requirement for the Commission to review and commented on hiring a recruiting firm.

In reply to Commissioner Young, APD Chief Michael Persley discussed hiring and sending recruits to the academy soon and commented on recruiting vs. retention. Commissioner Young stated that he would rather partner with other entities (ASU, ATC) in the training of young people going into law enforcement, instead of looking at what other cities are doing.

Mayor Dorough stated concerns and discussed a letter he sent to Chief Persley when he was elected regarding hiring, cost of the academy, etc., and suggested a longevity pay for officers, i.e., after 2 years - \$2,500; after five years - \$5,000. He suggested it is corporals and patrolmen that are not staying and should be the target instead of captains, lieutenants, and sergeants. He commented on paying higher wages for utility linemen and mechanics in Fleet Management.

Discussion continued regarding recruiting and retentions re: state legislation, etc. Commissioner Johnson gave additional comments regarding his concerns, with Chief Persley commenting on all APD staff receiving extra pay. Mr. Carter commented on challenges re: looking at not pulling groups out of the process, including non-sworn officers and bringing this to the table for consideration.

Commissioner Johnson and Chief Persley discussed supporting all APD employees and being on one accord/finding a balance. Mayor Pro Tem Gains commented on taking care of all City workers.

Commissioner Young's concerns included increasing morale, retention and, taking a holistic approach, etc.

Mayor Dorough suggested looking at a payment for those staying one-two years as mentioned earlier.

In reply to Mr. Carter, Commissioner Warbington agreed to put this item on the agenda next week to be voted up or down.

CITY MANAGER'S COMMENTS

Mr. Carter commented on the MEAG event as noted earlier and asked the Commissioners to let the City Clerk know of their desire to attend or not by close of business tomorrow. He also mentioned the GMA Cities Summit conference in Atlanta this week and again congratulated the Finance Department on the outstanding audit report.

MEMBER COMMENTS / ITEMS FOR FUTURE AGENDA

Commissioner Howard asked the City Attorney to bring back an ordinance for a 90-day moratorium for alcohol licenses with Mayor Dorough asking to see whether the moratorium applies to pending applications. Mr. Davis agreed to provide a draft.

Commissioner Johnson asked to have an agenda item next month to have special approval to have the lot removed from downtown redevelopment, per Ms. Goseer-Jenkins request. Discussion followed with Mr. Forgey stating that a variance is not possible and the Commission will have to change the ordinance or take the lot out of the district. Discussion continued regarding other requirements in the overlay district, accessory buildings not being allowed so there would have to be a main building and, the area must be paved and at the street line, etc., adding that if this cannot be met, the only relief is to remove her property from the district or change the rules of the district. He advised that this would be a recommendation for the Planning Commission to change the rules.

In reply to Commissioner Johnson, Mr. Forgey explained the process, allowing a variance would violate the ordinance in place. Mr. Carter stated that an agenda item can be brought back recommending changing the ordinance.

Commissioner Young asked what has been done to work with Ms. Jenkins, i.e., any money offered for the property. Mr. Forgey explained that he has been working with and in discussions with Ms. Jenkins regarding the property, i.e., exploring other ways to use the property and mentioned the Land Bank getting involved.

Commissioner Warbington stated that this is a complicated process and suggested trying to assist Ms. Jenkins. He asked to have info re: speed tables funding source and using discretionary funds that were not allocated. Mr. Carter stated that information will be provided in February. Regarding the legislative agenda, Commissioner Warbington advised that the CID item needs a resolution in order for them to deal with it and said it needs to be advertised in the local paper. He asked for a conditional item to be on the January 24 meeting.

Commissioner Young mentioned the MLK Dinner last night and the AT&T rep discussing solving the digital divide, noting that this reflects the bad internet connection at his home in S. Albany, which exemplifies the digital divide, adding that city staff has assisted in trying to provide viable options for internet connections, but the issue continues. He asked to pursue options through ISP to provide reliable internet in all areas in Albany. He asked the status of the bus station, adding that he is not having a good experience with riding City transportation. Mr. Carter said he will be providing information.

Mayor Dorough mentioned items he identified at the retreat including an update re: CSS and funding allocations, requesting graphs to show the funding sources/amount, expenditures, etc. Regarding speed tables, he discussed how some cities are funding them, using alternative materials to construct them, etc. He asked the Clerk if an ordinance is needed for this year's Mayor Pro Tem; Ms. Tolbert replied negatively, stating that only a vote is needed and that the position annually rotates among the wards.

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EXECUTIVE SESSION (Pending litigation)

At 12:45 p.m. Commissioner Howard moved to enter executive session, seconded by Mayor Pro Tem Gaines 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	absent
Ward VI	yes
Mayor	yes

At 1:05 p.m. Commissioner Howard moved to exit executive session, seconded by Mayor Pro Tem Gaines, 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	absent
Ward VI	yes
Mayor	yes

At 1:10 p.m. Mayor Dorough reconvened the meeting, announcing that no action was taken in executive session.

There being no further business, the meeting adjourned at 1:10 p.m.

SONJA TOLBERT, CMC
CITY CLERK