

MAY 23, 2023

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 Chad Warbington  
City Commissioners: Jon Howard, Jalen Johnson, Vilnis Gaines, Demetrius Young  
and Bob Langstaff, Jr.,  
City Manager: Steven Carter  
City Attorney: C. Nathan Davis

Mayor Dorough called the meeting to order at 6:01 p.m. and advised that the invocation is being given by APD Chaplain John Warrener, which was followed by the pledge of allegiance.

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

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

Mayor Dorough stated that this is National Public Works Week (May 21-27) whereby public works employees are recognized for their service. He and the Commissioners thanked City Public Works employees for their dedication and service to the citizens of Albany. Mayor Dorough also provided a brief history of the establishment of Government 101 and stated that this is beneficial to citizens.

PRESENTATION RE: GOVERNMENT 101 GRADUATES

Mr. Carter stated that this is the fourth class to graduate and gave a brief description of Government 101. and congratulated the following for completing the class:

Deneen Burnett	Tanjanicka Burt (absent)
Santana Clark	Melinda Clemons
Johnny Dixon	Terence Fowler, Sr.
Michael Harper	Saketha Hayes
Barbara Inyang	Tamaria LeRoy
Kwaski Lucas	Susan Melton
Cory Moss (absent)	Kimberly Riggins
Molly Steen	

OBJECTION TO CONSENT AGENDA

Mr. Carter stated that under purchases, item 'b' is to be removed re: 527 W. Highland Ave.

Mayor Pro Tem Warbington moved to approve the removal of the item from the Consent Agenda seconded by Commissioner Young and following a roll call vote, the motion unanimously carried.

CONSENT AGENDA ADOPTION

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

AGENDA ADOPTION

Commissioner Young asked to add the Dukes' bid re: construction of two homes in S. Albany back to the agenda, adding that this is in the MLK area and that it will enhance economic development. He commented on the bid process with the item being re-bid and asked to move forward with the original bid that was discussed at the May 16<sup>th</sup> work session. He then moved to add this item back to the agenda, seconded by Commissioner Gaines.

Discussion followed regarding re-bidding the item with Mr. Carter agreeing that it is currently being advertised as a re-bid. John Hawthorne, Community and Economic Development Director, explained the process and the 90-day completion date being extended. In reply to Mayor Pro Tem Warbington regarding this having any effect on the re-bidding, Mr. Hawthorne stated that it remains to be seen if more will bid.

Discussion continued regarding why the item was re-bid with Mr. Hawthorne commenting on the urgency regarding the 90-day requirement and the property being in the flood plain, which increased construction

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costs. He advised that there will be a construction manager on site, commented on the procurement process, with Mr. Carter adding that there are also federal requirements that must be met.

Mayor Dorough stated that he had a concern of the 90-day completion, however the process was completed and they did not think it fair to re-bid, suggesting that the item be voted on tonight. Hearing no additional comments and following a roll call vote, the motion to add the item back to the agenda carried 5-2 with Mayor Pro Tem Warbington and Commissioner Langstaff voting no.

Mayor Pro Tem Warbington moved to adopt the agenda with items 6 & 7 added (Rosenburg/Albany Herald Building and the Dukes bid), seconded by Commissioner Young and following a roll call vote, the motion unanimously carried.

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

A. Resolutions:

A RESOLUTION NO. 23-R136

Authorizing a Memorandum of Understanding between the Marine Corps Logistics Base, Albany, GA, and the Albany/Dougherty Drug Unit for the purpose of Drug Detection Canine Support

A RESOLUTION NO. 23-R137

Pledging to practice and promote civility in the City of Albany, Georgia

A RESOLUTION NO. 23-R138

Establishing a Voting Delegate and Flag Bearer for the City of Albany for the Georgia Municipal Association's 2023 Annual Convention

A RESOLUTION NO. 23-R139

Authorizing City Manager to sign purchase agreement re: 603 N. Jefferson St. and the City Attorney to close purchase of same including cancellation of deed to secure debt

A RESOLUTION NO. 23-R140

Authorizing the use of Red Speed Camera Funds re: Real-Time Crime Center

A RESOLUTION NO. 23-R141

Authorizing funding for Phase I Rapid Response Report prepared by Georgia Tech Enterprise Innovation Institute's Center for Economic Development research re: Medical District Strategic Housing Plan

B. Purchases:

1. Software Maintenance Renewal; Oracle USA, Inc. - Annual exp. \$104,042.48
2. Self-Contained Breathing Apparatus; Ten-8 Fire & Safety LLC, Bradenton, FL - Total exp. \$205,073.68
3. Code Enforcement Ford Explorer; Wade Ford, Inc. – Total exp. \$44,105.00
4. 2022 Ford E-Transit Vans; Creative Bus Sales, Inc. – Total exp. \$204,502.78
5. 2023 Ford Mavericks; Wade Ford, Inc. – Total exp. \$108,680.00

APPOINTMENTS

A. Appointed Officials appointments for term ending January 2025:

- Asst. City Attorney
- Municipal Court Administrator
- Municipal Court Public Defender

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Commissioner Johnson nominated Ms. Michael Custer for the position of Asst. City Attorney; Commissioner Howard moved to close nominations on said name, seconded by Commissioner Gaines and following a roll call vote, the motion to close nominations unanimously carried and the motion to appoint Ms. Custer carried 6-1 with Commissioner Langstaff voting no.

Commissioner Johnson nominated Sharri Twyman for the position of Municipal Court Director of Administration; Commissioner Howard moved to close nominations on said name and following a roll call vote, the motion to close nominations and to appoint Ms. Twyman unanimously carried.

Commissioner Johnson nominated Thomas Ledford for the position of Public Defender; Commissioner Howard moved to close nominations on said name and following a roll call vote, the motion to close nominations and to appoint Mr. Ledford carried 6-0-1 with Mayor Pro Tem Warbington abstaining.

GENERAL BUSINESS

A. Alcohol License Applications:

Chief Deputy/License Inspector Anthony Donaldson discussed the following license (copy on file):

1. EL Taco Mexican LLC; d/b/a EL Taco Loco, 703 S. Slappey Blvd. X. Morris/Agent. Liquor/Beer & Wine Consumption

In reply to Commissioner Young, Mr. Donaldson stated that there are 11 establishments in the vicinity and there have not been any new licenses in over a year.

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

Commissioner Young commented on the alcohol density in S. Albany, and concerns of crime in the area, adding that he will vote no on this item.

Hearing no additional comments, and following a roll call vote, the motion to approve carried 5-2 with Commissioners Howard and Young voting no.

Mr. Donaldson discussed the following license (copy on file):

2. SSS 108 Inc; d/b/a Rubos Food; 1308 Clark Ave. A. Shah/Agent. Beer/ Wine Package

Commissioner Howard gave a brief history of the original Rubos' owner and his decision to not sell alcohol; however, the new owners are applying for a license, adding that he will vote no due to the store being in a depressed, poverty-stricken area as well as being near residences.

Commissioner Young moved to deny the license, seconded by Commissioner Howard.

Commissioner Young commented on the committee that met during the moratorium regarding alcohol licenses in high crime areas being discussed, adding that this location meets the requirements, and he will vote no.

Hearing no additional comments and following a roll call vote, the motion to deny carried 6-1 with Commissioner Langstaff voting no.

In reply to Commissioner Howard, Mr. Davis discussed the process for denied alcohol licenses, including sending notice to the applicant and having a denial hearing if requested by the applicant, etc.

ORDINANCE

Mr. Carter provided remarks regarding the following ordinance, which authorizes drug testing in Municipal Court.

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Commissioner Johnson introduced

AN ORDINANCE NO.

Amending Chapter 22, Article IV, SEC. 22-88 re: Court Procedures

Commissioner Johnson then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Mayor Pro Tem Warbington.

Discussion followed with Commissioner Gaines requesting that the testing be fair and Mayor Dorough stating his concerns regarding why he will vote against the ordinance. Discussion continued regarding who is authorized in Municipal Court to administer drug tests and the concern of who will do the testing. It was noted that the court is already drug testing and that the ordinance is in line with allowing Dougherty County to test. The process was discussed, with Mr. Carter suggesting that the Commission change the process.

Mayor Pro Tem Warbington moved to table this item for 30 days to allow Judge Weaver to explain the process, seconded by Commissioner Johnson and following a roll call vote, the motion unanimously carried.

In reply to Mayor Dorough, the Clerk discussed the following ordinance (copy on file):

Mayor Dorough commented on reasons to not change the July work session due to the code stating that three meetings are held each month, including two work sessions. The Clerk advised that the practice of having only one work session during the months of July and December has been ongoing for ten-plus years.

Mayor Pro Tem Warbington introduced

AN ORDINANCE NO. 23-105

Changing the regular meeting date in June 2023 and changing the July 2023 work session

Mayor Pro Tem Warbington then offered the motion and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Howard and following a roll call vote, the motion carried 6-1 with Mayor Dorough voting no.

RESOLUTIONS

Commissioner Howard expressed support for installing sidewalks in E. Albany.

Discussion followed regarding using \$4.7 million in TSPLOST funds and reallocation of other funds. Bruce Maples, Asst. City Manager, provided comments regarding how long it will be before the plan is proposed for all six wards, stating that once all information is compiled, it will be brought to the Commission for consideration. It was agreed that an agenda item will be at a June work session for discussion. Discussion continued regarding DARTS, the plans and the section in the study regarding E. Albany. Mr. Maples was asked to explain DARTS (Dougherty/Albany Regional Transportation Study), requirements for transportation that was formed by the state in order to get state funds. DARTS make recommendations regarding transportation. DARTS appointments were discussed with Mr. Maples explaining that DARTS includes pedestrian/bicycle funding and safety measures. Commissioner Langstaff added that there is a process for state and federal funding with an issue being to prioritize projects, safety issues, etc. He suggested tabling this item for 30 days.

Commissioner Howard moved to adopt the following resolution, seconded by Commissioner Young

A RESOLUTION NO. 23-R142

Approving TSPLOST Funds for the East Broad Street Sidewalk Project

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Discussion continued regarding using \$3.6 million in TSPLOST funds and amending the resolution to reflect this amount. Mayor Pro Tem Warbington stated that the last time sidewalks were discussed was in 2018 and a vote was taken in 2021, suggesting that the item be tabled.

Commissioner Young expressed concerns of prioritizing projects now when past votes passed without prioritization and asked to move forward with this item.

Mayor Dorough stated that this is a large project that is a safety issue with Mr. Maples agreeing that it will take a while to get the [DARTS] study.

Commissioner Langstaff moved to table for 30 days, seconded by Mayor Pro Tem Warbington and following a roll call vote, the motion failed 5-2 with Commissioners Howard, Johnson, Gaines, Young and Mayor Dorough voting no.

Hearing no additional comments, and following a roll call vote, the original motion to adopt the resolution with revision carried 6-1 with Commissioner Langstaff voting no.

Mayor Dorough commented on the MOU to present to the County. Commissioner Howard moved to adopt the following resolution, seconded by Mayor Dorough

A RESOLUTION NO.

Authorizing a Memorandum of Understanding between the City of Albany and Dougherty County re: construction of a Tennis Center

Commissioner Langstaff offered a substitute motion that three City Commissioners meet with the County Recreation Committee to come to an agreement that both sides support, seconded by Mayor Pro Tem Warbington. Commissioner Langstaff provided comments regarding a draft MOU and his suggestion to have a committee meet with Dougherty County which will save time and allow input from both bodies. Commissioner Warbington advised that he has spoken with Commissioner Edwards who is the Chair of the DOCO Recreation Committee, and he agrees to meet and discuss with three City Commissioners.

Commissioner Young asked to add City Recreation staff to the Committee meeting with the County. Discussion continued with Mayor Dorough clarifying the substitute motion as noted regarding the Committee and explaining his suggestion to have a consultant to provide a recommendation on the three proposed sites. Commissioner Johnson countered that staff is qualified to make a recommendation rather than paying a consultant, but if the Mayor wants a consultant, the City can hear recommendations of both. Commissioner Gaines interjected that if the City/County/staff meet and reach an agreement and money can be save, why would a consultant be needed. Mayor Dorough stated that a consultant would have the expertise to advise Commissioners of the advantages.

Hearing no additional comments, and following a roll call vote, the motion to form a committee carried 6-1 with Mayor Dorough voting no.

Derrick Brown, CFO, discussed information (copy on file) regarding contributions to the pension fund. Commissioner Howard stated that employees need to be educated on changes and moved to adopt the following resolution, seconded by Commissioner Young.

A RESOLUTION NO.

Adding an additional contribution to City's Pension Plan in the amount of Five Million Dollars

Commissioner Johnson commented on discussions at the Commission retreat and moving forward with recommendations. Commissioner Langstaff asked to make sure \$5 million is the correct amount based on the GMA Facilitator's recommendation and asked for a second opinion. Discussion continued regarding the GMA proposal and using their auditing service for a second opinion, with Mr. Carter advising that there is a deadline of June 20. Commissioner Langstaff mentioned the Actuary's assumptions and suggested tabling the item and having a special call meeting at the June 20 work session to decide.

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In reply to Commissioner Young, Mr. Brown advised that the \$5.0 million gets us to the end of this fiscal year, discussing state laws, consequences if not in compliance, etc., adding that the correct plan will have to be maintained.

Mayor Dorough discussed information provided to the Pension Board re: the stock market, the unfunded \$20 million and obligations to state law. Mr. Brown explained that the dollar amount is not as significant as being under 30 years, as required by the State. Discussion continued regarding investments (large plans vs small plans) and the overall amount of \$119.0 million.

Commissioner Langstaff moved to table to the June 20 work session/special call meeting, seconded by Commissioner Johnson and following a roll call vote, the motion carried 5-2 with Mayor Dorough and Commissioner Howard voting no.

Following discussion by Mr. Carter regarding the following resolution, Commissioner Langstaff moved to adopt the resolution, seconded by Commissioner Gaines and following a roll call vote, the motion unanimously carried.

A RESOLUTION NO. 23-R143

Authorizing execution of a contract with Judicial Alternatives of Georgia to provide probation services through December 31, 2025 (re: Municipal Court)

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

A RESOLUTION NO. 23-R144

Ratifying Letter of Support for Dogwood Trail Apartments II

Commissioner Langstaff moved to adopt the following resolution, seconded by Mayor Pro Tem Warbington.

A RESOLUTION NO. 23-R145

Accepting bid of Dunwody/Beeland Architects, Inc., for Professional Design & Project Management Services for the Rosenberg-Albany Herald Building Project

Mayor Dorough offered a substitute motion to award the bid to Studio GWA, seconded by Commissioner Howard.

Detailed discussion followed regarding evaluation, point scale, concern of the process and accepting staff's recommendation. Mayor Dorough commented on the point scale/price, adding that TSW had provided the Downtown Master Plan and mentioned the scope of service and the professional services account make it hard to delegate what services are being provided.

Hearing no additional comments, the motion carried to use GWA 4-3 with Mayor Pro Tem Warbington, Commissioners Johnson and Langstaff voting no.

Following confusion on the vote, Commissioner Young rescinded his vote, with Commissioner Langstaff calling a point of order regarding the vote. Discussion included Mayor Dorough stating that he was suggesting GWA be awarded the bid. Commissioner Young moved to reconsider the vote, seconded by Commissioner Langstaff and, following a roll call vote, the motion to reconsider the original vote unanimously carried.

Another vote was taken on Mayor Dorough's motion to consider GWA, and following a roll call vote the motion failed 3-4 with Mayor Pro Tem Warbington, Commissioners Johnson, Langstaff and Young voting no.

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Hearing no additional comments, and following a roll call vote, the original motion to approve Dunwoody/Beeland 5-2 with Mayor Dorough and Commissioner Howard voting no.

Commissioner Young moved to adopt the following resolution, seconded by Commissioner Gaines.

A RESOLUTION NO. 23-R146

Accepting bid of Dukes, Edwards & Dukes, Inc. for new residential construction; Authorizing use of HOME Funds

Discussion included the procurement process and waiving the 90-day completion time with liquidated damages starting at \$100/day after 90 days, clauses in the contract allowing an extension for supply-chain issues, etc., with it being a managed project.

Hearing no additional comments and following a roll call vote, the motion carried 5-2 with Mayor Pro Tem Warbington and Commissioner Langstaff voting no.

MEMBER COMMENTS

Commissioner Howard mentioned a meeting with Mr. Brown and the City Manager to discuss the budget. Mr. Carter stated that the meeting is on Thursday. Commissioner Howard commented on a student from Albany who is the second in the nation with her track record and asked that she be recognized. Mayor Dorough asked Mr. Carter if he or the Recreation Director can find out the details.

Commissioner Gaines mentioned the Driskell Park groundbreaking yesterday with demolition beginning today.

Mayor Pro Tem Warbington asked to have the sidewalk plan on the agenda to include reallocation of funds from the Washington Extension. He also asked who would be on the Committee to speak with Dougherty County regarding the Tennis Court MOU, with Commissioners Langstaff, Gaines and Howard volunteering to serve on the committee.

Commissioner Young commented on the bus station being open until the last Greyhound bus arrives with additional discussion following regarding costs, reaching out to Greyhound officials with no response, etc.

Commissioner Johnson asked for a draft ordinance regarding panhandling.

Mayor Dorough commented on the TSPLOST meeting with Dougherty County with Mr. Carter stating that he had discussions with the County, and they agreed to the same split that is in place. Having an Intergovernmental Government Agreement was also discussed as a future agenda item. Mayor Dorough mentioned sending a letter to Governor Kemp regarding the \$6.6 million CARES Act funds recently allocated to Albany.

Commissioner Langstaff asked what agreement other cities have with Greyhound, with Mr. Carter advising that David Hamilton, Transportation Director, will provide an update. Discussion continued regarding having the Transportation Center open.

There being no further business, the meeting was adjourned at 8:20 pm.

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MAYOR

ATTEST:

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CITY CLERK