

JUNE 6, 2023
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

PRESENT: Mayor Bo Dorough
Mayor Pro Tem: Chad Warbington
City Commissioners: Jon Howard, Jalen Johnson, and Vilnis Gaines
Virtual attendees: Demetrius Young
City Manager: Steven Carter
City Attorney: C. Nathan Davis

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

AGENDA ADOPTION

Mayor Dorough advised that at the request of Mr. Carter, the 401 Pine Parking improvements has been removed from the agenda. Mayor Pro Tem Warbington moved to adopt the agenda with the removal of the item as noted, seconded by Commissioner Howard and, following a roll call vote, the motion unanimously carried.

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PUBLIC HEARING RE: FISCAL YEAR 2024 BUDGET

Charles Carr, City employee, along with approximately 20+ people stood in support of Mr. Carr's comments. Mr. Carr stated that he is speaking on concerns regarding the upcoming budget. He noted that the Police Department is receiving a 15% raise and all other employees are getting only 2%, adding that all City departments are important. He asked that the increase be feasible and fair across the board and noted prior increases that were given to APD, which is unfair.

Using a power point presentation (copy on file), Mr. Carter provided an overview of the proposed budget, and discussed CPI increases and not having to raise taxes.

At 8:41 Commissioner Young arrived at the meeting.

Mr. Carter continued discussion regarding changes made from the presentation at the May work session He provided information regarding the breakdown of each general fund revenue (\$72.1 million), a breakdown of the major sources of revenue, major uses of expenditures, special revenue funds (\$60.9 million), a breakdown of SPLOST, DCED, CIP, CAD 911, hotel/motel and 3RM, supplemented enterprise funds (\$25.3 million), a breakdown of revenues/expenses of utility enterprise funds (\$157,903,803), current assumptions in the budget, i.e., CPI increases in solid waste, sewer, stormwater and water increase, capital improvement projects (\$50,667,626), a breakdown of departments that are included, noting that the theme for 2024 is 'Investing in our future by investing in our infrastructure'. In conclusion, he noted the calendar includes discussion on June 20th and the budget adoption on June 28th.

Questions/comments included: APD's raise with an option of other public safety employee getting 5% and all other employees getting a 5% with an increase of 0.5% going into the pension fund; 911 dispatchers getting the public safety increase; thanking staff for their diligence in preparing the budget and thanking public works employees for their service to the City/citizen; having more officers on the streets; the raise for utility bills and if consideration can be given to senior citizens and the fund balance and if it will increase. The golf course project was discussed, HPC funds (\$200,000), incorporating the pay study and/or doing the pay study now with discussion continuing the COLA vs the pay study. Mr. Carter provided

JUNE 6, 2023
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

comments regarding employee morale by giving APD a 15% increase, etc., adding that he proposed a \$2,500 bonus and will bring information on this to the next work session. Discussion continued regarding transfer from utilities to the general fund, the \$12.0 million profit, CPI increase, which is included and finding a way to assist those struggling with utility bills/ratepayers, investing money in the future, i.e., in the community and people. Mr. Carter's comments included: programs which help the community and examples of how those with utilities bills are assisted, maintaining a level of protection for citizens and the community with infrastructure concerns, a senior program in the works, which will address customers. It was noted that APD did not ask for a raise, even though the increase should help with retention and recruitment; training locals to be officers; the pension being under-funded with the decision to increase payments to comply with state law; having the utility department which assists with providing raises and is the reason the budget stays in 'the black'; comparing utility rates to Mitchell EMC and Georgia Power and how much lower Albany's utility rates are with light bills not being raised in approximately ten years.

Hearing no additional comments from citizens, Mayor Dorough adjourned the public hearing.

SPEAKER APPEARANCE

1. Christopher Jones addressed concerns at Paul Eames Complex including copper theft in January 2023 resulting in student athletes not having access to lights and games having to be played at 4:00 p.m., adding that home games are almost possible due to lack of restroom facilities and having to use port-a-potties. He reported that there is a loss of revenue because the 2023 SIAC games had to be relocated to Sherwood Christian Academy. The fields are outdated with no working scoreboards, etc., with renovations greatly needed. He also mentioned crime/public safety as a concern regarding children as they need positive outlets in our communities.

Commissioner Johnson said he would like to assist with working on Mr. Jones' concerns.

Commissioner Young questioned other high schools playing during the evening, with Mr. Jones advising that he spoke with the School System about playing elsewhere; however, since Paul Eames is not under their jurisdiction, he felt there was no need to discuss those concerns.

Mayor Dorough asked for Mr. Jones contact information and apologized that there are no restrooms and lights on and asked that this be addressed. Discussion continued regarding having contracts, delineations of who is responsible for what, etc. Mayor Dorough suggested that the City have an executed lease with the school board, and asked Steve Belk, Recreation Director, to provide a letter to Mr. Jones regarding his concerns.

In reply to Commissioner Howard regarding property that was deeded to the City near Paul Eames with Bruce Maples, Asst. City Manager discussed the matter.

2. Shawana Smith – read from a prepared statement regarding the burial plot of her father on June 5, 2023, and thanked City staff for resolving her concerns.

REPORT OF THE CITY ATTORNEY

JUNE 6, 2023
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

Pretoria Fields, LLC – Subordination Agreement:

Mr. Davis discussed information (copy on file) and explained agreements, deeds, loans, etc., adding that ACT is purchasing part of the loan and the information needs to be revised. In reply to Commissioner Howard, Mr. Davis provided information regarding Farm Credit, amount of the loan, ACT and DDA involvement. Commissioner Howard asked for additional information before the voting meeting.

In reply to Mayor Dorough, Johnny Hamilton, representing ACT provided information on ACT's involvement (co-lender), the process regarding ACT's funding sources, etc., with no City funds being involved.

In reply to Mayor Pro Tem Warbington, Mr. Hamilton provided additional clarification on the \$1.1 million agreement/loan, etc., with the City maintaining its subordinate status. Discussion continued with Mayor Pro Tem Warbington asking for clarification regarding debt services/pilot payments/bond payments, etc. Mayor Dorough asked for verification on the property tax information as discussed.

COMMITTEE REPORTS

A. Planning/Engineering: Vacant Property Registration Ordinance

Paul Forgey, Planning Director, discussed information (copy on file) regarding the revised draft ordinance of the proposed Vacant Property Registration with state law language added.

Questions included: (Commissioner Howard) what if property owners cannot be located with Mr. Forgey explaining the process and having a consultant assisting with implementation of the ordinance. In reply to Commissioner Howard re: providing additional information, Mr. Forgey stated that there are databases that the consultant will use, adding that he is not certain what other cities have in place and whether it will apply to Albany. (Commissioner Johnson) asked if this will make it easier or more difficult for the Planning Department with Mr. Forgey stating that he feels it will be made easier and worthwhile and advised that Code Enforcement will provide monitoring per the recommendation of the consultant.

In reply to Commissioner Gaines, Mr. Carter explained the process of what was previously adopted vs. the revised ordinance.

In reply to Mayor Pro Tem Warbington, Mr. Forgey commented on the definition, which is state language, i.e., foreclosed property (commercial or residential) with the intent of state law to apply to anything, i.e., all vacant property.

In reply to Commissioner Young, Mr. Forgey stated that he received comments from Commissioner Langstaff. Commissioner Young agreed with some of the revisions and asked the state's law as it pertains to Albany. Mr. Forgey explained the model ordinance that was created that follows state law.

Mayor Dorough suggested adding language to clarify 'habitable' suggesting a definition in the operative term under 36 (98) as it would be subject to a challenge. Mr. Forgey pointed to Sec. D-1 (definitions). Mayor Dorough asked for the policy at the Tax Department to ascertain if it has changed. Commissioner Young referred to 'habitable' asking if Mr. Forgey is seeking guidance. Mr. Forgey explained that he is letting the Commission know that Commissioner Langstaff brought up the fact that the ordinance covers

JUNE 6, 2023
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

vacant/foreclosed property, with the ordinance discussing vacant real property, which is defined as ‘intended for habitation’, generally meaning a residence. Commissioner Young asked about state law excluding commercial property. Mayor Dorough advised of a state statute authorizing cities to maintain such a registry, with GMA generating a model ordinance, which is what the City is now looking at; Mr. Forgey agreed.

C. Public Administration/Finance

Scott Tennison, Project Manager, and Don McCook, Deputy Operations Director, were present to discuss the following (copy on file):

1. Street Resurfacing List (Phase C)

Mayor Pro Tem Warbington asked that an equitable amount of asphalt is used across all wards. Mr. McCook explained the process regarding resurfacing streets vs. alley paving with resurfacing is listed under ‘Necessity’, in which they try to ensure that each ward gets as close as possible to the same number of tons with factors considered on the worst being addressed first. Mayor Pro Tem Warbington stated that he does not think there is anything to officially address roads split by the City and County i.e. Lockett Station, and suggested a written agreement in which there is a 50/50 split and both entities are responsible for paving their respective side of those streets.

In reply to Commissioner Young request for a spreadsheet with a column indicating the ward a street is in and asked that the map be blown up to be viewed, it was noted that the map can be viewed on the City’s website.

In reply to Mayor Dorough, Public Works Director Stacey Rowe listed the categories road are placed in during inventory with a ranking number. He discussed preliminary work that must be performed prior to roads being resurfaced.

Commissioner Young agreed with Mayor Dorough that consideration must be given to modifying the contract before it goes out to spread the money around.

Corey Gamble, Buyer I, and Tanner Anderson, Planner II, were present to discuss the following (copy on file):

2. DARTS 2050 Metropolitan Transportation Plan

In reply to Mayor Dorough, Mr. Anderson explained DARTS and funding projects. In reply to Commissioner Howard, Mr. Anderson stated that a DARTS book will be provided once it is adopted.

In reply to Mayor Dorough, Mr. Anderson provided information regarding the bid process.

Mr. Davis, Steven Belk, Recreation Director and Derrick Brown, CFO were present to discuss the following (copy on file):

3. Renewal of Venue Management Agreement

JUNE 6, 2023
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

Trent Merritt, Sr. VP, Oakview Group, and Victor Landry, General Manager, were introduced, with Mr. Davis providing comments (copy on file) regarding the agreement.

Discussion included why a ten-year agreement is being considered, with Mr. Carter explaining that this is staff's recommendation, is based on their performance, and includes a \$350,000 investment they will make if it is a 10-year agreement. Mr. Merritt discussed prior investments, adding that there will be no additional investment if the agreement is for five years only. Mr. Brown provided additional information regarding improvements and savings.

Commissioner Johnson said he does not agree with a 10-year contract and the need for more City oversight. Discussion continued with Mr. Merritt explaining the reason behind the request for the 10-year contract.

Mayor Pro Tem Warbington discussed booking events, with Mr. Merritt stating that they are typically a 6–12-month range and explaining working with agents/promoters and scheduling events. Mayor Pro Tem Warbington noted the termination clause in the agreement, which helps him support a 10-year contract.

Commissioner Young commented on the facility/capital improvements and generating revenue. Mr. Merritt stated that they are managers/agents working on behalf of the City and work with City staff to come up to recommendations on repairs, etc. Commissioner Young asked if a master plan can be provided if there is a ten-year agreement, with Mr. Merritt agreeing and explaining the process, which includes working with City Engineering at the onset.

Mayor Dorough provided reasons for asking for a five-year agreement, stating that staff should have provided a summary of the contract indicating the expenses paid by the City (all operating costs). He commented on Global's excellent services, adding that there will be another Commission in ten years and a five-year extension is the most prudent approach. He added that the \$350,000 investment averages out to \$35,000/year with the City expending much more than that each month, adding that it is not capital improvement.

Additional comments followed (Mayor Dorough) reiterating that a summary of the contract is needed to include what the City is doing (operations/insurance/expenses of running the Civic Center), (Mayor Pro Tem Warbington) options extending the contract to five years, deadline of the current contract (June 30th), having another agenda item with a second proposal and having to vote at the end of the month, the long term vision, selling seats, generating more revenue, having confidence in staff's recommendation of ten years, etc. (Commissioner Young) asked if there are green initiatives, with Mr. Merritt commenting on converting to LED lights, but no talks on solar energy at this time. He briefly discussed when the Civic Center featured major acts, which were well-attended, and he believes in the future this will happen. Discussion followed regarding a ten-year plan and supporting the partnership long term.

4. 401 Pine Parking Improvements. This item was removed from the agenda.

Ricky Gladney, Buyer, Chad Arnold, Facilities t. Superintendent, and Don Gray, Facilities Director, were present to discuss the following (copy on file):

5. Lily Pond Equipment Shelter

JUNE 6, 2023
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

Mr. Arnold stated that the building will be at the Lily Pond location and will house equipment to protect it from inclement weather.

In reply to Mayor Pro Tem Warbington, Mr. Gray provided additional information regarding the use of the building.

MEMBER COMMENTS / ITEMS FOR FUTURE AGENDA

Commissioner Howard stated that the Oglethorpe Bridge have trees needing to be cut; 105 S. Jackson has a streetlight down, which is a safety issue; 100 block Front Street, another streetlight needing attention and the Ray Charles Park has a broken water meter cover.

Commissioner Johnson reminded the Commissioners that a Public Safety Task Force meeting is tomorrow, with a recommendation regarding panhandling being brought back.

Mayor Pro Tem Warbington mentioned Governor Kemps’ rural housing task force initiative in the amount of \$35.0 million and asked to have a DCA rep to speak with staff to access these funds for work force. He noted EDC just announced 65 jobs for an automotive business.

Mayor Dorough reported positive developments coming through PDA and asked if TSPLOST can be addressed with the County regarding the split. Mayor Pro Tem Warbington mentioned that at the last meeting Mr. Davis was instructed to start the paperwork and send it to the County. The consensus was to sign the form and send it to the County to sign instead of meeting with them.

Mayor Dorough noted the proposed demolition of Carver Gym, which he was never consulted about and mentioned the letter he wrote to the Governor with a general figure/proposal from LRA to repair the gym and asked to put out an RFP or use Mr. Huffman, to see what can be done at the gym, with Mt. Zion expressing interest in selling the properties, which can be used for parking. He also asked to have a number from an architect of the cost to renovate the theatre at Ritz Cultural Center; Mr. Carter advised that we have that amount from David Maschke.

CITY MANAGER’S REPORT

Mr. Carter commended staff for preparing him to present the agenda, stated that Gov. 101 began last night for employees only and noted the following upcoming events: GMA convention at the end of the month, MEAG annual meeting in Amelia Island, July 10-12 and the Juneteenth celebration scheduled for June 17, with the holiday being observed on June 19.

EXECUTIVE SESSION – Potential Litigation

At 12:01 p.m., Commissioner Howard moved to enter executive session to discuss potential litigation, , seconded by Mayor Pro Tem 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	absent

JUNE 6, 2023
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual and in-person Meeting)

Ward VI yes
Mayor yes

At 12:19 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 yes
Ward III yes
Ward IV yes
Ward V absent
Ward VI yes
Mayor yes

Reconvening the meeting at 12:23 pm., Mayor Dorough advised that in executive session pending litigation was discussed, with no action taken.

There being no further discussion, the meeting adjourned at 12:23 p.m.

SONJA TOLBERT
CITY CLERK