

FEBRUARY 27, 2024
REGULAR MEETING
BOARD OF CITY COMMISSIONERS
GOVT. CENTER – RM 100

PRESENT: Mayor Bo Dorough
Mayor Pro Tem Bob Langstaff, Jr.
City Commissioners: Jon Howard, Jalen Johnson, Vilnis Gaines, Chad Warbington
and Demetrius Young
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 is being given by Pastor Gary Sanders, Sr., First Mt. Olive Missionary Baptist Church, which was followed by the Pledge of Allegiance.

PUBLIC APPEALS - Historic Preservation Commission (HPC) Appeals

Mr. Davis advised that Bruce Capps, the challenger of the demolition is present and will have ten minutes to speak.

1. 509 Corn Ave.

Mr. Capps provided an overview of the HPC certificate of appropriateness to tear down the house at 509 Corn Ave., with HPC members ignoring the ordinance and a subsequent appeal regarding the decision of the HPC i.e., abuse of authority by HPC. He mentioned the two jobs of the HPC 1) ensure houses and other structures in the Historic District are maintained; 2) determine if a building in the District can be abolished as established by requirements/standards, which he commented on. He asserted that 509 Corn meets the standards of being historic and spoke on what is not included in the ordinance and mentioned the owner of the property and the deterioration of the property, adding comments regarding modifications of the property and what is/is not in HPC's authority. He noted that the owner is willing to have the property demolished and again stated that the ordinance does not allow for demolition of this property and asked that the decision be reversed, adding that he be provided with ample time to prepare a compromise to work out with the applicant, i.e., moving the house.

Angie Jones, HPC Chair, addressed the appeal of the property and distributed copies of the ordinance (copy on file) and commented on definition of being historic as noted. She advised that Mr. Capps comments were incorrect, citing the HPC/Planning Ordinance §23.0 (5); §6. D; §6: E (1); §6: P and asked the Commission to approve the Certificate of Appropriateness and to stand as approved.

In reply to Mayor Dorough on whether this is considered a public hearing, Michael Custer, Asst. City Attorney, explained the appeal process which is not a public hearing. The consensus was to follow the opinion of the attorney,

Commissioner Gaines moved to let the decision of the HPC stand, seconded by Commissioner Johnson, the roll call vote unanimously carried.

2. 914 N. Madison St.

Mr. Capps stated that the information provided by Ms. Jones was not accurate and explained his concerns and asked that the Commission reverse the decision of the HPC. He suggested a six-month moratorium to come up with a plan relevant to the City.

Ms. Jones provided comments as a rebuttal to Mr. Capps' information, noting the purpose of the ordinance and the process/authority of the HPC. She noted the vote of the HPC on this property, and commented on the site plan.

Commissioner Warbington moved to uphold the HPC's ruling and instruct staff to issue a permit, seconded by Commissioner Gaines; the roll call vote unanimously carried,

APPROVAL OF THE MINUTES OF THE PREVIOUS MEETING

Commissioner Howard moved to approve the minutes as presented, seconded by Commissioner Gaines, the roll call vote unanimously carried.

FEBRUARY 27, 2024
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GOVT. CENTER – RM 100

PRESENTATIONS:

1. Retirement Certificate(s)

Mayor Dorough and Mr. Carter recognized Mercer Garrett (Utilities Department) and David Watson (Facilities), presented retirement certificates and wished them well.

2. 2023 APD Annual Awards

APD Chief Michael presented awards (copy on file) as follows:

- Citizens of the Year awards to Sara Jackson and Heidi Drawdy
- Civilian of the Year (Community Safety Officer) LaTasha Sloan
- Commander-in-Chief Cpl. Jontrevious Keith
- Officer of the Year Sgt. Horacio Paige (who was not present, with his mother and brother accepting the award on his behalf).

Commissioner Howard thanked Ms. Sloan for her work ethics, Commissioners Gaines and Johnson thanked the recipients for their service, Commissioner Warbington and Young also expressed congratulations for their awards and service. Mayor Dorough expressed appreciation to retirees and to the APD recipients.

OBJECTION TO CONSENT AGENDA ITEMS

Commissioner Howard did not object to the agenda, however, he asked the Chief Finance Officer, Derrick Brown to give a brief summary of the first two resolutions. Commissioner Warbington asked for the first two resolutions for discussion (A and B) to be removed from the consent agenda.

CONSENT AGENDA ADOPTION

At the request of Commissioner Young, Mayor Dorough read the two purchases as noted on the consent agenda.

Commissioner Warbington moved to approve the consent agenda with the removal of resolutions A&B, seconded by Commissioner Howard, the roll call vote unanimously carried.

A. Resolutions:

RESOLUTION NO. 24-R109

Approving list of alleys for paving; authorizing use of TSPLOST II Funds

RESOLUTION NO. 24-110

Approving parking equipment upgrade at the Southwest Georgia Regional Airport; authorizing use of CARES Act Grant Funds

RESOLUTION NO. 24-111

Authorizing the use of TSPLOST I Funds for Engineering Design Services for the Traffic Control Center Upgrades

RESOLUTION NO. 24-112

Authorizing use of SPLOST VII Funds for Fire and Security Systems at Driskell Park

RESOLUTION NO. 24-113

Approving SPLOST VII Funds for Engineering Services for the E. Broad Sidewalk Project and N. Washington St. Extension.

FEBRUARY 27, 2024
REGULAR MEETING
BOARD OF CITY COMMISSIONERS
GOVT. CENTER – RM 100

Sewer Maintenance Engineer Jeff Hughes referred to information that was discussed at the work session stating that the area that includes Phase II and III currently have combined sewers, with the project totally separating sanitary sewer/storm systems that will eliminate sanitary sewer flow to the river during heavy rains. He advised that the project is approximately \$4.5 million, adding that they will be bringing another area south of this one that is estimated at \$1.0 million.

Commissioner Johnson moved to adopt the following resolution, seconded by Commissioner Howard, the roll call vote unanimously carried.

RESOLUTION NO. 24-114

Authorizing the use of GEFA Loan Funds for the 8th Ave. Basin Phases 2 & 3 CSS

Mr. Hughes provided information regarding the following resolution as noted at the work session.

Commissioner Howard moved to adopt the following resolution, seconded by Commissioner Warbington, the roll call vote unanimously carried.

RESOLUTION NO. 24-115

Authorizing the use of GEFA Loan and SPLOST VIII Funds for the Joshua Street Overflow Bypass Modifications

B. Purchases:

1. Self-Contained Breathing Apparatus, Fireline, Inc., Winder, GA; Total exp. \$202,740.00
2. Fire Department Uniforms; North America Fire Equipment Co., (NAFECO), Decatur, AL; Total exp. - \$62,555.00

AGENDA ADOPTION

Commissioner Howard moved to adopt the agenda with the two conditional items included, seconded by Commissioner Warbington; the motion carried 6-1 with Mayor Pro Tem Langstaff voting no.

GENERAL BUSINESS ITEMS

1. Alcohol License Applications

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

1. Buffalo Rock Company; d/b/a Buffalo Rock 1011 Randolph St. T. Myers/Agent; Beer, Wine, and Liquor Wholesale

Commissioner Young noted that this is an alcohol license for wholesale with no walk-up/retail traffic allowed; Chief Donaldson agreed noted that extra security will be installed and additional cameras.

Commissioner Warbington moved to approve the alcohol license, seconded by Mayor Pro Tem Langstaff, the motion carried 6-1 with Commissioner Howard voting no.

Chief Donaldson discussed the following application (copy on file):

2. Tejas Business Inc.; d/b/a Gillionville Grocery 1603 Gillionville Rd. T Brown/Agent; Beer and Wine Package

Commissioner Young clarified that Chief Donaldson stated that the application does not meet the criteria; Chief Donaldson agreed.

FEBRUARY 27, 2024
REGULAR MEETING
BOARD OF CITY COMMISSIONERS
GOVT. CENTER – RM 100

Mayor Dorough asked if it is the church or school that does not meet the proximity criteria; Chief Donaldson replied that it is St. Theresa's Catholic School.
Commissioner Young moved to deny the application, seconded by Commissioner Howard.

Mayor Dorough asked if there has been an alcohol license at this location before. Chief Donaldson explained that one was in effect from 2012 to 2020 and that the prior owner transferred ownership and closed the establishment for 12 months. He explained the guidelines for reopening the establishment and, in reply to Mayor Dorough regarding the transfer being grandfathered-in during the allowable timeframe, Chief Donaldson agreed.

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

It was noted and corrected by the City Clerk Sonja Tolbert that the first alcohol license application should not have been offered as an ordinance

RESOLUTION(S)

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

RESOLUTION NO. 24-R116

Agreeing Merakisis, on behalf of the City of Albany, may apply for the Charging and Fueling Infrastructure Discretionary Grant Program

In reply to Commissioner Young, Mayor Dorough stated that the City does not know if ASU will be participating. Discussion continued regarding establishing a timeline and how long will it be before chargers are put in place, federal grants/monies for infrastructure and moving forward to ascertain what funding can be secured. In reply to Commissioner Warbington, Mr. Carter explained that the matter will be brought back for additional discussion/approval.

Hearing no additional comments, the roll call vote carried 6-1 with Mayor Pro Tem Langstaff voting no. (NOTE: Mayor Pro Tem Langstaff left the meeting at 7:21 p.m.)

The meeting was suspended for seven minutes to allow Asst. City Attorney Michael Custer to address the next item.

Ms. Custer referred to two copies of lease contracts being offered for vote regarding the FBO at the Airport. She explained that the difference is the terms of the contract, adding that they are temporary lease agreements.

Mayor Dorough asked if Eagles of America will have a choice of the six-month or 14-month lease agreement and release; Ms. Custer replied affirmatively.

Commissioner Howard moved to adopt the following resolution, seconded by Commissioner Johnson.

RESOLUTION 24-R117

Approving Commercial Lease Contract ("lease") with Eagles of America Albany, Inc.

Commissioner Warbington noted that the resolution refers to one lease, but the Commission is approving two leases; Ms. Custer agreed and it was noted that a revised resolution will be forthcoming. Commissioner Warbington stated that this is not indicative of any performance outages of Eagles of America, but is a vote that moves the City into the future, adding that they are a great partner. Hearing no additional comments, the roll call vote unanimously carried.

MEMBER COMMENTS/ITEMS FOR FUTURE AGENDA

FEBRUARY 27, 2024
REGULAR MEETING
BOARD OF CITY COMMISSIONERS
GOVT. CENTER – RM 100

Commissioner Howard asked for update regarding the Humane Society, with Mr. Carter stating that he will provide additional information soon. In reply to Commissioner Howard, it was noted that a search is still underway for the two bodies in the Flint River, using all available resources, including the help of neighboring communities are.

Commissioner Gaines commented on the new leadership class and complaints due to there being homework and disciplinary actions if the class is not completed. He asked if this can be reconsidered, adding that when employees are at home, they are on their personal time.

Commissioner Warbington stated that the HPC appeal process ordinance should be revised and asked the Attorney's to bring this forward as an agenda item.

Commissioner Young sent thoughts and prayers to the families of the deceased men who died in the Flint River.

Mayor Dorough reminded the Board of the retreat and asked everyone to get their items to the City Manager.

Hearing no further discussion, the meeting adjourned at 7:39 p.m.

MAYOR

ATTEST:

CITY CLERK