

MAY 28, 2024  
REGULAR MEETING  
BOARD OF CITY COMMISSIONERS  
GOVT. CENTER – RM 100

PRESENT: Mayor Bo Dorough (virtual)  
Mayor Pro Tem Bob Langstaff, Jr.  
City Commissioners: Jon Howard, Vilnis Gaines, Chad Warbington  
and Demetrius Young  
Virtual: Jalen Johnson  
Interim: City Mgr. Derrick Brown  
City Attorney: C. Nathan Davis

Mayor Dorough called the meeting to order at 6:15 p.m. and advised that the invocation is being given by Pastor John Spencer of Sherwood Baptist Church, which was followed by the Pledge of Allegiance.

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.

OBJECTION TO CONSENT AGENDA ITEMS

There were no objections to the consent agenda.

CONSENT AGENDA ADOPTION

Commissioner Howard moved to approve the consent agenda, seconded by Commissioner Gaines, the roll call vote unanimously carried.

A. Resolutions:

A RESOLUTION NO. 24-R143

Establishing five principles that govern the conduct of City of Albany Officials

A RESOLUTION NO. 24-R144

Establishing a Voting Delegate and Flag Bearer for the City of Albany to the Georgia Municipal Association's 2024 Annual Convention

A RESOLUTION NO. 24-R145

Approving the acceptance OF Georgia Department of Transportation Local Road Assistance Funds (LRA); Should the grant be awarded to City, such grant is accepted

A RESOLUTION NO. 24-R146

Approving change order #1 for TSPLOST Phase C Street and Parking Resurfacing; Authorizing use of LMIG and TSPLOST funds

A RESOLUTION NO. 24-R147

Authorizing the use of TSPLOST Funds for traffic signal upgrades at the intersection of E. Broad Ave. and Turner Field Rd.

A RESOLUTION NO 24-R148

Approving Commercial Rights Marketing Agreement between the City of Albany and Global Spectrum, L.P., D/B/A OVG360

A RESOLUTION NO 24-R149

Awarding CHDO Funds to New Vision Community Development Corporation, Inc

A RESOLUTION NO 24-R150

Accepting the recommendation from Community Development Council to fund public service grants through Community Development Block Grant Funds

A RESOLUTION NO 24-R151

Authorizing the use of Red Speed Camera Funds re: Real Time Crime Center Audio Visual Equipment

A RESOLUTION NO 24-R152

Approving CSS Easement Agreements from Dougherty County for 8<sup>th</sup> Ave., Phase IV CSS Project

A RESOLUTION NO 24-R153

Approving CSS Easement Agreement from PLJ Real Estate, LLC for 8<sup>th</sup> Ave. Phase IV CSS Project

A RESOLUTION NO 24-R154

Authorizing acceptance of bids for Gillionville Woods Court St. construction

B. Purchases:

1. Public Safety Cellphone and Data Plan; Verizon Wireless - Total exp. 66,918.84
2. 2024 Ford Mavericks; Wade Ford, Inc. – Total exp. \$125,852.60
3. Oracle Software Maintenance; Oracle Use, Inc. – Annual exp. \$112,365.91

At the request of Commissioner Young, Mayor Dorough read the purchases into the record as noted.

AGENDA ADOPTION

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

GENERAL BUSINESS ITEMS

A. Alcohol License Applications:

Anthony Donaldson, Chief Deputy/License Inspector discussed the following:

1. AB Food and Drink; 2005 E. Broad Ave., L. Davis/Agent; Beer/Wine Package

Commissioner Howard: 1) asked if this was previously a pawn shop; 2) noted the method used to measure the location; and 3), asked if all requirements have been met; Chief Donaldson replied affirmatively.

Commissioner Howard moved to deny the application, citing his reasons based on City Code, seconded by Commissioner Young; the roll call motion unanimously carried.

Chief Donaldson discussed the following:

2. EZ Food and Drink; 2444 Rosebrier Ave., L. Davis/Agent; Beer/Wine Package

Commissioner Howard again cited City Code, moving to deny the application, seconded by Commissioner Gaines; the roll call vote unanimously carried.

Other Matter(s)

- B. 1. Recommendation to approve Henderson Park (re: 35% Design)

Recreation Director Steven Belk advised that Melissa Crosby (WSP rep) is on the line.

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Discussion included: the next review (65%), WSP having two-three renderings of the front from which to choose, the size of the building not being affected (strictly exterior options); the timeframe, cost, etc., will be submitted with the 65% review, approximately within the next 60 days; potential versions will not affect completion of the project, as only exterior will have changes and, the vote tonight is for the 35% overall site layout and floor plan.

Commissioner Warbington moved to accept the 35% design, seconded by Commissioner Young. Mayor Dorough made a substitute motion that the Mayor be substituted as the City's representative so that he is involved in consultations/discussions regarding the design of this facility, seconded by Commissioner Johnson; the roll call vote carried 5-2 with Mayor Pro Tem Langstaff and Commissioner Young voting no.

2. (CONDITIONAL) Recommendation to initiate City Zoning Matters

Mayor Dorough noted that this conditional item is for the City to take the initiative to rezone property located at 1706, 1708 and 1710 N. Slappey from C-2 to C-2c.

Planning Director Paul Forgey discussed the conditions of the rezoning and explained that the City is taking this rezoning action so that all the properties will have the same conditions.

Mayor Dorough clarified that the motion authorizes staff to initiate rezoning applications for the three properties with the same conditions recommended by the City Commission that have been imposed on the 11<sup>th</sup> Avenue property. Commissioner Warbington moved to initiate City zoning of said properties, seconded by Commissioner Howard, the roll call vote unanimously carried.

ORDINANCES

Commissioner Howard moved to table the following rezoning application for 60 days, seconded by Commissioner Warbington; the roll call vote unanimously carried.

AN ORDINANCE NO.

Amending the Zoning ordinance and map of the city of Albany to change the status of property located at 1010 11<sup>th</sup> Ave

Commissioner Howard introduced

AN ORDINANCE NO. 24-106

Amending the Zoning Ordinance and Map of the City of Albany to change the status of property located at 1629 Clark Ave., from M-1 to C-3 **conditional**

Commissioner Howard then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Warbington, the roll call vote unanimously carried.

Commissioner Howard introduced

AN ORDINANCE NO. 24-107

Use of Red Speed Camera Funds re: Flock Safety Cameras; Further authorizing amending the City of Albany's Fiscal Year 2024 Budget for such purchase

Commissioner Howard then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Gaines, the roll call vote unanimously carried.

Chief Persley discussed the purchase of weapons for all sworn officers in APD, the difficulty in obtaining replacement parts, and the switching back from 40 caliber to 9 mm because of the difficulty of finding 40 caliber ammo.

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Commissioner Howard introduced

AN ORDINANCE NO. 24-108

Authorizing the use of Red Speed Camera Funds re: APD Service Weapons, Further authorizing amending the City of Albany's Fiscal Year 2024 budget for such purchase

Commissioner Howard then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Gaines, the roll call vote unanimously carried.

Commissioner Howard introduced

AN ORDINANCE NO. 24-109

Changing Regular Meeting date in June

Commissioner Howard then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Warbington, the roll call vote unanimously carried.

Commissioner Warbington introduced

AN ORDINANCE NO. 24-110

(CONDITIONAL) Amending Sec. 6-3 of the City Code re: proximity rules for school and college property to mirror the state code

Ms. Custer explained that this action results in the City's ordinance mirroring State laws.

Commissioner Warbington then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Gaines, the roll call vote carried 5-1 with Commissioner Young voting no.

RESOLUTIONS

Ms. Custer noted copies of the Dougherty County MOU for the tennis center, which contains the changes and distributed to Commissioners. She explained changes that include, a stipulation that the County cannot unreasonably withhold approval of the site selected by the City once the site has been identified; the City and County will each ratify the selection by resolution within 30 days; removal of language regarding the SDS controlling the agreement; extended term of agreement for two years, which prevents the County from declaring the Tennis Center Project as unfeasible. She stated that this version mirrors the discussions with Commissioners from the first work session in May, adding that if City Commissioners agree with this version, it will be submitted back to the County for approval, or the City can agree with the version that the County submitted.

In reply to Mayor Pro Tem Langstaff, Ms. Custer advised: 1) that the one year is an error; the agreement provides two years for the parties to find a site and to have a design for the facility; 2) the downside is the City not receiving County funds if the City and County do not come to an agreement; 3) the County is not entitled to any damages if the City and County do not come to an agreement; 4) 'intent of waiving all privileges/immunities' is language in Dougherty County's document which aims to preserve all privileges and immunities; 5) the inclusion of 'the fund balance of \$1,715,788' to solidify the amount the City expects from Dougherty County.

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

A RESOLUTION NO. 24-R155

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Authorizing Execution of Memorandum of Understanding with Dougherty County re: Construction of Tennis Center

Mayor Dorough asked who is paying for the design; Ms. Custer replied it is the County's obligation. Hearing no additional comments, the roll call motion unanimously carried.

Mayor Dorough stated that the last item is conditional, with APD Chief Michael Persley, discussing the MOU the City entered into in 2021 with Albany State University for its E-5 Initiative. Others have partnered with the City and ASU to provide additional resources to address the issue of sexual assault, dating/domestic violence and stalking on campus.

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

A RESOLUTION NO. 24-R156

(CONDITIONAL) Authorizing the City of Albany to join in a memorandum of understanding with the University System of Georgia, Albany State University and others to establish formally the parties' intentions to work collaboratively to provide a comprehensive and coordinated community approach to addressing and reducing the prevalence of sexual assault, dating violence, domestic violence and stalking among campus constituents

MEMBER COMMENTS/ITEMS FOR FUTURE AGENDA

Commissioner Howard thanked Mr. Davis for his 21 years of service to the City, a remarkable tenure in this day with five-ten years being the norm. He wished Mr. Davis well as he retires.

Commissioner Gaines reported to Chief Persley the number of calls he receives regarding loose animals in the city, asking if the City is picking them up. Chief Persley recalled the temporary contract with the Humane Society and advised that for the month of May, the City was allowed to take in 50 animals, in June it will be between 50-60 animals. He explained that a new contract must be in place by June 30 and if one is not in place the City will not be allowed to take in any animals come July 1.

Commissioner Warbington noted that the bid list shows that the project management bid was cancelled, and questioned whether this is correct or if the City is merely starting over. Mr. Brown explained that the City is starting over and will have it back out by the end of the month (May 31).

Commissioner Young referred to the vote tonight for the Mayor to represent the City in the design for Henderson Gym, asking if staff will still be involved and who is the Mayor representing. Mayor Dorough stated that when this went out, he asked Ms. Fields why Mr. Belk is the City's representative. Until seeing the designs, he nor any other member of the Commission has been involved, but clearly staff will be involved. Mr. Brown recommended bi-weekly meetings with the company. Commissioner Young stated that his concern is ensuring that staff are involved.

Mayor Dorough thanked Mr. Davis for his exemplary service to the City.

Mr. Brown reminded the audience of the budget public hearing next Tuesday morning.

Hearing no further discussion, the meeting adjourned at 7:11 p.m.

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MAYOR

ATTEST:

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ASST. CITY CLERK

DRAFT