

FEBRUARY 16, 2016
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 120

PRESENT Mayor Dorothy Hubbard
Mayor Pro Tem BJ Fletcher
City Commissioners: Jon Howard, Roger Marietta, Bob Langstaff, Jr., and
Tommie Postell
City Manager: Sharon Subadan
City Attorney: CN Davis

Mayor Hubbard called the meeting to order at 8:31 a.m.

APPOINTMENTS:

1. One appointment to Citizens Transportation Committee for two-year term ending January 2018
2. One to the SWGA Regional Commission to fill an unexpired term ending January, 2017

The Clerk advised that Allen Baggs submitted his resume to be considered for both boards. Commissioner Marietta moved to approve, seconded by Mayor Pro Tem Fletcher. Discussion followed with Commissioner Langstaff stating that the vote will be taken at the night meeting and no vote is necessary today. Mayor Hubbard agreed and advised that she will also be prepared to make the Albany Housing appointment at the night meeting.

TRAVEL:

Mayor Pro Tem Fletcher moved to approve the following travel, seconded by Commissioner Marietta; the motion unanimously carried.

1. Mayor D. Hubbard – Chamber of Commerce Albany/Dougherty Day Meetings; February 2-3, 2016; Atlanta, GA - \$525.19
2. Mayor D. Hubbard – GMA Mayors’ Day Conference Training; January 22-25, 2016 - \$1,572.44
3. Commissioner J. Howard – GMA Mayors’ Day Conference Training; Jan. 22-25, 2016 - \$1,598.50
4. Commissioner B. Coleman – GMA Mayors’ Day Conference Training; Jan. 22-25, 2016 - \$1,395.90
5. Commissioner R. Marietta – GMA Mayors’ Day Conference Training; Jan. 22-24, 2016 - \$805.62
6. Commissioner T. Postell – GMA Mayors’ Day Conference Training; Jan. 22-25, 2016 - \$1,447.38
7. City Clerk S. Tolbert – IIMC Annual Conference Clerk’s Training; May 21-26, 2016
8. City Manager S. Subadan – GCCMA Conference – Athens, GA; Mar. 23-25, 2016

PUBLIC SAFETY MATTERS

ALBANY/DOUGHERTY PRE-DISASTER MITIGATION PLAN

Commissioner Langstaff moved to approve, seconded by Mayor Pro Tem Fletcher; the motion unanimously carried.

ALCOHOL LICENSE APPLICATION – TRANSFER OF OWNERSHIP

Commissioner Langstaff moved to approve, seconded by Mayor Pro Tem Fletcher; the motion carried 4-1 with Commissioner Howard voting no.

1. SE Enterprise, Inc., d/b/a June Bugs' Grocery 'Convenient Store', 1905 S. Madison St; B. Jones/Agent – Beer package. Transfer from B.K. Patel (Ward 6)

PUBLIC ADMINISTRATION AND FINANCE MATTERS

PURCHASES:

Commissioner Langstaff moved to approve the following, seconded by Mayor Pro Tem Fletcher; the motion unanimously carried.

1. FCC Service Fees, Universal Service Admin., Co., Atlanta, GA
Total amount \$52,037.45

Commissioner Langstaff moved to approve the following, seconded by Mayor Pro Tem Fletcher; the motion unanimously carried.

2. Rehab/Well #39, Rowe Drilling Co., Tallahassee, FL
Total expenditure \$53,120.00

Commissioner Langstaff moved to approve the following, seconded by Mayor Pro Tem Fletcher.

3. Space Planning & Design Services, DodStone Group Architects
Lump sum fee \$79,900.00

Commissioner Howard said he will vote against this item because he does not support offices on the 5th floor being moved to 409 Pine Ave. He stated that we share an intergovernmental agreement with Dougherty County that was implemented in SPLOST 2 and pay \$149,000 per year. The purpose of the agreement was to have a 'one shop stop' for citizens when they are in

the downtown area conducting business. He said he cannot support scattering offices throughout the city because it is not good government.

Commissioner Marietta noted the five firms solicited and asked if any were local. Yvette Fields, Central Services Director, replied in the affirmative and advised that others came to the pre-proposal meeting, but did not submit a proposal.

Mayor Hubbard said she is in favor of the proposal, but whether City offices are moving is an item for additional discussion. She asked if the plans include moving City offices. Ms. Subadan explained that staff at 207 Pine will move, as well as some other offices, such as 311, adding that additional discussions to move executive offices will be discussed at the retreat next month. She said she will have two offices and will also discuss this at the retreat. She asked to move the space planning item forward so that staff at 207 Pine can be relocated, adding that the Space Planner will reconfigure spaces to have open space to be customer centric; the Executive Offices are 5% of discussion.

Commissioner Marietta recommended moving the City Attorney either into this building or the new office building on Pine.

Mayor Hubbard clarified the vote to approve the design process with further discussion to be held.

Hearing no further comments, the motion carried 4-1 with Commissioner Howard voting no.

ITEM(S) FOR FUTURE AGENDA

Commissioner Postell arrived at 8:42 a.m.

Commissioner Fletcher commented on businesses and the CVB handling tourism. She asked about the hotel tax and suggested issuing more funds to the CVB. Mayor Hubbard suggested also including in discussion what other cities are doing and their boards, etc., to understand how the City of Albany fits in. She mentioned that other cities have boards reporting to the Commission, etc.

Commissioner Marietta commented on when this was capped, and said it may not wait until the retreat if the General Assembly is involved in writing local legislation. Discussion followed on the law regarding the cap with Mr. Davis explaining that an ordinance was passed by the Commission, which met state requirement and that ordinance can be updated if needed. In reply to Commissioner Marietta, Mr. Davis stated that he will provide information/copies of the ordinance that was adopted by the Commission.

PUBLIC FUNCTIONS MATTERS

MATTERS FOR PUBLIC HEARING AND CONSIDERATION ON TUESDAY, FEBRUARY 23, 2016, 6:30 PM, ROOM 100; GOVERNMENT CENTER BUILDING, 222 PINE AVE

The Clerk read the following:

1. Zoning Case #16-002 – SOWEGA Warehousing, LLC/Owner; Todd Davis/Applicant; request to rezone property located at 1908 N. Slappey Blvd. from C-2 to C-3. PC approved 6-0. (Ward 2)

Commissioner Marietta asked the purpose to rezone. Mary Teter, Planning Manager, explained that a former business is no longer in operation there, resulting in non-conforming property, which requires rezoning.

OVERVIEW OF ZONING DESIGNATIONS

Paul Forgey, Planner Director, discussed information (copy on file), which is a summary of conditional zoning.

In reply to Commissioner Postell, Mr. Forgey said that zoning was adopted by the City in 1970 and explained stated that conditional zoning, a common practice, is legal in Georgia and has been regularly upheld by the courts. Any time a court did not uphold conditional zoning was due to mistakes made by the government. In reply to Commissioner Postell, Mr. Forgey explained the process of filing applications. Discussion followed on a prior zoning application that continued to be brought back; Mr. Forgey explained that state law allows them to be brought back after one year for re-consideration.

Commissioner Howard expressed concern about auto repair shops in his ward, asking if a privacy fence is required. Ms. Teter explained fencing requirements and said if a fence is in place, vehicles can remain until declared junk; at that point they must be removed from the property. Commissioner Howard asked that the 500 Block of E. Broad and 2606 Sylvester Road be looked at for non-compliance.

In reply to Mayor Hubbard regarding monitoring for compliance, etc., Mr. Forgey explained the process regarding the placing of conditions on properties with neighbors and code monitoring. In reply to Mayor Hubbard, Mayor Pro Tem Fletcher said she will follow up regarding Family Dollar. Mr. Forgey said the condition and upkeep of fencing is important and recommended neighbors notifying when fencing deteriorates. Mayor Pro Tem Fletcher said that 311 works and suggested this be used by citizens to report concerns.

MANAGER’S UPDATE

Ms. Subadan said she wanted to officially launch automated agendas and explained the process, adding that we will become ‘live’ with the next work session. She discussed the easy process and transparency and said agendas can be viewed from mobile devices and computers; paper agenda packets will still be delivered. She introduced Danny Toler, IT Engineer, to demonstrate Novus Agenda.

Signing into Novus Agenda, Mr. Toler displayed the product and provided an overview of the process to enter agenda items, populating agendas, etc.

Regarding the Speaker Appearance Form, Mayor Hubbard asked if will be fillable online with the Clerk advising that the city’s website is being updated, which will include the addition of fillable forms. Mayor Hubbard asked if comments/questions are entered are they answered by staff. Ms. Subadan replied in the negative; the Clerk added that any comments/questions asked through Novus are subject to open records.

Commissioner Postell mentioned the number of departments and clarified that departments will be responsible for inputting their information to the agendas. He asked the process for items that are voted down. Ms. Subadan explained that the process mirrors what is already in place and that the minutes will reflect the votes and/or any errors. This is a technological tool to make the process more efficient and effective.

In reply to Commissioner Postell, Mr. Toler said paper copies will still be provided; this only automates the agenda process. Commissioner Marietta asked about special called meetings and notifications. Mr. Davis stated that notices will still go to the media.

Discussion followed with Commissioner Postell expressing his concern about open records requests and not being liable for any errors, etc., including the cost to implement/make the change. Ms. Subadan stated that the cost was less than what it takes for Commission approval. In reply to additional concerns from Commissioner Postell, Mr. Davis stated that it was a judicious matter and that any notes made in the system are subject to open records and the intent is to be transparent, etc. Commissioner Postell expressed continued concern about his rights being violated and said he is protesting the idea pending more information; he asked the urgency. Ms. Subadan stated that a memo was sent months ago that she was preparing to do this; it is not urgent, but she is prepared to go live with this. Commissioner Postell said this is new to him. Ms. Subadan said the portal is optional and one will not be assigned to him if that is his choice, adding that this is an operational improvement to help staff work more efficiently; training for staff begins in November. Commissioner Postell said he does not want a portal assigned to him; he does not want anything that might result in being sued. Ms. Subadan explained that that is always a possibility when something is written, even emails and once a government produces anything it is all public record and subject to open records laws. A brief discussion followed regarding governmental immunity and liabilities.

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Commissioner Langstaff clarified that everything is basically the same except now there will be an electronic version available. He explained the difference between hardcopy notes and the electronic ones, which ‘never go away’. Commissioner Postell asked how many departments are involved with Ms. Subadan stating 23, adding that she will confirm.

There being no further business, the meeting adjourned at 9:43 a.m.

SONJA TOLBERT
CITY CLERK