

OCTOBER 11, 2016
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100

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

Mayor Hubbard called the meeting to order at 8:30 a.m. and advised that citizens desiring to address the Commission regarding items listed on this agenda must fill out the Citizen Comment form and turn in to the Asst. City Clerk.

SPEAK APPEARANCE – (discussed later in the meeting as noted)

William Wright – not present

Henry Mathis – not present

TRAVEL

The Asst. Clerk stated that Item #4 had been pulled from the agenda.

Commissioner Howard moved to approve the following, with the exception of Item #4, seconded by Mayor Pro Tem Fletcher; the motion unanimously carried.

1. Mayor D. Hubbard – 2016 C.A.R.E. Award Ceremony; Atlanta, GA; Oct. 13-14, 2016
2. City Manager S. Subadan – 2016 C.A.R.E. Award Ceremony; Atlanta, GA; Oct. 13-14, 2016
3. City Manager S. Subadan – City-County Manager’s Assoc.; Pine Mountain, GA; Oct. 26-28, 2016
4. City Manager S. Subadan – MEAG Mayor’s Summit; Lake Oconee, GA; Nov. 3-6, 2016
5. City Manager S. Subadan – GMA; Thomasville, GA; Nov. 10, 2016

REPORTING OF DISCIPLINARY ACTIONS AGAINST ANY LICENSEE OF A BAR

City Attorney Nathan Davis briefly discussed the action recently taken by the Georgia Legislature, which requires cities to notify the Department of Revenue any time disciplinary action is taken against the licensee of a bar (copy on file) and defined what constitutes a bar.

Commissioner Postell asked for additional explanation. Mr. Davis stated that whenever an arrest, or other event leading to a bar being cited, the State now requires to be notified. This new State law went into effect mid-year; the City is putting a provision in its Code to mirror the State’s action in which a report will be sent to the Georgia Department of Revenue within 45 days. In response to Mayor Hubbard, he explained that should a fight break out at a bar, the report will indicate what happened and where, adding that he feels the State is more interested in the location where the event took place than in the individuals. Commissioner Howard mentioned that often a fight

begins in a bar, but ends up in the parking lot and asked if a citation would be issued to the business serving those patrons. Mr. Davis replied that a report will still be sent; the State wants to know the location of the bar and who holds the license, but the citation would be against the fight's participants. He explained that Marshal Walter Norman will be responsible for issuing the report to the State, stating that the Commission can be copied on the reports.

Commissioner Coleman stated that the origin of the fight should also be pertinent. He mentioned an incident in which two individuals fighting at a restaurant, left there and ended up at a nightclub with the fight resuming in the parking lot; they never made it inside the club. He asked how the licensee would be charged in a similar situation. Mr. Davis said that the licensee would not be charged, but their name would be reflected in the report. Commissioner Coleman stated that if he was a law-abiding club owner and encountered a similar situation, he would be worried about how such a report would reflect on his business in terms of what the State would do to him. Mr. Davis explained that he assumes the State would have a method for internal control; it appears this is a means to gather information.

In response to Commissioner Postell, Mr. Davis explained that the City would not be held liable for altercations at any establishment; this is merely a reporting requirement. This action mirrors State law by reporting the incident, naming the licensee and location of the altercation. The intent is to comply with State law. He explained that revoking a license is an entirely separate matter. Mayor Pro Tem Fletcher mentioned a current trial in which reporting of this nature may have been beneficial, but will help future situations.

AMENDING CITY CODE SEC. 6-41(a)

Ms. Subadan stated that this agenda item was pulled.

SERVICE DELIVERY ACT

Mr. Davis explained that this is a request for another extension of the Service Delivery Act through February 28, 2017. He mentioned that the City and County are currently operating under an extension that expires at the end of this month; the County approve the request yesterday. Commissioner Howard asked if there has been any ongoing negotiations with the County. Mayor Hubbard replied in the affirmative, adding that the City and County met for mediation last Thursday. The 120 days was requested to provide Ms. Subadan enough time to prepare additional information. It may not take the full 120 days, but at least the time is available for her to provide the information to the County by the November 1 deadline. Commissioner Howard stated that he would rather it did not continue into the next year and mentioned the upcoming election.

SPEAKER APPEARANCE

Mayor Hubbard recognized those who filled out Speaker Appearance Forms.

1. Using a power point presentation (copy on file), William Wright discussed information regarding the establishment of a minority business office in Albany. He reviewed program statistics from Tampa and Savannah and suggested that it is ludicrous that Albany does

not have anything in place. He mentioned that programs that work the best set goals and commented on the School Board's program which is not properly tailored, and said he will return in December with recommendations. In response to Commissioner Postell, he listed the four cities/states with the best practices, making their programs more successful. Commissioner Postell mentioned the defunct program, which was administered by Georgia Tech some years back. Mr. Wright stated that that program was everything but a joke, because it 'stayed in Atlanta' with approximately eight employees to operate the program here.

2. Henry Mathis discussed the reenactment of retracing the movement of the 1960's and said he recently surveyed individuals to see if they knew where the site of the old jail with not many knowing the answer. He said this is troubling because of historical figures who were incarcerated there. He said his request is that the City consider extending the steps..... and said since this area is county property, he will make a presentation to Dougherty County. He also asked that a monument/marker be erected at the site and mentioned other sites that are visited during the walk. He said he is not asking for help in raising funds but that taxpayer monies fund the request, adding that the original inlaid steps were paid with taxpayer funds through the efforts of Tommy Chatmon. He mentioned the role Albany played in the Civil Rights Movement and suggested that this should be part of tourism efforts and downtown development.

PUBLIC SAFETY MATTERS

ALCOHOL LICENSE APPLICATIONS – TRANSFER OF OWNERSHIP

1. Ruhi Inc., d/b/a/ H & K Food Mart; 900 S. Westover Blvd. Suite D; D/ Patel/Agent; Beer Package and Wine Package; Transfer Ownership from K. Patel; WARD 4

MUTUAL AID AGREEMENT: ALBANY FIRE DEPARTMENT AND MCLB

AFD Chief Ron Rowe, Jr., stated that the Mutual Aid Agreement (copy on file) between the Albany Fire Department and Marine Corps Logistics Base covers any type of manmade or natural disaster. The agreement is executed every five years, with the current agreement expiring. In response to Mayor Hubbard, he said there are no changes; it is exactly the same as in years past. In response to Commissioner Postell, he explained that if MCLB needs any resources for emergency response to mass casualties, hazardous materials and such, the City will send whatever resources it has available with the Base coming to the City's assistance as well.

PUBLIC WORKS MATTERS

LYNWOOD LANE SPEED TABLES

Engineering Director Bruce Maples briefly discussed the agenda item (copy on file) stating that the total cost is estimated at \$17,500.00.

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Commissioner Langstaff referred to the agenda item, which states that FY 2017 Traffic Calming budget is \$100,000 with \$2100 having been expended so far, leaving \$98,000. He asked if 2016 had the same budget; Mr. Maples replied in the affirmative. Responding to Commissioner Langstaff, he stated that Golfcourse Lane was budgeted in 2017; the table have not yet been purchased; the cost is not reflected in the balance. Discussion followed with Commissioner Langstaff expressing concern regarding the original intent of the program to equally divide the \$100,000 among the wards, but it appears Commissioner Marietta's constituents get their petitions in the quickest. He added that if the policy had been adhered to, residents on Lynwood Lane would eventually get their speed humps, but not until everyone had received their fair share. In reply to Commissioner Langstaff on the amount spent in each ward, Mr. Maples said: Ward I - \$-0-; Ward II - \$28,531; Ward III - \$6,075; Ward IV - \$95,819; Ward V - \$23,255; Ward VI - \$-0-. Commissioner Langstaff commented that the two year old program has had \$100,000 budgeted each year with Ward IV receiving 50% of the total for two years. In response to Commissioner Langstaff, Ms. Subadan stated that since inception of the program, \$114,562 has been approved. Commissioner Langstaff stated that the other wards need to catchup before approving another in his or Commissioner Marietta's wards.

Commissioner Marietta interjected that the numbers are not accurate; Mayor Hubbard approved Winterwood as her allocation and Mayor Pro Tem Fletcher agreed to pay for Lynwood Lane. He said that they were both generous for doing so and he thanks them for their support. He stated that eligibility is the pivotal point – traffic calming measures cannot be put in a Ward that is not eligible.

Commissioner Postell stated that Commissioners should only be able to donate their allocation to another Commissioner if it is agreed upon by the entire Board. In response to Commissioner Postell, Ms. Subadan stated that the \$100,000 annual allocation, which includes the Mayor, is \$14,800 per Ward. Commissioner Postell stated that it is not fair that one Ward receives the lion's share of funding, leaving other Wards with nothing. Commissioner Coleman mentioned that Andover, in his Ward, is on the next work session agenda and a petition was submitted this morning for Inverness Road.

Commissioner Howard said he submitted two streets, which were not approved and asked to resubmit them for consideration. Commissioner Marietta stated that he supports increasing the amount in the budget for the program, adding that there is talk about the City constructing speed tables in the future and moving away from pre-fab speed humps, which will lower the cost. He urged the Commission to continue the program and pledged support for everyone to get their fair share. A brief discussion revealed that there is an approximate balance of \$46,000. Commissioner Langstaff suggested reserving that amount for Wards I and VI. Commissioner Coleman said that there is a problem if each Ward does not receive an equal amount. Commissioner Marietta discussed going from speed humps to speed tables, which increased the cost and said the budget for the program needs to be increased or reduce the cost of the humps/tables. Mr. Maples explained plans that aim to decrease the cost of speed tables. Ms. Subadan explained that it is not a budget issue, there is more involved than just stopping speeders; another matter is the impact speed tables have on first responders. Mr. Maples added that another issue is outstanding petitions; his department has one from last year. Commissioner Postell stated that the process needs improvement to make it more equitable for everyone. Stating that Mayor Hubbard has to give her allocation to someone, Commissioner Langstaff agreed that staff needs some direction. Reading

excerpt from minutes, he stated that it appears the step of monitoring the program has been left out, which would provide equitability for everyone. Commissioner Marietta mentioned public safety at the center of this matter (kids going to school, playing near streets, etc.), which cannot wait on eligibility.

Commissioner Langstaff moved to approve the speed table, attribute it to Ward III and moving forward, to provide an equal dollar amount, as practicable, in each Ward, seconded by Commissioner Marietta.

Commissioner Coleman stated that maybe the percentile needs to be lowered; five speeding cars in a neighborhood is just as deadly as eight speeding cars. Ms. Subadan interjected that rules for speed humps is not something the City developed; we must follow the guidelines of the Municipal Traffic Code. Commissioner Coleman asked for a copy of those guidelines so that when he has to tell his constituents their street is not eligible, he has something to show them. Commissioner Postell stated that some of the Commission having exceptions to the rule results in discrimination. He reiterated that the full Board needs to approve a Commissioner donating their allocation.

The motion carried 6-1 with Commissioner Postell voting no.

PUBLIC FUNCTION MATTERS

TRANSMIT DRAFT SOLAR REGULATIONS TO PLANNING COMMISSION

Planning Director Paul Forgey reviewed the agenda item (copy on file), stating that once the Commission receives recommendations back from the Planning Commission, a public hearing will be held.

PUBLIC ADMINISTRATION AND FINANCE MATTERS

PURCHASES

Joshua Williams, Buyer, discussed the following purchase.

1. Janitorial Supplies, Southeastern Paper, Albany, GA
Est. expenditure \$48,051.85

Commissioner Howard moved to approve, seconded by Commissioner Coleman; the motion unanimously carried.

Dale Henry, Buyer, discussed the following purchase.

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2. Containers, Front Loader & Roll Off, Wastequip, Duncan, SC
Total expenditure \$131,345.07

Commissioner Howard moved to approve, seconded by Commissioner Marietta; the motion unanimously carried.

Mr. Henry discussed the following purchase.

3. Pump Repair, Waco Electric, Sandersville, GA
Total expenditure \$47,181.25

Commissioner Postell moved to approve, seconded by Commissioner Howard; the motion unanimously carried

APPROVAL OF 2017 EMPLOYEE GROUP BENEFITS PLAN

Assistant City Manager Phil Roberson introduced Scot Hankins, Tammi Starkey, and HR Director Dwight Baker. He stated that a short video will be shown that kicks-off Open Enrollment next week, followed by a PowerPoint Presentation covering the Plan's benefits (copy on file).

Mr. Baker stated that Ms. Starkey will review the information in the PowerPoint; Ms. Starkey stated that she will highlight each aspect of the 2017 benefit renewal. In reviewing the information, she stated that the Wellness Center has been instrumental in stabilizing costs and preventing increases in employee costs over the past three years due to a reduction in claims. In 2013, the City was 45% above the national benchmark; now the City is 35% below that benchmark; the Wellness Center has had a great impact through incremental savings.

In response to Mayor Hubbard, Ms. Starkey stated that without cost-saving measures and wellness initiatives in place, a plan will experience an 8-10% trend increase; she agreed that the Wellness Center has had a huge impact in maintaining the City's costs. Mayor Hubbard asked if there has been a survey conducted to get feedback from employees to gauge their feelings about the Wellness Clinic. Mr. Roberson replied that in the affirmative, adding that it has been very well utilized. He added that the Wellness Center was an expensive, risky venture for the City, but the numbers show that it has been a great payoff. Additionally, the payoff has not only been in terms of dollars and cents, but also in helping employees adopt healthier lifestyles and being proactive toward warding off diseases. Further, he said that Shaw Hankins negotiate better deals with hospitals and pharmaceuticals, which also drives down cost. Mayor Hubbard asked the administrative costs for the Wellness Center. Ms. Starkey replied that the cost is included in fiscal year budget for the total medical plan and rolled in with claims expense. For FY 2017, the \$974,000 cost was less than a \$1,000 increase over FY 2016.

OTHER BUSINESS

Commissioner Howard mentioned the Albany Heights deal, saying that he is disappointed that the Commission has not been kept abreast of that matter; he asked for an update with the pros and cons. Ms. Subadan said that can be provided. He suggested that APD and ADDU give a monthly

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update, especially since armed robberies and shootings are on an upswing. He commented on the streetlights which are out; in which reports have been made, but they are still out. He asked that the City spruce up this community in preparation for ASU's homecoming; grass needs to be cut and litter picked up. He recommended that the CVB visit other cities with HBCU's to see how they prepare for homecoming and mentioned Florida State University in Tallahassee. He said that the Commission needs to either vote up or down participation in a disparity study.

Mayor Pro Tem Fletcher stated that she has been getting calls regarding the cemetery. Holidays are coming up and families will be visiting gravesites; if sub-labor is needed to help staff cleanup she asked that the City Manager consider that.

Commissioner Coleman suggested looking into the feasibility of paving the main street going into the cemetery; problems become evident when it rains. He asked if there is any way to expedite vendor's applications before homecoming and avoid the rush going into the last week of homecoming. Marshal Norman explained that they have already prepared for vendors; the process has been reviewed and they have looked at applications and are ready for vendors to come through. Commissioner Coleman stated that it needs to be publicized, to educate the general public of the process so as to not hold them up or even be prohibited from making sells. Marshal Norman stated that his division has scheduled to talk with merchants in the areas they normally set up shop; it will be broadcast through the media.

Commissioner Postell mentioned that Bob Hutchinson is receiving an award and he wants to acknowledge this. Mayor Hubbard stated that the City is receiving an award as well that day and officials who are going up will attend the award presentation for Mr. Hutchinson.

CITY MANAGER UPDATE

Ms. Subadan stated that an Executive Session is necessary following the regular business meeting to discuss property acquisition.

There being no further business, the meeting adjourned at 10:24 a.m.

SISSY KELLY
ASST. CITY CLERK