

NOVEMBER 17, 2015  
COMMITTEE OF THE WHOLE  
GOVT. CTR. – RM. 120

PRESENT Mayor Dorothy Hubbard  
Mayor Pro Tem Bobby Coleman  
City Commissioners: Jon Howard, BJ Fletcher, 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 am.

APPOINTMENTS:

The Clerk read the following:

1. Two Joint appointments and Mayor's appointment to Joint Board of Adjustment and Appeals for three year term ending October, 2018
2. Two appointments (Mayor's appointment) to Albany Housing Authority for one year and five year terms

TRAVEL:

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

1. Commissioner J. Howard – National League of Cities 2015 Congress of Cities Conference, Nashville, TN; November 3-8, 2015 - \$3,263.95
2. Asst. City Clerk S. Kelly – IIMC Region 2 Conference, Carolina Beach, NC; February 16-19, 2016

**PUBLIC SAFETY MATTERS**

ALCOHOL LICENSE APPLICATION:

Commissioner Langstaff moved to approve the following alcohol license, seconded by Commissioner Postell; the motion carried 6-1 with Commissioner Howard voting no.

1. Bliss Nails & Spa, LLC, 2822 Nottingham Way Suite 5, T. Tran/Agent.  
Wine consumption – WARD 5

ANNUAL BLANKET RENEWALS FOR 2016

In response to Commissioner Postell, Marshal Walter Norman stated that currently there are 201 establishments operating within the City and explained the process to update information to determine that they are still open and operating. He advised that there has been an approximate 5% decrease in establishments serving alcohol, adding that based on available information, all open establishments are recommended for renewal. Commissioner Postell clarified that the APD Chief was involved in the decision; Mr. Norman agreed and stated that none were recommended for revocation. In reply to Commissioner Postell, he explained the criteria for revocation which is a drain on police resources, i.e., large number of incidents at a particular location, failure of license holder to maintain status as a 'fit establishment', etc. Commissioner Postell questioned APD Chief M. Persley about the renewal list with none considered for revocation. Chief Persley discussed the criteria, including calls for APD's service, code enforcement compliance, etc., adding that they can do a double check of the entire list, however, that there were no major incidents or violations. Additional discussion followed with Commissioner Postell expressing concerns regarding burglaries, location of businesses, with a certain number allocated per ward, etc.; Marshal Norman explained that restaurants are excluded from the number (one establishment per every 800 residents) of on premise consumption establishments. Commissioner Postell asked for the list to be reviewed once more.

Commissioner Marietta moved to approve, seconded by Commissioner Postell; the motion carried 6-1 with Commissioner Howard voting no.

## **RECREATION MATTERS**

PROPOSAL RE: ARENA FOOTBALL CONTRACT

Ms. Subadan discussed information pertaining to Arena Football (copy on file) and recommended approval.

Commissioner Howard asked to hear from the owners of the Georgia Firebirds. Darrien Teals from Tifton, GA discussed the history of Georgia Firebirds, games played, etc., adding that they also incorporate community outreach services. Commissioner Howard asked for a list of teams/cities on their schedule. General Manager Terence Fowler, Sr., stated that there are 22 teams in Georgia including S. Carolina. In reply to Commissioner Howard he advised that the league has been in existence for 11 years. Commissioner Howard asked Mr. Davis if he reviewed the contract; Mr. Davis advised that he was involved in drafting the indemnity language. In reply to Commissioner Howard, Ms. Subadan discussed potential risks (low ticket sales, etc.) with the team marketing and promoting. Discussion followed on the average of 2600 attending in Albany with Firebirds committing to work hard to make the team successful. Mr. Davis advised that they are registered with the Secretary of State.

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Commissioner Marietta mentioned alcohol sales and asked how this will be decided. Mr. Fowler stated that they have not decided on a caterer, but once the contract is approved this will be decided.

Commissioner Postell asked the cons with Ms. Subadan restating that there could be an issue with ticket sales. In reply to Commissioner Postell, she advised that there is no funding for this venture; however, there will be an expense in running the civic center, etc., with there being a modest profit assuming ticket sales are robust. Commissioner Postell asked where they will be housed; Ms. Subadan stated that operations will be at the civic center – football and offices. Commissioner Postell asked the location of games when played outdoors in Tifton; Mr. Fowler replied they were held at Brody Field (Tifton High School), adding that attendance averaged 500 -700 at those games. In reply to Commissioner Postell, marketing was discussed, which will include inviting youths free of charge in certain cases (accompany paying adult, etc.), fundraising opportunities, etc. Commissioner Postell asked how parents will be inclusive when working with youths. Discussion followed with Mr. Fowler explaining the process of being hands on, etc. In reply to Commissioner Postell regarding the current number of employees, Mr. Fowler said three with more to be added once an official decision is made. Commissioner Postell asked Ms. Subadan the number of years of the contract covers, with Ms. Subadan stating two years/seasons (January 2016 – December 2017) with the contract being evaluated at that time. After additional comments, Commissioner Postell said he will approve the contract.

Commissioner Langstaff stated that the research he did shows that Georgia Firebirds are based out of Atlanta, asking if the Firebirds first tried to make a go of it there. Mr. Flower explained that a lot of their players are from Atlanta; they practiced and traveled from Atlanta and the web developer just based them there. Commissioner Langstaff questioned the league they participated in with Mr. Fowler explaining that they looked at all leagues but no agreement was signed other than with the AIF, which is currently waiting on this action to release the schedule. Commissioner Langstaff questioned the 40% profit formula and asked how they will figure 40% profit as opposed to 40% gross (as noted on page 41). Mr. Davis explained that it will be based on ‘net’ figures, with a definition of ‘net’ being determined; he added that a Certificate of Insurance will not work under paragraph seven and explained. Discussion followed on net profits, etc., that the City will receive with Ms. Subadan stating that Joel Holmes, Recreation Director will explain. Mr. Holmes discussed the process and requirements.

Mayor Pro Tem Coleman expressed concern about the poverty in this city and the unhealthy economy here and questioned the public’s ability to pay for tickets. In the past, most of the tickets were comp tickets and given away; ticket sales and their price must be given consideration. Mr. Fowler said ticket prices were lowered and the different ticket packages will give families a choice and allow them to experience seeing the Georgia Firebirds on the field. He added that he understands the economic structure and forecast of Albany since he is from here; the intent is to have paying customers at a comfortable price while ensuring that they are successful and meeting the community’s needs. In reply to Mayor Hubbard, he stated the average cost [of tickets] will be between \$12-15, a discounted rate will be provided to the military, senior citizens and college students. Mayor Pro Tem Coleman stated that he feels an

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attendance of 2000 per game will be challenging. Mr. Fowler discussed their aim of including surrounding areas and supporting local businesses, etc. Discussion followed on promoting local businesses. Mayor Pro Tem Coleman stated that he supports arena football, adding that it will take a giant effort to make this successful.

Commissioner Fletcher discussed concessions and the advantages of showcasing a variety of vendors at kiosks, renting space for \$50 to \$100, which covers labor and utilities.

Mayor Hubbard asked if the goal is to improve quality of life, break even or make money. Ms. Subadan said it covers a lot of areas - it is a quality of life with there being choices for recreation for citizens, adding that she would like to make money, with breaking even being the worst case scenario and lastly putting foot traffic downtown. Mayor Hubbard asked the start date. Mr. Fowler said March, with the schedule being released soon.

Commissioner Langstaff questioned signage on page 48; Ms. Subadan stated that this is a revenue making opportunity, etc. Discussion followed on prior signage; Mr. Holmes explained that signs are for 12 months with options after the first 12 months, etc. Commissioner Langstaff asked Mr. Davis to clarify this in the contract (page 45); Mr. Davis said he will insert language that signage is for a calendar year.

Commissioner Postell mentioned prior ticket sales – buy one/get one free, which to him signifies a failure; he suggested that only the organization sponsoring the event should be allowed to give tickets and that he does not want the City buying tickets and giving them away.

Commissioner Howard asked the attendance at the concert last month. Ms. Subadan said the attendance was not what was hoped for – approximately 600 - adding that there are risks, but this contract brings a marketing component, which is helpful, including the following they currently have, etc. At the end of the year an accounting will be looked at. Commissioner Howard expressed concern about parents dropping children off and not remaining to supervise. Mr. Fowler stated that there will be a structure in place and explained the process of not allowing drop-offs. Discussion followed on church groups, bringing busloads of children with no chaperones, etc.

Discussion followed with Commissioner Langstaff questioning whether a special called meeting is in order so that a contract can be signed so that the game dates will be released, etc. Mr. Davis advised that a meeting cannot be held today due to the 24-hour notice. Ms. Subadan stated that a tentative agreement can be made today with final vote next Tuesday. Commissioner Postell suggested a special called meeting to approve.

Commissioner Marietta moved to tentatively approve the contract today and finalize it tomorrow in a special called meeting at 9:30 a.m., seconded by Commissioner Fletcher.

Commissioner Fletcher commented that the last event was not successful because of a variety of reasons, including bad timing.

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Mayor Hubbard questioned playoffs. Mr. Sanders said five dates were secured, with the hopes of having playoffs.

Hearing no further comments, the motion unanimously carried.

## **PUBLIC WORKS MATTERS**

### UTILITY EASEMENTS RE: WALMART NEIGHBORHOOD FUELING STATION

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

### TRAFFIC CALMING PROGRAM

Using a power point presentation (copy on file), Bruce Maples, Director of Engineering, discussed the need for the program and the process. Commissioner Postell asked the cost of each and comparison of their effectiveness. Mr. Maples and Phil Roberson, Asst. City Manager, explained how each work in slowing traffic and stated that the recommendation is use of speed tables.

In response to Mayor Pro Tem Coleman, Mr. Maples stated that most traffic calming policies restrict the use and implementation on local roads, which is 30 mph; he briefly discussed how the process is initiated through a letter of request by someone within the defined service area. In response to Mayor Pro Tem Coleman, he said that a line has to be drawn somewhere and ITE recognizes a breakpoint of five miles over a posted 30 mph limit.

In reply to Commissioner Postell, Ms. Subadan discussed current funding (\$97,000) and recommended that the Commission agree, by ward, to approve streets and consider the remainder meeting criteria, but not funded, in next year's budget. She discussed enforcement and using other means to calm traffic, etc. Discussion followed with Ms. Subadan clarifying her recommendation to stay within the budget. Mr. Roberson explained the process with the recommendation to sit down with each Commissioner to discuss streets and funding.

Commissioner Marietta moved to approve the recommendation of the City Manager to do one street per ward before moving on so that everyone gets treated equally, seconded by Commissioner Postell.

Commissioner Langstaff suggested that this is similar to alley paving with staff determining equal linear footage based on cost. He said one street may require more tables than another street and engineering staff will assist in determining traffic calming measures. Additional discussion followed on the three that were placed on Edgewater and money taken from City

Manager's contingency. Mr. Roberson said if an amount is set by ward, but the street does not qualify, a ward may not get one. Commissioner Langstaff recommended bringing back information to determine whether or not a budget amendment will be needed.

In reply to Commissioner Fletcher regarding Nottingham, Mr. Maples advised that a request came in yesterday to look at the area. Commissioner Fletcher stated that she is unsure if her issues fall under the category of speed bumps as it pertains to issues on Pinecrest. Mr. Roberson agreed that the issue is more of a traffic flow.

Mayor Pro Tem Coleman clarified current funding (\$97K), going through the process, etc., with Mr. Roberson agreeing that the process is year-round and based on projections. The projections will determine what to allocate in the next budget. Mr. Maples added that the process with petitions should be complete to make sure 60-80% is received. Mr. Roberson stated that this will be determined as they meet with Commissioners.

Hearing no further comments, the motion unanimously carried.

## **BOARD REQUESTED REPORTS**

1. Dept. of Community & Economic Development – Shelena Hawkins, Director, discussed information as noted (copy on file).

Questions/comments included: Commissioner Howard - new construction on Broadway Duplex with Ms. Hawkins explaining that the project is delayed and should be turned over to the City the first/second week in December. Commissioner Howard asked that surrounding properties be looked at before considering locations for new housing. Ms. Hawkins discussed goals and objectives for future building as it pertains to funding, etc. In reply to Mayor Hubbard, she advised that the City-owned property was acquired in 1999/2000. Mayor Pro Tem Coleman said he is ok with where the apartments are located because they are needed. He suggested making slumlords bring their property up to code. Commissioner Fletcher mentioned future SPLOST funds and suggested looking at blighted properties since slumlords will not change. Commissioner Postell agreed with Commissioner Fletcher and Mayor Pro Tem Coleman and stated that a lot of this happened because of the flood in 1994, which created a lot of vacant lots. He concurred with the comments regarding slumlords, but cautioned about being too critical on development and where it takes place. Commissioner Howard questioned Habitat doing emergency repairs as voted on by the Commission. Ms. Hawkins explained that the construction staff was no longer working with Habitat and they advertised positions at the beginning of this year. In late August/early September, she was notified by Habitat that they could not carry out the program; they advised that they had hired a construction specialist, but were not comfortable with him being able to do necessary inspections on the property and Habitat's financial staff person was retiring, creating another issue. She reported that there are 34/35 applicants, which will be done in-house. Mayor Hubbard clarified that applicants who were approved by Habitat

will not have to do anything else; Ms. Hawkins agreed, adding that if their application is over six months old, they will have to update their income information. In response to Mayor Hubbard, Ms. Hawkins discussed the lone applicant who had to go through the process again based on having made application within the past ten years – applications for the Emergency Repair Program are only allowed once within a ten-year span. Commissioner Howard said he is still concerned about the process and mentioned the issues of one of his constituents; he said this is not good business practice, especially when services are out-sourced and Albany being an entitlement city. Ms. Subadan said no money will be sent back and Community Development is working to get the program back on track and she feels the City will accomplish its goals. Mayor Hubbard asked if there are discussions prior to money being returned or is there the possibility of funding being re-routed. Ms. Subadan explained that since she has been here no money has been returned; she assured Mayor Hubbard that everything possible will be done to make sure we are in compliance and funds can be used elsewhere.

Commissioner Marietta commented on the economic development information (page 54) and expressed surprise about the City having its own revolving loan funds; he asked why the actual shops are not listed. Ms. Hawkins explained that the report is categorized using that information rather than named individuals. In response to Commissioner Marietta, she stated that some individuals qualify for both pots of funding if they meet guidelines. Discussion and explanations followed on applying for funding (EDA program), etc. Ms. Hawkins distributed information (copy on file) of a breakdown by ward, information on the Micro-Business Center and information on CDBG loans. Commissioner Howard asked for a list of businesses as noted on page 54 (last chart).

2. EDC Update – Using a Power point presentation (copy on file), Justin Strickland, Executive Director reviewed the quarterly update.

Mayor Pro Tem Coleman asked for information on the 300+ jobs that were created. Mr. Strickland explained that the 345 new jobs were ‘announced’, and explained that the numbers are based on the promises of companies when they announce they are coming to Albany to open a new business or adding employees to existing operations. Mayor Pro Tem Coleman stated that the numbers are merely projections rather than a fact; Mr. Strickland countered that they are facts – they have found that most companies over-perform on their projections, adding that in his view it is a conservative estimate. Commissioner Postell questioned jobs/employment in Albany. Mr. Strickland said EDC worked directly with companies to locate in Albany/Dougherty County and mentioned incentives and the entities providing incentives. Commissioner Postell asked how much of the budget (\$750,000) goes towards salaries with Mr. Strickland stating approximately 50%. In reply to Commissioner Postell, he listed names, titles and job duties of each employee. Discussion followed on monies received (Chamber of Commerce), Chamber acting as conduit for hotel/motel monies funding tourism efforts of the CVB. In reply to Mayor Hubbard, Mr. Davis commented on state law requirements of hotel/motel monies. Ms. Subadan stated that the City receives information that is part of the budget process, which can be provided.

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Commissioner Fletcher asked how many incentives have been given out this year to date. She mentioned Thrush and asked the number of jobs created. Mr. Strickland discussed the \$200,000 provided, along with incentives and the three years that they were given by the job investment fund, to create 100 jobs. He said he has plans to bring two other businesses to the LTFPC. Commissioner Howard clarified information regarding Thrush and asked if they travel to promote Albany. Mr. Strickland said they go to conventions, which are expensive and commented on the partnership they have with the State on missions of this nature. He explained that sometimes they are invited, but there is often a sponsorship fee.

In reply to Mayor Pro Tem Coleman, Mr. Strickland discussed assisting established businesses, in addition to bringing new businesses to Albany.

In reply to Commissioner Postell, Mr. Strickland restated the dates/times of monthly meeting with Commissioner Postell stating that he would like to speak with Mr. Strickland soon to discuss a future LTFPC meeting.

Commissioner Fletcher said she has been on the EDC board for two years and mentioned the need for many of their projects to be kept under wrap until the appropriate time. She encouraged all Commissioners to meet with Mr. Strickland to discuss their concerns/issues. She stated that new companies need and look for telecom/internet services as being a bargaining point.

Mayor Hubbard agreed, adding that this is a way to get to know about the EDC, its functions, find out what is going on, etc. She mentioned that she learned publicly discussing monies is a mistake, new businesses come in making demands when they hear what was offered to another; merely saying ‘incentives’ is all that is needed. Regarding overseas trips, she said the trips are expensive, but decisions must be made about the best and most feasible methods to promote Albany.

Mayor Pro Tem Coleman suggested education teaching about technology and promoting higher education is also important. Mr. Strickland said Dr. Parker (President of Albany Tech) is on the board and that they work closely with him, i.e., college and career academy. Discussion followed on training people to get jobs. Commissioner Fletcher stated that she cares about education and mentioned EDC defining what is needed for the community and working with higher education institutions.

Mr. Strickland commented on the Mayor’s Forum this afternoon showcasing MCLB and invited all to attend.

## **ITEM(S) FOR FUTURE AGENDA**

Commissioner Howard asked for an update on alley paving. Mayor Pro Tem Coleman asked to have policy and procedure of the tree ordinance regarding the removal of trees from property.



He mentioned tree roots in E. Town Subdivision. Commissioner Postell asked if the City still employs an arborist; Ms. Subadan replied that the City still has an arborist who reports to Engineering. Mayor Hubbard suggested discussing the tree ordinance because it is an issue in the E. Town area.

## **EXECUTIVE SESSION**

At 11:26 a.m., Commissioner Howard moved to enter into executive session to discuss a personnel matter, seconded by Commissioner Postell; the motion unanimously carried as follows:

Ward I	yes
Ward II	yes
Ward III	yes
Ward IV	yes
Ward V	yes
Ward VI	yes
Mayor	yes

At approximately 12:15 p.m. a motion was made and seconded to exit executive session; the motion unanimously carried as follows:

Ward I	yes
Ward II	yes
Ward III	yes
Ward IV	yes
Ward V	yes
Ward VI	yes
Mayor	yes

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SONJA TOLBERT  
CITY CLERK