

JANUARY 21, 2014  
COMMITTEE OF THE WHOLE  
GOVT. CENTER – RM. 120

PRESENT Mayor Dorothy Hubbard  
Mayor Pro Tem Jon Howard  
City Commissioners: Bobby Coleman, BJ Fletcher, Roger Marietta,  
and Tommie Postell  
City Manager: JL Taylor  
City Attorney: CN Davis

Mayor Hubbard called the meeting to order at 8:30 a.m., and welcomed new Commissioners Coleman and Fletcher. She advised that Commissioner Langstaff is in court and will not be present this morning. She commended the City Clerk for the clerk's conference she hosted here last week, which was a great success. She added that she heard the kind of comments that all local officials want to hear – guests were well pleased, are coming back and bringing others with them. She encouraged city staff to invite other conferences to Albany.

## **PUBLIC SAFETY MATTERS**

### ALCOHOL LICENSE APPLICATION – TRANSFER OF OWNERSHIP

1. Shivom Group, LLC d/b/a A&D Food Store; 1421 N. Maple St. S. Patel/Agent; Beer/wine package; Transfer from BB Patel – WARD 2

In reply to Mayor Hubbard and Commissioner Postell, Mike Tilson, Enforcement Director, stated that the business was sold and explained the transfer of ownership/license.

Commissioner Marietta moved to approve, seconded by Commissioner Postell; the motion carried 5-1 with Mayor Pro Tem Howard voting no.

### ALCOHOL LICENSE APPLICATIONS:

Commissioner Postell moved to approve the following, seconded by Commissioner Marietta; the motion carried 5-1 with Mayor Pro Tem Howard voting no.

1. Bogeys of Albany, LLB d/b/a Bogeys Bar & Grill; 2238 Palmyra Rd. M. Ervin/Agent; Consumption- WARD 2

Commissioner Postell moved to approve the following, seconded by Commissioner Marietta; the motion carried 5-1 with Mayor Pro Tem Howard voting no.

2. Sabir& Lisa, Inc., d/b/a Sunshine Acres Grocery 2; 1800 E. Oglethorpe Blvd, U. Sabir/Agent; Beer package – WARD 1

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Commissioner Marietta moved to approve the following, seconded by Commissioner Postell; the motion carried 5-1 with Mayor Pro Tem Howard voting no.

3. Hong Kong Café, 2700 Dawson Rd., Suites 1-2; JP Liang/Agent; Beer/Wine Consumption – WARD 5

#### ONE DAY ALCOHOL LICENSE APPLICATIONS:

Commissioner Postell moved to approve the following, seconded by Commissioner Marietta; the motion carried 5-1 with Mayor Pro Tem Howard voting no.

1. ATC Foundation, LLC; JA Najjar/Agent; Black Tie Fundraiser @ Albany Tech College; 1704 S. Slappey Blvd., March 14, 2014; 6-11:00 pm

Commissioner Postell moved to approve the following, seconded by Commissioner Marietta; the motion carried 5-1 with Mayor Pro Tem Howard voting no.

2. Georgia Chamber of Commerce; J. Strickland/Agent; Reception/Dinner for GA Quail Hunt; River Front Park; 112 N. Front St. Feb 6, 2014; 6-10:00 pm

Commissioner Postell moved to approve the following, seconded by Commissioner Marietta; the motion carried 5-1 with Mayor Pro Tem Howard voting no.

3. Girls Inc., of Albany, GA; S. Alexander/Agent; Wine Market, Flint RiverQuarium; 101 Pine Ave., March 8, 2014 6 pm to 10:00 pm

Commissioner Marietta moved to approve the following, seconded by Commissioner Postell; the motion carried 5-1 with Mayor Pro Tem Howard voting no.

4. Darton College Foundation, L. Malinowski/Agent; Concert Fundraiser, Cavalier Arena, 2400 Gillionville Rd., March 1, 2014; 5:00 pm – 11:59 pm

#### ITEMS FOR FUTURE AGENDA

Commissioner Marietta mentioned an accident near Lake Park Elementary School and asked to check on installing a stop sign at Kenilworth and Meadowlark. Mr. Taylor stated that he told Commissioner Marietta that it will be placed on the agenda for the next meeting.

### **PUBLIC FUNCTIONS MATTERS**

MATTERS FOR PUBLIC HEARING AND CONSIDERATION ON TUESDAY, JANUARY 28, 2014, 6:30 PM; ROOM 100; GOVERNMENT CENTER BUILDING, 222 PINE AVE.

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The Clerk read the following:

1. Zoning Case #13-098 – SJE Development/Owner; Lanier Engineering, Inc./Applicant; request to rezone property located at 1300 Owens Ave., from R-3 and C-1 to C-R. PC Approved 8-0 – WARD 2

Commissioner Postell asked what is planned to be placed there. Mary Teter, Planning Manager, explained that there will be renovations of the existing 48 units, but to subdivide, it will need to be rezoned. Commissioner Postell asked if this has to do with new HUD laws and is the reason they made the application; Ms. Teter replied that she does not know the answer. Commissioner Postell asked the location; Ms. Teter replied that it is the former Boyette Village, i.e., military housing and explained the dividing of the subject properties to make it a duplex or townhouse. Commissioner Postell asked if this is a CHDO; Ms. Teter agreed.

Mayor Pro Tem Howard asked if this is west of Cora Jinks Lane; Ms. Teter agreed.

Commissioner Marietta mentioned the disclosure form and asked if the intent of the law/ordinance is aimed at whoever is purchasing the property rather than the engineer. Ms. Teter stated that he is referring to the Campaign Contribution Form. Mr. Davis agreed that this is an agent and suggested requiring the property owner be shown as the applicant.

Commissioner Postell moved to accept the information, seconded by Commissioner Coleman; the motion unanimously carried.

CONSIDERATION OF RESOLUTION TO SUBMIT A GRANT APPLICATION TO GA. DEPT. OF NATURAL RESOURCES RE: HISTORIC RESOURCE SURVEY

Paul Forgey, Planning Director, discussed information as noted (copy on file) pertaining to the submission of a grant application for a historic survey. He discussed the phases and noted that no amount was listed on the agenda item because they are still looking into the grant; with the ability to include in-kind services. If this is possible, the City will not have to provide any funds for a match.

In reply to Mayor Hubbard, Mr. Forgey advised that it takes a couple of months to get the grant approved and work would not start until July.

Commissioner Postell agreed that this needs to be brought up to date regarding historical areas. He mentioned his questions/concerns that were recently discussed in which downtown has been pinpointed, stating that even though buildings are being built downtown, there are few who want to locate here. He asked if the survey is inclusive of all homes/businesses over fifty years old. Mr. Forgey replied that it will include any type of structure (businesses, residences, bridges, water towers, etc) over 50 years old; the State recommends starting with the local historic area, the area to which Commissioner Postell referred; however, it will be a larger area than just the historic area.

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

## **PUBLIC ADMINISTRATION AND FINANCE MATTERS**

### RECORDS MANAGEMENT

Joshua Williams, Buyer, discussed information regarding records management for the Engineering Department.

Commissioner Postell questioned the upgrade and asked what will be included. Mr. Taylor explained that there were several projects, including the building itself, through SPLOST funding and the records being archived and housed in the building. This is to include the engineering department.

Mayor Hubbard stated that a number of departments will have records to be maintained. Mr. Taylor agreed adding that a review will determine which needs to be maintained or destroyed, adding that Water, Gas & Light has not even been looked at yet.

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

### TRANSFER TITLE TO VEHICLES

Dale Henry, Buyer, discussed information as noted (copy on file).

Commissioner Marietta moved to approve seconded the Mayor Pro Tem Howard; the motion unanimously carried.

### CURRENT BID:

Mr. Henry discussed the following:

1. (3) 2014 Ford Police Interceptors, Wade Ford, Smyrna, GA

Total expenditure	\$71,353.00
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Commissioner Postell moved to approve, seconded by Commissioner Marietta; the motion unanimously carried.

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APPLICATION FOR FTA SECTION 5307 CAPITAL & OPERATING GRANT

David Hamilton, Transit Director, discussed information as noted (copy on file) and asked for approval.

Mayor Pro Tem Howard moved to approve, seconded by Commissioner Postell, the motion unanimously carried.

ENVIRONMENTAL ASSESSMENT, MULTIMODAL LOCALLY PREFERRED ALTERNATIVE

Wes Smith, Asst. City Manager discussed information as note and advised that the categorical exclusion application was submitted to GDOT and that it was rejected. He asked to move forward with the environmental assessment, adding that funding will come from the general fund, half the cost paid this year through a budget amendment, and the other half budgeted in the next fiscal year.

Commissioner Postell asked the reason the categorical exclusion was rejected; Mr. Smith explained that information was forwarded to the Commissioners. Commissioner Postell asked if each site requires an environmental assessment. Mr. Taylor replied in the affirmative, adding that it is a certainty regardless of the site selected. Commissioner Postell asked if there is any idea of what will be found in the area. Mr. Smith stated that a phase 1 environmental assessment was conducted, which reduced the risk of finding anything. Discussion followed with Mr. Smith explaining the process of moving forward. In reply to Commissioner Postell, Mr. Smith stated that this is only the beginning; final costs have not been determined. Commissioner Postell asked if a cost factor comparison was made to move to the Heritage House area and if this is possible if the first site is not suitable. Mr. Smith advised that a comparison was made, which would have been less expensive with the options and layout being far superior, but the Commission approved 300 Oglethorpe (the current site) as the locally preferred alternative. Commissioner Postell briefly discussed the need to look at the Heritage House property, which the City's owns.

Mayor Pro Tem Howard asked Mr. Smith to explain the categorical exclusion request to GDOT. Mr. Smith discussed the process, adding that GDOT will require an environmental assessment regardless of the location of the site. Discussing the current site, Mayor Pro Tem Howard mentioned exceeding fair market value of the property the City wants to acquire and asked options open to the City. Mr. Smith replied that any amount exceeding fair market value to acquire the property will come from the general fund. Mr. Taylor added that the City will likely pay the total cost for the property as there is no money for property acquisitions. Mayor Pro Tem Howard asked if we are talking about purchasing all of the property. Mr. Smith stated that he is unsure it can be subdivided, but that it will not include acquisition of the Heritage Bank property.

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Commissioner Fletcher asked if time is a factor, with the possibility of losing funds. Mr. Smith stated that approximately \$1.0 million is almost certainly about to be lost in construction funds, based on a September, 2015 deadline, which the City cannot accomplish, but once the project is ongoing, GDOT promised to assist with finding other funds. Commissioner Fletcher moved to approve, seconded by Mayor Pro Tem Howard.

Commissioner Marietta asked if there is an appeal process for the categorical exclusion. Mr. Taylor stated the City has appealed to the highest authority, unless the Commission wants to take it to the Senate or President.

Discussion followed with Commissioner Postell commenting on where to go and how to get the Multimodal off the table, adding that there is not enough information from staff to show how this will be done. He stated that the City does not have funds to build a multimodal and he cannot agree to continue spending money on an environmental study, etc. Mr. Smith explained that any site requires an environmental assessment and the only high risk loss of funds is \$900,000 with \$4 million remaining in available federal funding; GDOT has assured assistance in finding funds. Commissioner Postell asked if GDOT supports the current site. Mr. Smith stated that GDOT believes this is a local decision. Mr. Taylor stated that opinions belong to him with Commissioner Postell posing the question to Mr. Taylor. Mr. Taylor said he has no clue. Commissioner Postell stressed the need for an alternate plan. Mr. Taylor stated that there are two other sites that can be considered if this site is not developable, Carmike 8 Theatre and the Heritage House. Commissioner Postell said he will support the multimodal regardless of where it is located; however, he opposes spending tax payer's money.

Commissioner Marietta stated that remodeling the old bus station was rejected last year, with the Commission voting to build a new station. Mr. Smith agreed, adding that there may be a way to utilize the old, but he is unsure; all options are being reviewed to find the most economical, practical, and feasible opportunity.

Discussion followed with Commissioner Postell asking that the motion be restated. The Clerk restated the motion with Commission Postell verifying that the motion is to approve the environmental assessment preferred alternative. Mr. Taylor agreed. Hearing no further comments, the motion carried 5-1 with Commissioner Postell voting no.

#### ITEM(S) FOR FUTURE AGENDA

Mayor Pro Tem Howard mentioned the China Palace Buffet in the 300 block of E. Oglethorpe being demolished by Oxford which removes another eyesore from the city.

Commissioner Marietta asked for an update on the SPLOST VI alley paving timetable.

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There being no further business, the meeting adjourned at 9:24 a.m.

Mr. Taylor reminded the Commission of the scheduled retreat as noted at the bottom of the agenda.

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SONJA TOLBERT  
CITY CLERK