

JUNE 10, 2014
SPECIAL CALLED COMMITTEE OF THE WHOLE
GOVT. CTR. – RM 120

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

Mayor Hubbard called the meeting to order at 9:02 p.m.

PUBLIC HEARING – FY 2014-2015 Budget

William Wright distributed information (copy on file) pertaining to the proposed budget, specifically as it relates to the Civil Rights Act, Affirmative Action Act and the lack of a Small Business Program in the City of Albany. He referred to page 5, regarding to the tax digest, adding that \$28.0 million was lost because of the Motor Vehicle Tax.

Commissioner Postell asked Mr. Wright where he obtained his information. Mr. Wright replied that he got it from the Census Bureau and Dept. of Labor. Commissioner Postell asked his recommendation regarding minority businesses. Mr. Wright suggested that the first step is to implement a plan for creating jobs. Commissioner Postell noted the disparity between Mr. Wright's information and that from Georgia Tech. Mr. Wright referred to the 2007 study that was conducted and discussed meetings in 2010 that aimed to assist minority businesses.

HB 60 re: GUN LEGISLATION

City Attorney Nathan Davis discussed information (copy on file) regarding to the new gun legislation as it pertains to employees.

Commissioner Postell asked about those who are licensed to carry weapons, but are not City/County employees. Mr. Davis explained that weapons can be carried into a government building as long as a person has a license; however, he added that restrictions can be in place. Discussion followed on violations of the program, should one be in place.

Mayor Hubbard asked how an ordinance passed by the City would affect any change since the building is owned by the County. Mr. Davis stated that the ordinance is directed to employees; the County would be responsible for restrictions because of owning the building. Mr. Taylor stated that he was contacted by the County and they are working with their team to determine cost, equipment to be purchased, etc.

Mayor Pro Tem Howard asked how the local delegation voted. Mr. Davis said he does not know. Mayor Pro Tem Howard commented on an article in the newspaper regarding the City of Macon trying to have the law repealed. In reply to Mayor Pro Tem Howard, Mr. Taylor stated that he has been working with Dougherty County regarding security of the building. Mayor Pro Tem Howard asked if the County decides to do nothing, the issue is null and void; Mr. Taylor

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agreed. Discussion followed regarding irate people entering the building to make appointments or attend City meetings. Commissioner Postell stated that he wants to know how the local delegation voted on this.

Mr. Taylor stated that the ordinance is directed specifically toward employees. Mayor Hubbard asked if we should wait until we know what the County plans to do. Mr. Taylor suggested not waiting because if the ordinance is not in place on July 1, employees will be able to report to work armed with a gun. Additional discussion followed with Commissioner Langstaff stating that he supports the ordinance as it controls what employees can do. He then moved to approve and asked that discussions with the County include having protection during City/County meetings, i.e., sealing doors, etc. Mr. Taylor stated that this is being addressed. Commissioner Langstaff stated that he feels state legislation is idiotic, adding that small towns are unable to address this type legislation. The last thing needed at a heated meeting is someone with a gun. Mr. Taylor advised that unless the state legislation repeals the law, we have to deal with it. Commissioner Coleman seconded the motion.

Commissioner Postell stated that we do not know where we are with the County and are making assumptions regarding security measures, adding that he will not vote on hypothetical assumptions. Commissioner Langstaff stated that the ordinance will keep employees from bringing guns inside the building.

Mr. Taylor clarified that the ordinance addresses City employees carrying weapons, adding that the impact of this law is tremendous. This is an unfunded mandate that we are working on with the County. He discussed the structure of leasing from the County, adding that it will be a split cost.

Commissioner Marietta expressed concern regarding this being done as an ordinance and suggested that the City Manager can administratively address this by sending out a directive. He mentioned unilaterally disarming City employees adding that this goes against his logic and suggested giving it more thought, in spite of the July 1 deadline.

Commissioner Coleman agreed with Commissioner Langstaff regarding handling City employees and prohibiting weapons being brought to work.

Mayor Hubbard questioned page 5, lines 840-846. Mr. Davis explained that it pertains to the local ordinance regarding discharging a fire arm within corporate limits; this does not supersede or do away with that ordinance.

Commissioner Postell moved to table until the County provides more information, seconded by Commissioner Marietta. Hearing no further comments, the motion died 3-3 with Mayor Hubbard and Commissioners Coleman and Langstaff voting no.

Commissioner Coleman clarified that the City and County will split the cost 50/50; Mr. Taylor agreed.

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Discussion followed with Commissioner Langstaff stating that the vote will probably be tied and confirmed that the item will be on the agenda at the night meeting so that the absent Commissioner [Fletcher] will have an opportunity to vote and/or someone to change their vote. Mayor Hubbard agreed.

Hearing no further comments, the motion died due to a tie vote, with Mayor Pro Tem Howard, Commissioners Marietta and Postell voting no.

FIXED ROUTE BASE FARE INCREASE

Tennasha Gresham, Transit Planner, discussed information as noted (copy on file) pertaining to a fare increase.

Commissioner Postell clarified that the proposal is to increase the fare \$0.05 for the next five years and moved to approve, seconded by Commissioner Langstaff; the motion carried 5-1 with Mayor Pro Tem Howard voting no.

MULTIMODAL SITE OPTIONS

Wes Smith, Asst. City Manager, discussed information (copy on file) as it pertains to site options. Using power point, he displayed and discussed options.

Discussion followed on allowing commercial development and the cost. Mr. Taylor stated that there is no cost. Commissioner Postell expressed concerns pertaining to hypothetical planning and having no commitments from the private sector. Commissioner Marietta asked the difference between option 1 and 3 with option 3 taking up more space and option 1 having future development options. Mr. Smith explained the difference of each layout. Regarding the alley, as noted in option 1, Mr. Smith advised that the alley would be closed. Commissioner Postell asked to see the original bus station plan. Mr. Smith said he will provide it and suggested creating options that will help development in that area. Discussion followed on the study that was completed, environmental assessment, artifact findings, etc. Mr. Taylor discussed phase 1 of the environmental assessment, potential areas of future development, including potential for residential spaces, adding that this is only an option and whatever decision is made will probably affect the Harlem District. Commissioner Postell chastised Mr. Smith for not bringing back information before now and asked why he did not mention that he was changing the plan. He suggested that Mr. Smith changed it under his own authorization, not the Commission. Mr. Taylor interjected that this is only a proposal, not a mandate. Mr. Smith stated that options can be scaled back, adding that he makes no apologies for something that has the potential to be a broader benefit to the community than just a bus station. He explained that because of zoning and building block-line requirements, the City is forced to bring the building to the corner. Commissioner Postell commented on prior discussions, especially the cost to construct. Mayor Hubbard stated that four votes are required to move forward.

Mayor Pro Tem Howard agreed with Commissioner Postell regarding the options and commented on the Ritz Culture Center, future development, etc., adding that Harlem may be a thing of the past and suggested going with the original plan. Mr. Taylor stated that we do not have site control and the federal government will not allow development until there is site control. Mayor Pro Tem Howard asked Commissioner Postell the age of the Ritz Cultural Center with Commissioner Postell giving a brief history and advising that it came about back in the 1940's.

Commissioner Marietta stated that this is in Commissioner Fletcher's ward and suggested that Commissioners meet individually with Mr. Smith for discussion. He moved to table for a week for Commissioner Fletcher to look at the plans, etc. Mr. Smith gave another option.

Commissioner Postell seconded the motion to table. Hearing no further comments the motion unanimously carried.

HB 489 re: SERVICE DELIVERY AGREEMENTS:

1. Central Services/Procurement – Mr. Smith discussed information (copy on file) as it pertains to having an agreement with Dougherty County on an 'as needed' basis.

In reply to Commissioner Postell, Mr. Taylor advised that the County has no cost at this time. Discussion followed on the cost of the old contract; Mr. Taylor stated that it was approximately \$100,000. He explained that the current proposal is to provide services as needed.

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

2. Code Enforcement – Mr. Smith discussed information (copy on file) pertaining to having an agreement with Dougherty County.

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

Following a brief break, Mayor Hubbard reconvened the meeting and asked for a moment of silence for Commissioner Fletcher's sister who passed away this weekend.

DEPARTMENTAL BUDGET DISCUSSIONS

1. Albany Police Department

Chief Proctor stated that the recommended budget represents an 11.02% increase over the FY 2013/14 adopted budget. He advised that 99% of the increase is for personnel services because of health insurance coverage, FICA, pension matching, risk allocation and the new storm water utilities. He added that had it not been for the factors he just listed; the recommended budget

would have increased by only \$16,300 for the software licenses for 300 mobile units in police vehicles.

Referring to page E-97, Commissioner Postell asked the cost of the increase. Chief Proctor explained that most of it was due to factors beyond his control. Commissioner Postell asked who gave the projected figures. Mr. Taylor interjected that that he did; distribution was based on overhead increases such as PEGHP, pension matching, FICA increases based on risk assessment, and the storm water utility – all departments experienced the same increases. Referring to page E-77, he stated that it shows a breakout of the increases, which is \$303,592.00. Commissioner Postell asked if the 2% COLA is combined with the figures; Mr. Taylor replied in the affirmative. In response to Commissioner Postell, Chief Proctor stated that he only asked for an increase of \$16,300; the other increases were for allocations he could not control. Referring to page E-102, Commissioner Postell noted that the figures remain relatively constant with 2014/15 seemingly less than previous years, with other figures fluctuating more than those. He asked why Uniformed Services remain constant, with Investigation and Administration increasing. Ms. Brophy explained that the total combined budget from 2014-2015 had the net effect of increasing by approximately \$300,000; there are several different cost centers within APD in which some went down while others went up. The reason for that is movement of personnel from one cost center to another, as well as changes made throughout the year due to increases in health care cost. Referring to page E-77, she discussed other contributing factors for rate increases, such as not funding certain positions. Mr. Taylor explained that Uniformed Services has quite a bit of turnover and is the area of the City's biggest shortfall; therefore it is underfunded with the understanding that should new personnel be hired, those positions will be funded through a budget amendment. Ms. Brophy added that the number of unfunded positions increased the total APD budget because of funding more of the 250 positions. She stated that the line for salary adjustment is due to the 2% COLA increase and the fact that Worker's Comp had to be 100% funded based on projections. She briefly explained the effect of the increases in FICA and pension matching, which are based on payroll percentages and reiterated that the factors just discussed were beyond the control of any department. Chief Proctor briefly discussed the Uniformed Division where newer employees, who tend to stay there, are brought in, and their salaries are more. The more seasoned employees are in other units and move across the divisions as need becomes available. Commissioner Postell asked if there are 141 employees in the Uniformed Unit. Chief Proctor replied that is where they are allocated and explained that currently they are down ten positions, predominately in Uniform. In response to Commissioner Postell, Chief Proctor said Investigations is down one/two employees. Mr. Taylor briefly discussed those attending the Academy and being entry-level. Chief Proctor briefly discussed the Academy, in which not all graduate for one reason or another and Field Training, in which they are trained as solo officers. At this time, he said he has 17 in some form of training. Mr. Taylor stated that once they enter the academy, they are on the City' payroll. In response to Commissioner Postell, Chief Proctor stated that there are two vacancies in the Gang Task Force; 14 sworn officers and one civilian. Commissioner Postell asked the amount of funds allocated to each division, and the unspent amount returned to the General Fund. Chief Proctor said he does not know; Ms. Brophy stated that she will get the information. Mr. Taylor stated that departments have gotten away from the practice of budgeting for positions and then not filling

positions in order to have funds for other expenditures. Chief Proctor added that his department does not cross mingle funds and right now he is not using salaries for two positions, which are not filled.

Mayor Pro Tem Howard asked how long the two Gang Task Force positions have been vacant. Chief Proctor replied it has been approximately three months; he is waiting for officers to graduate from the Academy and exit the training program. He added that there is an MOU to staff ADDU, with ten sworn officers and two civilians attached to that unit and there have been two vacancies for over six months. In response to Mayor Pro Tem Howard, he said there are still vacancies in Administration. He discussed the issue of the Gang Task Force being a specialized unit and moving solo officers into the unit; those just coming out of field training are not assigned to this unit.

In response to Commissioner Marietta, Chief Proctor stated that his department does recruit at all local educational institutions, including high schools. Commissioner Marietta commended APD and stated that the department has greatly improved in all aspects.

In response to Mayor Hubbard, Chief Proctor stated that the Humane Society's contract was just received; there had been an issue regarding euthanasia because of the recent distemper outbreak. Lt. Hosea Miller added that the contract is \$218,000 and \$24,000 for euthanasia, with the total contract increasing approximately \$2,000. Chief Proctor stated that he will supply Mayor Hubbard with a copy of the contract today, adding that Mr. Davis reviewed the contract.

2. Community Development

Phyllis Brown stated that the total proposed budget is \$3,337,134.00, with total projected revenue of \$3,117,732.00 with a projected shortage of \$219,402, due to a new line item of indirect costs. Mayor Pro Tem Howard asked if CED is being reduced from 15 to 13 employees; Ms. Brown replied in the affirmative. Ms. Brophy explained that the indirect cost has always been there for centralized services provided to departments such as accounting, HR and procurement. Enterprise funds have always been charged for their fair share of these costs; Community Development was one of the departments in which it was determined they had the funds to pay for their fair share. It is not the first time that the cost has been incurred by the General Fund, but is the first time it has appeared in Community Development's budget. The other contributors for their increase are the same as all other departments – FICA, COLA, pension, insurance matching. However, she said with the decrease of two employees, the line items went down. Mayor Pro Tem Howard asked about the rental program being reduced from two to one employee; Ms. Brown stated that they did not fill the position of construction specialist. Mayor Pro Tem Howard asked if the Ritz Cultural Center is in that bad of a condition; Shelena Hawkins, Director, replied that it is and explained that they had planned to rehab it for the annex and theater, which was scaled from \$8.0 million to \$2.0 million, but they only had slightly over \$200,000 in SPLOST funds and \$200,000 of CDBG funds; therefore, they cannot rehab both sides with the annex portion being in major disrepair. Mr. Taylor added that most likely it will cost \$2-3.0 million to get it into a usable state. He mentioned looking for historic

grant funding since it is not currently in the budget. A brief discussion ensued regarding needed repairs to bring it up to code. Mayor Hubbard mentioned a decrease in federal funding; Ms. Hawkins stated that they were unable to fund some programs at the same level as in the past. Mayor Hubbard asked the status of rental properties regarding receiving funds that had been approved for Albany. Ms. Hawkins stated that with the loss of the construction specialist, they have to use contract labor companies; currently they have two assigned to rental maintenance. Mayor Hubbard expressed concern regarding building new senior housing with the loss of staff. Ms. Hawkins stated that the intent of CED is to not manage property going forward. Those types of projects will be turned over to a developer or a capable CHODO.

Commissioner Postell asked if the major federal funding comes through HOME or CDBG. Ms. Brown replied that both are the primary sources of federal funding. In response to Commissioner Postell, Ms. Hawkins stated that they have approximately 230 units, with less than 2-3% no longer considered low-moderate income. The bulk of their tenants are low-moderate to very low; 80% down to 30% is occupied in rental, including seniors. In reply to Commissioner Postell, Ms. Hawkins explained that for the CDBG program, when low income tenants get an income increase, CED can charge up to 30% of their adjusted gross income, Commissioner Postell asked if CED refers those who no longer qualify to Albany Housing; Ms. Hawkins replied in the affirmative.

Commissioner Marietta questioned tracking revenue; Ms. Brophy directed him to Tab 2 (budget book), page 16 of 20. Ms. Hawkins reported that allocations are primarily directly from HUD.

A brief discussion followed regarding the loss of one construction specialist. Mr. Taylor explained that the person does not have to do repairs, but inspects and reports needed repairs. Mayor Pro Tem Howard noted that it would take a five-man crew to keep City properties immaculate. Mr. Taylor replied that five would keep properties acceptable; it would take far more to keep properties immaculate.

3. Engineering

Director Bruce Maples stated that Engineering's 2400 has: a decrease of \$33,094, resulting from reduction in wages through the retirement of high-salaried employees; increase in Professional Services through closely monitoring wells on Roosevelt Avenue; \$4,402 reduction in Risk allocation as a result of the success of their safety program; \$3,800 increase associated with increase in software for implementation of machine/tools; and supplies reduced \$22,000 because of a reduction of the Arborist. Reviewing acct. #2402, Storm Water Management/Utility Program, he stated Engineering's portion is \$414,533, which has five employees and four positions to be filled. In response to Mayor Pro Tem Howard, he stated that collections began in April, with \$194,000 billed that month, but only \$169,000 collected; there has been one complete billing cycle.

Commissioner Marietta asked if SPLOST alley paving is on track; Mr. Maples replied that the first set, six alleys, were put out for bid, with almost all of the alleys having been surveyed. He

explained that alleys are done in phases in order to keep work rolling based on the allocation of funds. Commissioner Marietta stated that the City Manager's report on Nottingham Way widening seems to state the same thing each month. Mr. Maples explained that they have met with residents of Stuart Place condominiums approximately six-seven times and each time there is a new group of owners. At one time there appeared to be a unanimous vote among the home owners association to proceed with the right-of-way to do the widening, but because of a divorce and the wife being awarded the property not agreeing to grant the right-of-way, they are back at square one. He explained that at some point, his department will have to come back to the Commission for direction on how to proceed. Mr. Davis opined that it appears eminent domain will be necessary to resolve this issue. Commissioner Marietta suggested that after all the delays; eminent domain proceedings should be started. A brief discussion followed regarding initiation of eminent domain.

Ms. Brophy interjected that cost center #2402, is managed by Engineering and advised that it is a part of the Storm Water Enterprise Fund and not part of the General Fund budget.

4. Public Works

Director Phil Roberson distributed additional information (copy on file), stating that Public Works budget is \$33,033,006 million, with 162 full-time employees. He noted that the head count is down as a result of moving employees into the Storm Water Utility division and advised that \$2.6 million has been transferred into the Storm Water Utility to handle those type issues. The proposed budget includes: indirect costs of \$4.9 million; estimated gross revenue is at \$3.8 million; net revenue \$3.4 million; \$1.5 million shortfall, which may be addressed through not filling 11 vacancies; \$794,000 depreciation for the sanitary side of the Storm Water budget; \$425,000 new cost in tipping fees due to the closing of Maple Hill Landfill. Reviewing the Sewer Division, he stated that it has \$16,367,000 budgeted which is up \$15.4 million from last year with a recommended 5% increase, which will generate an additional \$502,000 and a \$236,000 increase for above-the-line costs, which accounts for the majority of the increases. He reviewed the proposed increase to \$26.66/month for the average 6,000 gallon user, adding that of the cities surveyed, Albany is the second lowest rate in Georgia for sewer rates. He briefly discussed the costs resulting from the closing of Maple Hill Landfill, including the additional cost to use Dougherty County's Landfill (\$120,000). Challenges facing his department include major infrastructure projects, reconstruction on Stuart Avenue, sewer issues on the east and west side of the Flint, west side interceptor rehab, closing inert facility at Maple Hill and amending the solid waste ordinance to improve curbside collection.

Commissioner Marietta mentioned that the City is expensing depreciation for the first time and asked if the appeals process has been completed or is it ongoing. Mr. Roberson replied that Engineering is handling that; however, he stated that there is not so much going on with appeals, but credits are available. Commissioner Marietta asked the difference in the budget request and revenue for storm water utility. Mr. Roberson stated that the depreciation is \$794,000, with assets (all rolling stock) taken from the Street Division now in the Enterprise Fund. He advised that next year, Engineering will have to identify corrective action needed for the storm water

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infrastructure, with his department performing the work. Mr. Maples interjected that credit requests continue to come in. Commissioner Marietta asked the amount the City has given up through appeals/credits. Mr. Roberson stated that it has been less than 5% in the first two months and everything is on track.

In response to Mayor Hubbard, Mr. Roberson discussed Maple Hill Landfill and its closing.

Mr. Taylor reminded the Commission that the utility budget will be presented at the next work session. He stated that HB 60 will also be brought back because a decision must be made before July 1. He mentioned sending an email regarding his contract package. Mayor Hubbard stated that the letter from M&M Mars needs to be discussed if action is to be taken. Mr. Taylor said it will be addressed in July.

There being no further business, the meeting adjourned at 11:55 a.m.

SONJA TOLBERT
CITY CLERK