

JUNE 17, 2014
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM 120

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

Mayor Hubbard called the meeting to order at 8:43 a.m.

SPEAKER APPEARANCE:

Tommy Gregors discussed the request for continued funding for the Flint RiverQuarium as it pertains to the success of downtown and economic development. He briefly reviewed the finances of the RiverQuarium, adding that the \$150,000 investment returned approximately \$214,000 directly back to the City through utility costs; garbage, storm water, service fees; electric, etc., and approximately \$14,000 in sales tax paid on goods and services, etc. He stated that the request this year is for \$200,000.

Commissioner Postell asked the reason for a \$50,000 increase from last year. Mr. Gregors explained that the utility cost of the RiverQuarium is the primary factor. They have cut back to the point of almost hurting the aquarium and maintenance is not being performed as needed. The money ensures that the RQ operates efficiently and effectively. Commissioner Postell moved to give the RiverQuarium funds requested and asked how much was given to the Civil Rights last year. Mr. Taylor stated \$50,000. Commissioner Postell asked to increase funding to the Civil Rights Museum for a total of \$100,000, seconded by Commissioner Marietta.

Commissioner Coleman mentioned the RQ cutting costs and agreed with Commissioner Postell. He suggested that private money needs to be a part of the equation as opposed to taxpayer's dollars each year. Mr. Gregors explained fundraising efforts that are taking place, adding that the public investment is small compared to monies raised through other endeavors. Mayor Hubbard stated that private people will give when they know the City supports the facility.

Commissioner Fletcher stated that this is taxpayer's money and, if it operated as a real business, a five year plan would be required for review. She mentioned comments from her constituents who commented on upkeep of the front of the building, i.e., painting, pressure washing. She asked how many visitors come through the RQ. Mr. Gregors stated over 60,000 and suggested the Commission put a committee together to work with them on a multi-year plan/agreement with criteria in place to measure success.

Mayor Hubbard asked if Dougherty County allocates funding for maintenance. Mr. Gregors stated that SPLOST VI funds were used for equipment/capital improvements. In reply to Mayor Hubbard, he explained that in analyzing costs, they define what it takes to keep the animals alive; he discussed chillers, equipment, etc., necessary to keep animals alive and healthy.

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Commissioner Langstaff stated that the balanced budget will require taking \$1.979 million from reserves, and suggested that we do not have money to do this kind of stuff. Taking money from the reserves includes getting MEAG money that will disappear in 2018. He stated that unless we make program cuts now, it will be disastrous in 2018, adding that incremental cuts and/or rate increases could have been done all along. He stated that in looking at the history, the County gives less than the City, with the County stating that they stopped giving money because they could not afford to any longer. He asked why those who think it is important that the City give insist that the County contribute an equal amount and why all of a sudden it is the City's responsibility. It should be a shared burden as it was from the beginning.

Mayor Pro Tem Howard asked Mr. Gregors if he approached the County. Mr. Gregors stated that the County refused to fund direct operating costs, but contribute SPLOST funds for equipment improvements the RiverQuarium could not get elsewhere. Mayor Pro Tem Howard expressed concern regarding downtown improvements, with businesses opening and closing, adding that his vote today is to not give the \$200,000 and \$100,000.

Commissioner Fletcher suggested giving Mr. Gregors the opportunity to officially go to the County. Mr. Gregors stated that he would never assume that the City's money will always be there to fall back on, adding that the County provides in-kind services, i.e., grass cutting, maintenance skills, etc. He referenced his letter (copy on file) and again stated that \$220,000 was returned to the City; Dougherty County received none of that money.

Commissioner Marietta mentioned the CVB statement about Albany's \$200.0 million tourism impact and asked if the CVB has specified the RQ's impact to tourism. Mr. Gregors replied that he does not have those numbers with him, but will have them before the night meeting.

Commissioner Langstaff mentioned that WG&L utilities, with a substantial portion of the number being paid back is for water, electric and gas; today, WG&L will propose a rate increase. He added that for years, the City lost money on water, as well as WG&L having to pay for the electric, gas and water that they consume. Mr. Gregors stated that he is aware.

Hearing no further comments, the motion carried 4-3 with Mayor Pro Tem Howard and Commissioners Fletcher and Langstaff voting no.

APPOINTMENTS:

1. Appointments to Community Development Council for one-year term expiring June 2015
2. One appointment to Albany/Dougherty County Planning Commission to fill an unexpired term ending January, 2017
3. One appointment to WG&L Commission to fill an unexpired term ending January, 2016

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The Clerk stated that Joyce Lane and Debra Lilly expressed interest and submitted resumes for the Community Development Council.

A brief discussion ensued after Commissioner Marietta asked if applicants can be asked to come to the night meeting so that questions can be asked. Mayor Hubbard stated that she feels each Commissioner should exercise due diligence by meeting/talking with applicants in advance to determine if they are qualified.

Commissioner Postell moved to appoint Gloria Gaines to Planning Commission and Jay Sharp to WG&L, seconded by Commissioner Marietta; the motion unanimously carried.

TRAVEL:

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

1. Mayor D. Hubbard, GMA Training Board Mtg., Macon, GA; June 11, 2014 - \$119.84
2. City Clerk S. Tolbert, IIMC Annual Conference, Milwaukee, WI; May 17-23, 2014 - \$\$2,260.55

ITEM FOR FUTURE AGENDA

Commissioner Fletcher mentioned the 700 non-profits in our community. Each time one of them purchases a building, it comes off the tax roll with the increase burden placed on the small percentage of taxpayers. She asked that legitimate non-profits offer services for taxpayers, i.e., an application for what is offered so that word can be given to taxpayers. If they are not legitimate and do not have proper paper work, they should be put back on the tax roll. Mayor Hubbard asked Mr. Davis to clarify. Mr. Davis stated that Commissioner Fletcher is correct, explaining that being a non-profit does not automatically entitle one to an exemption on Georgia real estate ad valorem property taxes. He added that the legal issue is that the Dougherty County Tax Director sets the tax digest, which includes the fair market value of properties and those receiving an exemption. When individuals/corporations request to receive a zero dollar tax bill, a form has to be submitted by non-profits. Commissioner Fletcher asked to bring the Tax Director to the table for discussion. Mayor Hubbard asked Mr. Taylor to ask the Tax Director to attend a meeting for clarification.

PUBLIC WORKS MATTERS

PAVEMENT BASE REPAIR ON STUART AVE.

Bruce Maples, Engineering Director, discussed information as noted (copy on file) pertaining to base repair on Stuart Ave., including funding and recommending option 3 as noted. He stated that with school being out, now is the optimum time to address the issue.

Discussion followed with Mr. Maples clarifying materials used in the base (Mayor Hubbard, Mayor Pro Tem Howard); work done by Oxford Construction, with Mr. Maples explaining the process (Mayor Pro Tem Howard); how long the repair will last, with Mr. Maples advising 15-20 years (Commissioner Marietta); keeping up with re-calls for repair, with Mr. Maples advising that this is monitored (Commissioner Fletcher).

Commissioner Marietta moved to approve Option 3, seconded by Commissioner Fletcher; the motion carried 6-0-1 with Commissioner Langstaff abstaining.

ACCEPTANCE OF EASEMENT FOR ALLEY PAVING PROJECT, PHASE I

Mr. Maples discussed information as noted, (copy on file) pertaining to the easement.

Commissioner Postell asked if alleys have been selected to be paved. Mr. Maples and Mr. Taylor replied in the affirmative. In reply to Commissioner Postell, Mr. Taylor stated that information was sent to the Commissioners on two separate occasions and that the information will be re-distributed.

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

ITEM FOR FUTURE AGENDA

Mayor Pro Tem Howard mentioned the horrific condition of the railroad track on N. Maple and S. Mock Road; Mayor Hubbard added Blaylock and Commissioner Coleman added Tift. Mr. Maples stated he spoke with the Georgia-Florida RR General Manager yesterday, who said he will call the Road Master and get back with him today.

Commissioner Marietta asked if the crossing includes those on Westover and Lockett Station. Mr. Maples stated that these are different, but they had the same conversation with Northern-Southern RR regarding the Westover crossing. Commissioner Marietta asked that Lockett Station be included. Mr. Taylor stated that the railroad owns the right of way with the City owning the roads.

PUBLIC SAFETY MATTERS

ALCOHOL LICENSE APPLICATIONS TRANSFER OF OWNERSHIP:

Commissioner Fletcher moved to approve the following, seconded by Commissioner Langstaff; the motion carried 6-1 with Mayor Pro Tem Howard voting no.

1. Demetrius Love & Assoc., LLC; d/b/a Riverfront Entertainment District; D. Love/Agent; 105 W. Broad Ave. Transfer from Dale Saunders d/b/a Riverfront Bar-B-Q. Consumption (WARD 3)

Commissioner Postell moved to approve the following, seconded by Commissioner Fletcher; the motion carried 6-1 with Mayor Pro Tem Howard voting no.

2. Eastside Pubs, Inc., d/b/a Benchwarmer Bar, PW Gepty/Agent; 2422 Sylvester Rd. Consumption (WARD 1)

MOU BETWEEN BOARD OF REGENTS (DARTON COLLEGE) AND THE CITY OF ALBANY

Deputy Police Chief Mark Scott discussed information as noted (copy on file) pertaining to the two requests for Darton and ASU.

In reply to Commissioner Postell, Chief Scott advised that they operate on their campus, but in an emergency they can go anywhere within the state. Commissioner Postell asked what constitutes an emergency. Mr. Davis noted page 48 of the packet. Commissioner Postell asked the boundaries and if this includes Radium Springs and Slappey Blvd. Chief Scott said they are certified law officers and can enforce traffic laws on and through their campus. Commissioner Postell questioned the area and who deems it as an emergency. Chief Scott explained that with violations occurring on campus, officers are allowed to follow the vehicle off campus. Mr. Taylor explained that after talking to the Presidents, they asked for this if there is a situation that exceeds their capability in terms of resources – they do not have that many officers – they want to be able to call on the City for support, to which he agreed.

Commissioner Postell moved to approve both (this and the next), seconded by Mayor Pro Tem Howard; the motion unanimously carried.

MOU BETWEEN BOARD OF REGENTS (ASU) AND THE CITY OF ALBANY

See above discussion/motion.

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ITEM FOR FUTURE AGENDA

Commissioner Marietta asked Mr. Taylor to review how the City uses community workers and asked for a plan to provide protection for City employees working after-hours and in emergency situations.

Commissioner Coleman said he is still waiting to see lighting at the underpass. Mr. Taylor stated that staff is working on the entire review of the underpass.

PUBLIC ADMINISTRATION AND FINANCE MATTERS

STATE LOBBYIST CONTRACT

Wes Smith, Asst. City Manager, discussed information as noted (copy on file) as it pertains to the state lobbyist contract; Mr. Montgomery has now gone out on his own, forming the Cascon Group, LLC. The current contract runs out at the end of the month and the proposed contract is the same as the former contract. He advised that Mr. Montgomery will come back in August to discuss state legislation that passed, which could affect the City of Albany. Mayor Hubbard acknowledged the presence of Rufus Montgomery today.

In reply to Commissioner Postell regarding accomplishments this year, Mr. Smith said Mr. Montgomery can discuss. Mr. Montgomery stated that it is an honor and privilege to represent the Commission in Atlanta and that he is a direct advocate on behalf of the City. He mentioned planning money obtained to assist Albany State University, adding that ASU does not have a lobbyist and he works as a de-facto lobbyist for them. Darton College, which has a lobbyist, was also included in obtaining a portion of the planning money. He said he will come back with a complete briefing in August to include gun legislation info.

Commissioner Marietta stated that the federal lobbyist provides monthly reports, along with grant opportunities, and asked if via email a monthly or quarterly report can be provided. Mr. Montgomery stated that this can be added. Commissioner Marietta asked if Mr. Montgomery comes across grant opportunities. Mr. Montgomery stated that he does and explained the process.

Mayor Hubbard mentioned open forums that were conducted last year with Mr. Taylor adding that Mr. Montgomery assisted Mayor Hubbard in meeting with the governor.

Mayor Pro Tem Howard asked Mr. Montgomery to discuss his new firm. Mr. Montgomery stated that he has formed a separate partnership with an ASU graduate and that his capabilities have expanded.

Commissioner Fletcher asked if Mr. Montgomery does what state representatives should be doing or something different. Mr. Smith stated that Mr. Montgomery actively represents the needs of the City to the delegation so that they understand the City's wants and needs. He discussed opportunities and the process. Mr. Montgomery clarified that there are political realities surrounding the delegation and that being in the minority party can benefit from having help. He said he works *with* the delegation and works *for* the Commission through the City Manager. Adding that an analysis was done and that he provides 48-1 return what he is paid versus taxpayers benefits.

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

ALBANY HUMANE SOCIETY CONTRACT

Yvette Fields, Central Services Deputy Director, discussed information as noted (copy on file) as it pertains to renewing the contract.

Commissioner Postell commented that people from other communities leave their animals to be cared for and asked for an update on this, specifically the number of animals cared for that are not from Albany/Dougherty County. Sherman Capers, Animal Control Superintendent, stated that Donna Strickland, Executive Director of the Humane Society, is not present with Mr. Taylor advising that dogs from outside Albany/Dougherty County are paid for separately. Discussion followed regarding abandoned animals from other areas. Mr. Taylor stated that Ms. Strickland can give an update. Mayor Hubbard also asked for a copy of their budget.

Commissioner Postell moved to approve, seconded by Commissioner Marietta.

In reply to Commissioner Marietta, Officer Capers stated that the issue of distemper has been corrected and that they are now accepting animals.

In response to Mayor Pro Tem Howard, Deputy Scott advised that animal issues should be directed to DNR on the weekends.

Hearing no further comments, the motion unanimously carried.

CURRENT BID:

Joshua Williams, Buyer, discussed the following:

1. Hardware, Interdev, Alpharetta, GA

Total expenditure	\$71,624.00
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Mayor Pro Tem Howard moved to approve, seconded by Commissioner Postell.

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Commissioner Postell asked for clarification, with Mr. Taylor advising that this is software that is used by IT to screen emails for viruses.

Hearing no further comments, the motion unanimously carried.

FY 2014 BUDGET AMENDMENT

Jo Brophy, Chief Finance Officer, discussed information as noted (copy on file) pertaining to a budget amendment, stating the amendment increases total expenditures to \$2,055,525 from the original budget, taking the budget from \$109.0 million to \$111.0 million, with funds coming from the fund balance.

Discussion followed on storm water utilities (Mayor Hubbard); health insurance (Commissioner Marietta); clarifying the \$905,208 as noted in the health care increase (Commissioner Langstaff); clarifying the need for the budget amendment and the amount including Medicare Part B reimbursement paid to retirees (Commissioner Postell asked the number of those eligible for Medicare Part B), audit report 2013 as it pertains to cutbacks, etc.; Looking at what was put back into the general fund for the Commission to review (Mayor Hubbard).

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

STORMWATER UTILITY ORDINANCE/PHOEBE PUTNEY HEALTH SYSTEMS

Per the City Manager, this item was removed from the agenda

WG&L FY 2014-15 BUDGET

Mr. Taylor stated that this was advertised as a public hearing. Mayor Hubbard advised that a signup sheet was available, but no one signed up to speak. In reply to Mayor Hubbard, Mr. Taylor advised that the information was put on the website and was available for inspection in the City Clerk's office and at the Library.

Tom Berry, Interim General Manager, discussed information pertaining to the budget (copy on file) beginning with Budget Summary and Highlights. Discussion followed with Commissioner Postell questioning the 8.5% increase and whether this includes non-metered/metered revenue. Mr. Berry advised that it covers all revenue. Commissioner Postell briefly discussed past issues and stated that he is pleased with the 8.5%. Mr. Berry stated that they used the 8.5% with no number in mind as they completed the budget process, adding that now they know the cost of each fund. He mentioned that the WG&L building is in great need of attention; it is an old building and cannot go much longer without being updated. He briefly discussed the rate increases; inverted rate structure, in which a bracket was removed and corrected some of its effect; and tracking the cost to produce water. Mayor Pro Tem Howard referred to the 2.5% increase of 'light' [electric] effective July 1 and asked about a rate increase last year. Mr. Berry

explained that there is a proposed 2.5% initial increase with 2.5% if necessary over the course of next year. He said that electric costs are anticipated to be \$78 - 78.5 million with MEAG estimating \$82.0 million. Mayor Pro Tem Howard expressed concern about explaining the increases to those on fixed incomes. Mr. Taylor advised that the rates of all utility providers have gone up again this year; they cannot charge users less than it cost to produce utilities. Commissioner Marietta asked if the \$3.5 million in bad debt is an annual figure that stays consistent; Mr. Berry replied in the affirmative; however, he explained that it is not losses; it is somewhere in the middle, approximately \$900,000-1.0 million, the balance is the cost of dealing with delinquent customers. Discussion followed: on the bad debt/deposits, etc., 40 jobs that were reduced or increased (Mr. Berry explained that the report in the media was inaccurate), Newton Road water treatment plant [Commissioner Marietta]; water production, to include those in unincorporated areas, remedies for customers who do not contribute to City services except through water bills, incentives to entice customers to convert to natural gas [Commissioner Postell]. Mr. Berry mentioned marketing for telecom services and the opportunities being reviewed.

Ms. Brophy discussed financial/accounting practices, as noted in the recommended budget, and explained enterprise funds (light, gas, water and telecom) and internal service fund. In response to Commissioner Marietta, Ms. Brophy explained the depreciation principle in relation to the matching principle [putting expenses incurred in the period in which it is used]. In response to Commissioner Marietta, Mr. Berry discussed depreciation with respect to capital improvement and its relation to cash flow. Ms. Brophy interjected that there is a difference in the accounting treatment of a governmental fund and enterprise fund. Mr. Taylor added that the entire utility is an enterprise fund. Commissioner Langstaff referred to page two, which shows the total salary for each of the funds, then page four regarding the net income of each and asked if it is normal for a water department to spend \$2.1 million on salaries, but net only \$195,000. Mr. Berry explained that across the nation, water is extremely capital intense - it is a component of rates, capital intensity, and in some cases inefficiency. Ms. Brophy cautioned that the light revenue includes one-third of MEAG funds (\$3.5 million), adding that the intent is to put the \$3.5 million in reserves. In response to Commissioner Postell, Mr. Berry stated that telecom most likely came from the electric account, with the debt being repaid. Ms. Brophy added that 2% interest is being charged, with some debt already being repaid on the \$11.0 million debt. Commissioner Postell asked the status of the cleanup of the gas plant. Mr. Berry stated that it will come from the natural gas fund; it was booked at \$1.8 million with \$300,000 spent annually to pay off the debt; the actual debt was lower than anticipated. Commissioner Postell said when discussion was underway to purchase a bank, it was stated that there was \$13.0 million in reserves, where was the money. Mr. Berry replied that he does not know; there is approximately \$5.0 million now.

Mr. Taylor advised that the information will be included in the budget ordinance to be adopted next week. He asked that questions be directed to him for distribution.

ITEMS FOR FUTURE AGENDA

Mayor Hubbard asked for an update on the wellness clinic and information on what is happening with the railroads.

Commissioner Postell asked about the July 1st fireworks being brought back downtown and whether this is a budget item. Mr. Taylor replied that it was budgeted, but it is not being brought back downtown. Commissioner Postell asked the Clerk for minutes in which discussions took place last year about bringing the fireworks back downtown. Mayor Hubbard asked that the minutes be pulled and shared.

Commissioner Fletcher briefly discussed allocating funds to entities requesting money. She urged that the Commission analyze what it gives away and suggested that it will come back to haunt the City; she asked that things are slowed down and to concentrate on what is being voted on.

Mayor Hubbard added that she has had to look at, review, and suffer consequences on what happened in the past.

Commissioner Coleman stated that in order for the city to move forward everyone has to move on.

EXECUTIVE SESSION – personnel matter

At 11:29 a.m., Commissioner Postell moved to enter into executive session, seconded by Mayor Pro Tem Howard; 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 12:04 p.m., Mayor Pro Tem Howard moved to exit executive session, seconded by Commissioner Marietta, the motion unanimously carried as follows:

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

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Mayor yes

There being no further discussion, the meeting adjourned at 12:04 p.m.

SONJA TOLBERT
CITY CLERK