

JUNE 29, 2016

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF  
ALBANY, GEORGIA  
GOVT. CENTER – 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 D. Subadan  
City Attorney: C. Nathan Davis

Mayor Hubbard called the meeting to order at 6:40 p.m.

The Pledge of Allegiance followed the invocation given by Rev. Leigh Hall, St. Paul's Episcopal Church.

Commissioner Coleman moved to approve the minutes of the previous meeting, seconded by Mayor Pro Tem Fletcher; the motion unanimously carried.

RECOGNITION/PRESENTATION

Mayor Hubbard asked staff to come forward and commended them for their role in the City of Albany receiving recognition from FEMA for the National flood Insurance Program Community Rating System. She briefly discussed the training of staff and the benefit to the citizens for the improved rating; on behalf of the City of Albany, she expressed appreciation and stated that their acknowledgment is well-deserved.

PUBLIC HEARINGS

Mayor Hubbard opened the public hearing for the following:

1. Zoning Case #16-022 – Carlton Davis, Owner/Applicant request to rezone property located at 968 South Street from R-3 to C-2 **conditional**

Using a power point presentation (copy on file), Paul Forgey, Planning Director, advised that the requested rezoning allows development of a convenience store without fuel pumps. Reviewing the application, he displayed an aerial map; surrounding zoning; land use maps; discussed the zoning history, planning considerations; and advised that the Planning Commission recommends **conditional** approval as follows: : **1) Due to possible high traffic volume, noise, and/or late hours of operation, the following uses will not be permitted at this location: bars, night clubs, event centers, motor vehicle repair shops, and automated car washes; 2) Any outdoor lighting must be approved by Director of Planning, Development & Code Enforcement and will be designed to minimize effect on neighboring residences; 3) A screening barrier shall be located at or near the rear property line (adjoining 964 South St.) that is a minimum height of six (6) feet and constructed of brick, wood, or similar material. Evergreen trees, with a minimum mature height of sixty (60) feet shall be planted and maintained inside the screening barrier. The southeast side property line must meet this requirement to a point determined by the Planning Director that will offer protection to 511 Moultrie Rd. Required screening and evergreen buffer must be shown on the site plan and approved by the Planning Director prior to issuance of a building permit.**

Discussion included the number of Planning Commission members present, clarification of the property's location (Commissioner Postell) and whether or not sidewalks are included (Commissioner Marietta).

Carlton Davis, owner, said he is present to answer questions and advised that he works two jobs, wants to spend more time with his family and will open the store for the neighborhood. When asked if he plan to sell alcohol, he replied in the negative adding that time will tell if that is feasible. When asked if he agrees with the planning recommendation to provide buffering, he agreed, adding that hours of operation will be from 8 am – 8 pm.

2. Zoning Case #16-023 – Dunes Properties, LLC/Owner; Lanier Engineering, Inc./Applicant; request to rezone property located at 1705, 1721 & 1801 Schley Ave., from R-3 to C-R

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Using a power point presentation (copy on file), Mr. Forgey advised that the rezoning request allows the construction of 12 duplex apartments on a 24-acre tract. Reviewing the application, he displayed an aerial map, surrounding zoning, land use maps and discussed the zoning history and planning considerations and advised that the Planning Commission recommends approval.

Discussion included clarification of the location (Commissioner Postell).

Tod Lanier, applicant said he is present to answer questions, adding that the intent is to incorporate the three lots into one lot under one ownership and to build 12 duplexes on the property. He briefly explained the owners reasoning for putting the property in one lot to build the duplexes.

3. Zoning Case #16-024 – Ledo Plaza Condominium Association/Owner; Calvin King/Applicant; request rezone property located at 2726 Ledo Rd., from C-2N(c) to C-2 **conditional**

Using a power point presentation (copy on file), Mr. Forgey advised that the rezoning request allows on-site alcohol consumption. Reviewing the application, he displayed an aerial map, surrounding zoning, land use maps and discussed the zoning history and planning considerations and advised that the Planning Commission recommends conditional approval as follows: **1) The building setback from the rear property line will be established at 25'; 2) Screening/fencing will be established within the 25' rear setback with a maintained vegetative buffer adjoining the C-5 District to the south. Planning staff must approve the location of fencing and the vegetative buffer, including plantings and materials to achieve the intended buffering effect. A concept plan showing the vegetative buffer and fencing must be submitted and approved by planning staff prior to issuance of a building permit.**

Discussion included, if and/or when, Ledo Road will be widen (Commissioner Postell); if the building of the proposed medical center will expedite the widening (Commissioner Howard) and, clarifying if Elements Coffee wants to serve alcohol (Commissioner Marietta).

Calvin King, applicant, said his intent is to serve beer and wine and agreed that he will apply for an alcohol license in the near future.

Additional discussion followed on clarification of the location and whether all applications were in compliance (Commissioner Postell).

Hearing no further comments, Mayor Hubbard closed the public hearing portion of the meeting.

#### REPORT OF COMMITTEE OF THE WHOLE

Following the recommendation of the Committee of the Whole, Commissioner Langstaff moved to approve the following Alcohol License Application – Transfer of Ownership, seconded by Mayor Pro Tem Fletcher; the motion carried 6-1 with Commissioner Howard voting no.

1. Striker Bowling of Albany, LLC, d/b/a Albany Bowl-a-Rama; 1200 W. Broad Ave. E. Justavino/Agent; Beer/wine consumption; transfer of ownership from R. Brooks to E. Justavino

Following the recommendation of the Committee of the Whole, Commissioner Postell moved to approve the following Alcohol License Application – Transfer of Ownership, seconded by Mayor Pro Tem Fletcher; the motion carried 6-1 with Commissioner Howard voting no.

2. Dhviti LLC, d/b/a National Package Store, 301 Oakridge Dr. M. Patel/Agent. Package liquor and beer/wine. Transfer ownership from G. Brown to M. Patel

Following the recommendation of the Committee of the Whole, Mayor Pro Tem Fletcher moved to approve the following Alcohol License Application, seconded by Commissioner Postell; the motion carried 6-1 with Commissioner Howard voting no.

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1. T&S Convenient Store, 500 S. Jefferson St. S. Parker and T. Carter/Agents. Beer package

Following the recommendation of the Committee of the Whole, Mayor Pro Tem Fletcher moved to approve the following Alcohol License Application, seconded by Commissioner Coleman, the motion carried 6-1 with Commissioner Howard voting no.

2. Somebody's, 704 Radium Springs Rd. W. Dukes/Agent; Liquor, beer and wine consumption

APPOINTMENTS

1. Appointments to Community Development Council for one-year term ending June, 2017

Commissioner Langstaff moved to reappoint the following, seconded by Commissioner Howard, the motion unanimously carried: Michael Fowler, Gary Sanders, Eloise Moore, Pinky Modeste, Joyce Lane, Wylene Jones, Ella Murray and Timothy Sweet-Holp. Commissioner Howard moved to appoint Tracy Taylor, seconded by Commissioner Langstaff; the motion unanimously carried.

2. One appointment to the Board of Health for six-year term ending January, 2022

Commissioner Langstaff moved to reappoint Dr. Lucille Wilson, seconded by Mayor Pro Tem Fletcher; the motion unanimously carried.

3. One joint City/County appointment to SWGA Regional Commission to fill an unexpired term ending January, 2017

Mayor Pro Tem Fletcher moved to appoint Erica Wilson, seconded by Commissioner Marietta; the motion unanimously carried.

4. One appointment to Albany Housing Authority to fill a five-year term ending June, 2021 (Mayor's appointment)

Mayor Hubbard reappointed Kelly Jenkins.

5. Mayor's appointment to Aviation Commission to fill unexpired term ending January, 2017

Mayor Hubbard advised that she will appoint Dr. Anthony Parker.

ORDINANCES

Commissioner Marietta introduced

AN ORDINANCE NO. 16-111

Adopting the Budget and Appropriations for the period July 1, 2016 through June 30, 2017

Commissioner Marietta then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption to include an amendment to increase the amount given to the EDC to \$300,000 from \$250,000, seconded by Mayor Pro Tem Fletcher.

Discussion followed and, in reply to Commissioner Postell on the reasoning, Commissioner Marietta explained that he feels the increase would assist with economic development and 'selling Albany'. In reply to Commissioner Langstaff, Commissioner Marietta stated that the budget is flexible, and suggested funding come from use of the reserves account/MEAG credits. Commissioner Langstaff suggested having an agenda item and discussing this in the future. He mentioned the County decreasing the amount given to the EDC by \$50,000 on Monday at their

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meeting and said he felt the timing is off, adding that the budget can be amended if this is the desire of the Commission.

Mayor Hubbard and Mayor Pro Tem Fletcher also agreed that this should be a future discussion. Commissioner Marietta said he would remove the amendment to his original motion.

Commissioner Howard stated his reason for not supporting the budget and voting no tonight is due to the increase in utility rates along with added positions in the budget to be used as a ‘cushion’.

Commissioner Coleman said he will also vote no for the budget due to the adding of the Public Affairs person at a salary of \$61,000. He commented on using less temporary help and said he does not agree with adding more employees to the 5<sup>th</sup> floor.

Commissioner Postell also questioned the hiring of a new person and disagreed with adding \$50,000 as recommended by Commissioner Marietta (who said he had removed that amendment to his motion).

Additional discussion followed on hiring a Public Affairs Officer with Ms. Subadan referencing the discussion at the last retreat, the six strategic priorities and stating that it was a unanimous decision to add the PR person. Commissioner Coleman challenged unanimous decision and said he was against the hiring of an additional person at the retreat. Commissioner Postell questioned the duties of the person with Ms. Subadan explaining recruitment, etc. Commissioner Langstaff said he remembered the discussion from the retreat to have someone ‘tell the city’s story’. Mayor Pro Tem Fletcher also commented on the discussion from the retreat and asked the City Clerk to re-distribute the minutes from the retreat. Commissioner Coleman expressed offense to statements made by Mayor Pro Tem Fletcher on who will ‘tell the story’ with Commissioner Langstaff expressing support for hiring an expert. He also asked to see what other cities do and whether or not this is outsourced, adding that this is an important position because the City of Albany is competing with other cities in the State and the nation.

Hearing no further comments, the motion carried 4-3 with Commissioners Howard, Coleman and Postell voting no.

Commissioner Marietta introduced

AN ORDINANCE NO. 16-112

Amending the Zoning Ordinance and Map of the City of Albany to change the status of property located at 968 South Street from R-3 to C-2 **conditional**

Commissioner Marietta then offered the ordinance and asked for consent to dispense with the second reading and asked for its adoption, seconded by Mayor Pro Tem Fletcher; the motion unanimously carried.

Mayor Pro Tem Fletcher introduced

AN ORDINANCE NO. 16-113

Amending the Zoning Ordinance and Map of the City of Albany to change the status of property located at 1705, 1721 and 1801 Schley Ave., from R-3 to C-R

Mayor Pro Tem Fletcher then offered the ordinance and asked for consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Langstaff; the motion unanimously carried.

Commissioner Langstaff introduced

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AN ORDINANCE NO. 16-114

Amending the Zoning Ordinance and Map of the City of Albany to change the status of property located at 2726 Ledo Rd., from C-2(N)c to C-2 **conditional**

Commissioner Langstaff then offered the ordinance and asked for consent to dispense with the second reading and asked for its adoption, seconded by Mayor Pro Tem Fletcher, the motion unanimously carried.

Mayor Pro Tem Fletcher introduced

AN ORDINANCE NO. 16-115

Amending City Code Sec. 2-41(a) providing for meeting[s] re: Work Sessions and Regular meetings

Mayor Pro Tem Fletcher then asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Marietta.

Commissioner Coleman withdrew unanimous consent with Mayor Hubbard clarifying with Mr. Davis that a second reading is required. Mr. Davis agreed, adding that the second reading will be at the next business meeting.

Detailed discussion followed regarding meeting times and Mr. Davis reading the four draft ordinances prepared for consideration. In reply to Commissioner Coleman regarding having a break between the work session and business meeting, Ms. Subadan explained that the language can be removed. Commissioner Langstaff said he also agreed with Commissioner Coleman's suggestion to not break between meetings. Ms. Subadan clarified the days and times of the meetings as follows: work session on the second Tuesday of each month beginning in at 8:30 a.m., in room 120 with the business meeting immediately following; the next work session will be on the fourth Tuesday with the business meeting immediately following. When asked the time of the work session on the fourth Tuesday, Mayor Pro Tem Fletcher stated that the meeting will begin at 6 pm.

Hearing no further comments, the motion unanimously carried.

Mr. Davis asked that the record reflect that Wards 1, 2 and 6 waived the 2<sup>nd</sup> reading of the budget ordinance.

RESOLUTIONS

Following the recommendation of the Committee of the Whole, Commissioner Howard moved to adopt the following resolution, seconded by Commissioner Langstaff; the motion unanimously carried.

A RESOLUTION NO. 16-R146

Authorizing Submission of Application for a 2016-2017 Edward Byrne Memorial Justice Assistance Formula Grant (JAG); authorizing execution of Intergovernmental Agreement between the City of Albany and Dougherty County

Following the recommendation of the Committee of the Whole, Commissioner Langstaff moved to adopt the following resolution, seconded by Commissioner Howard; the motion unanimously carried.

A RESOLUTION NO. 16-R147

Adopting Albany-Dougherty Comprehensive Plan

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Following the recommendation of the Committee of the Whole, Commissioner Howard moved to adopt the following resolution, seconded by Mayor Pro Tem Fletcher; the motion unanimously carried.

A RESOLUTION NO. 16-R148

Awarding CHDO funds to Jubilee Financial Services, Inc. and New Visions Community Development Corporation; declaring 821 Mercer Ave., 420 Jefferies Ave., and 423 Robinson Ave., be surplus properties and authorizing disposition

Following the recommendation of the Committee of the Whole, Commissioner Howard moved to adopt the following resolution, seconded by Mayor Pro Tem Fletcher; the motion unanimously carried.

A RESOLUTION NO. 16-R149

Awarding HOME funds to R&M Marketplace and The Oaks at North Intown and declaring 805 N. Davis Street to be surplus property and authorizing its disposition

Following the recommendation of the Committee of the Whole, Commissioner Howard moved to adopt the following resolution, seconded by Mayor Pro Tem Fletcher; the motion unanimously carried.

A RESOLUTION NO. 16-R150

Authorizing use of SPLOST VI funds for resurfacing of Thornton Gym Floor

Following the recommendation of the Committee of the Whole, Commissioner Howard moved to adopt the following resolution, seconded by Mayor Pro Tem Fletcher; the motion unanimously carried.

A RESOLUTION NO. 16-R151

Authorizing a Management Agreement between the City of Albany, Georgia and the Boys & Girls Club of Albany, Inc.

Following the recommendation of the Committee of the Whole, Commissioner Howard moved to adopt the following resolution, seconded by Mayor Pro Tem Fletcher; the motion unanimously carried.

A RESOLUTION NO. 16-R152

Acceptance of a 0' -5.5' (variable width) by 99' long strip of Right-of-Way (ROW) on the north side of Cordele Road adjacent to the Talecris Plasma Resources, Inc., facility at 2438 Clark Avenue

Following the recommendation of the Committee of the Whole, Commissioner Howard moved to adopt the following resolution, seconded by Mayor Pro Tem Fletcher; the motion unanimously carried.

A RESOLUTION NO. 16-R153

Approving Severance Agreement/General release and Covenant not to sue and Addendum re: ACM William E. Smith

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

PURCHASES:

1. Airport Runway, Coat, Seal and Remarkings, Hi-Lite Airfield Services

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	Estimated expenditure	\$432,160.00
2. Elevated Water Tank Maintenance, American Tank Maintenance		
	Total expenditure	\$2,610,468.00
3. House, care & dispose of animals, Albany Humane Society		
	Total expenditure	\$240,420.00
4. Office Supplies, Staples Business Advantage		
	Estimated expenditure	\$104,000.00
5. Pump Rebuild Lift Station #27, Waco Electric		
Recommended for approval by Utility Board		\$45,976.34
6. Reskinning of Gyms, Climate Master Heating and Cooling		
	Total expenditure	\$157,000.00
7. WorkForce Time Keeper, Kronos		
	Total expenditure	\$255,180.00

OTHER BUSINESS

Commissioner Coleman stated that since this is ACM Wes Smith's last night, his service to the City of Albany should be acknowledged. He thanked Mr. Smith for helping initiate him to the workings of the City when he was first elected. Mr. Smith thanked the Commission for the opportunity to have served the City of Albany.

Commissioners Howard and Postell and Mayor Hubbard agreed that it has been a great pleasure to have worked with Mr. Smith, thanked him and wished him well.

Commissioner Howard mentioned that a look was taken at the salaries of appointed officials and moved the following: 10% salary increase for Associate Municipal Court Judge Ralph Scoccimaro; Public Defender Ingrid Driskell; City Solicitor Gerald Williams. Due to the increased their duties and case load, a 15% increase for City Attorney Nathan Davis and Municipal Court Judge Willie Weaver; seconded by Mayor Pro Tem Fletcher.

In reply to Commissioner Langstaff on where the funds will be taken from the budget, Ms. Subadan stated that salary adjustments/raises are budgeted.

Commissioner Howard clarified that because these are appointed officials and not part of the Pension plan, their contribution plan should be 10.9%. Mr. Davis explained that all employees not in the Pension plan would go to 10.9% as it is for those in the Pension plan.

Hearing no further comments, the motion carried 6-1 with Commissioner Langstaff voting no.

There being no further business, the meeting adjourned at 8:13 p.m.

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MAYOR

ATTEST

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CITY CLERK