

NOVEMBER 22, 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, 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 7:33 p.m.

The Pledge of Allegiance followed a moment of silence.

Mayor Hubbard stated that citizens are encourage to participate in meetings and anyone wanting to address a specific item on tonight's agenda, they must complete the Citizen's Comment form and turn it in to the City Clerk.

Commissioner Howard moved to approve the minutes of the previous meeting, seconded by Commissioner Postell; the motion unanimously carried.

Mayor Hubbard asked for a motion to excuse the absence of Commissioner Coleman. Commissioner Langstaff so moved, seconded by Commissioner Howard; the motion unanimously carried.

PUBLIC HEARINGS

Mayor Hubbard opened the public hearing for the following:

1. Proposed text amendment to Title III. Article I. Supplemental Regulation and proposed Modifications and Requirements of the Albany Dougherty County Zoning Ordinance so as to establish a new Section 1.44: Solar Energy Systems

Planning Director Paul Forgey stated that the amendment to the Zoning Ordinance is like a rezoning request and requires a public hearing because it is a legislative change to the zoning law. He said that in drafting the regulations, a balanced approach was used to protect both the City and neighborhoods, while providing flexibility to developers and those wanting to put in solar power. They looked at the location of facilities, setbacks, height and buffering requirements. The two basic types of solar regulated by the ordinance are 1) accessory to the main use of the site, and 2) primary use of the site (solar farms for the purpose of generating power to sell), adding that approval is required for both types, but administrative approval is required for on-site use, which is allowed in all zoning districts. He briefly discussed circumstances in which the Special Approval process would be necessary (i.e. solar farms), requiring approval by either the City or County Commission. A minimum five-acre lot is required and is only allowed in manufacturing and agricultural districts; a site plan is required and, if the site is within two miles of an airport a review and approval by the FAA is required. He advised that the Planning Commission recommends approval, adding that Dougherty County approved this yesterday.

Mayor Hubbard clarified that this is an amendment to the City/County Zoning Ordinance; Mr. Forgey replied in the affirmative, adding that for the most part the Zoning Ordinance covers the City and County; while there are some sections that only applies to one or the other, this applies to both. Commissioner Howard asked if it is solar energy installed on the Marine base parallel to Mock Road; Mr. Forgey replied in the affirmative, adding that it is a solar farm to generate electricity for their use. Commissioner Howard noted that Albany is prone to tornadoes and asked if there are strict requirements for the panels to be mounted/grounded to withstand an F5 tornado. Mr. Forgey said he is unsure what level of storm they can withstand, but building codes govern the construction of solar facilities and they would be built to specifications. His department inspects them to ensure that they are compliant with codes. Commissioner Howard asked if Planning would be allowed to go on the base to make inspections; Mr. Forgey replied in the negative, adding that they would have to be invited on base. In reply to Mayor Hubbard, he said that gabled roofs can accommodate solar panels; however, solar panels cannot be installed on the street-facing elevation of a structure; however, there is an appeal process for those who have no other option. Mayor Hubbard asked how she would know that her neighbor had installed

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slanted solar panels; Mr. Forgey said that generally speaking, she would not know. Installing them only requires administrative review; there is no public notification, but there are setback requirements.

In response to Commissioner Postell, Mr. Forgey explained that there will be no cost to the City for solar panels to be installed; property owners installing them would bear the cost.

Commissioner Marietta asked if homeowners needed special approval to install panels on their roof; Mr. Forgey replied that they need administrative approval from his office, but would not have to go through the special approval process. Commissioner Marietta asked if someone in the Historical District wanted to install a metal roof and solar panels, would that be a matter he would have to look at from two different angles; Mr. Forgey replied in the affirmative and discussed the Historic Commission's involvement.

There was no one present to speak on this matter. 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 2017 Annual Blanket Alcohol License Renewal, seconded by Mayor Pro Tem Fletcher.

Commissioner Postell said that he did not want blanket alcohol approvals coming to him again; he wants individual reports to be brought back. He asserted that there is a link between the bars crime and violence in Albany.

Commissioner Howard agreed with Commissioner Postell and suggested that there are two/three on the list needing monitoring and next year he would not want a full blanket approval coming to this table at the 11th hour. He expressed concern with Marshal Norman's assessment of the death at Applejax being 'an isolated incident'; loss of life means more than that. Commissioner Marietta agreed with Commissioner Postell, suggesting that next year a Special Called Meeting would be in order to individually approve alcohol licenses and identify those needing more scrutiny, adding that there are a few on the list with which he has a problem. Mayor Hubbard agreed somewhat, but said that Commissioners receive the agenda usually no later than Thursday, which gives them time to read and review it. If there is an establishment with which they have concerns, they have time to make calls.

Hearing no further comments, the motion carried 4-2 with Commissioners Howard and Postell voting no.

Following the recommendation of the Committee of the Whole, Commissioner Langstaff moved to approve the following purchase, seconded by Mayor Pro Tem Fletcher; the motion unanimously carried.

1. Eccentric Valve – Consolidated Pipe; Leesburg, GA; Total exp. \$42,220.

APPOINTMENTS

1. Two appointments – one City appointment and one Dougherty County Circuit Bar Association appointment to the Board of Ethics for two-year term ending October, 2018.

Commissioner Langstaff moved to reappoint Kowana McKinney and Blake Brantley, seconded by Mayor Pro Tem Fletcher; the motion unanimously carried.

ORDINANCES

Commissioner Langstaff introduced

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AN ORDINANCE NO. 16-123

Amending a portion of Title III, Article 1 Supplemental Regulation and Modifications and Requirements of the Albany Dougherty County Zoning Ordinance so as to establish a new Section 1:44: Solar Energy

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

RESOLUTIONS

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

A RESOLUTION NO. 16-R195

Approving the revised Albany-Dougherty Inner City Authority (ADICA) Bill to be presented to the Legislative Delegations re: restoring ADICA to a Public Facilities Authority

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

A RESOLUTION NO. 16-R196

Approving the statement of Downtown Development Authority (DDA) Board terms for each post and the recommended plan for future post vacancies, appointments and terms

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-R197

Approving Quit Claim Deed from Mike's Properties, LLC

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

A RESOLUTION NO. 16-R198

Authorizing submission of a grant request to the Georgia Department of Natural Resources re: Recreational Trails Grant Program

OTHER BUSINESS

Commissioner Howard noted that 50 years ago today, President John F. Kennedy was assassinated.

On behalf of the Commission and citizens of Albany, Mayor Hubbard offered condolences to Ms. Subadan for the loss of her sister.

There being no further business, the meeting adjourned at 7:55 p.m.

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MAYOR

ATTEST

ASST. CITY CLERK