

FEBRUARY 24, 2015

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF
ALBANY, GEORGIA
GOVT. CENTER – RM 100

PRESENT: Mayor Dorothy Hubbard
Mayor Pro Tem Bobby Coleman
City Commissioners: Jon Howard, BJ Fletcher, Bob Langstaff, Jr., Roger
Marietta, and Tommie Postell
Interim City Mgr.: Tom Berry
City Attorney: C. Nathan Davis

Mayor Hubbard called the meeting to order at 6:30 p.m.

The invocation was given by Bro. Robert Clemmons, River Road Church of Christ, followed by the Pledge of Allegiance.

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

PUBLIC HEARING

Mayor Hubbard opened the public hearing for the following:

1. Zoning Case #15-002 – Kenneth Miller/Owner-Applicant; request to rezone property located at 122 Philema Rd., from C-2 to C-3.

Using a power point presentation (copy on file) Rozanne Braswell, Senior Planner, discussed the location of the property, showed a map of the surrounding zoning and advised that the request to rezone will allow for motor vehicle repairs. She discussed the zoning history, the land use map and explained planning considerations, which included traffic patterns, trip generations, etc., and advised that the Planning Commission recommends approval.

Discussion followed and Ms. Braswell, responding to Commissioner Postell and again showing the location of the property and advising that the request is to allow for motor vehicle repairs. Additional discussion ensued regarding traffic on Philema Road.

Commissioner Marietta thanked Kenneth Miller, Applicant, for keeping his business within the city limits.

Kenneth Miller and Mike Flynn stated that they signed up to answer any additional questions.

Discussion followed regarding Mr. Miller's expertise in repairing Hondas and no other car brands.

Mayor Pro Tem Coleman stated that he canvassed the area and found no one in opposition to this rezoning request.

There was no one else desiring to speak on this matter.

2. Text Amendment – Title II. Article 2, Sect 2.01 6 re: Community Residence Requirements and Title I. Article 5 re: Definitions

Using a power point presentation, Paul Forgey, Planning Director, explained the proposed amendments as it pertains to child care facilities. He showed the Permitted Use Table and advised that staff and the Planning Commission recommend approval.

In reply to Commissioner Postell, Mr. Forgey explained that the applicant must apply to the State for a license, if approved; they then apply for the rezoning. He added that similar type facilities are prohibited from locating within 1,000 of each other and explained that these youths, unlike disabled individuals, are not protected by the Fair Housing Act.

In response to Commissioner Marietta, Mr. Forgey explained that this is not like foster care in which a husband/wife takes in children; these are group homes. Commissioner Postell mentioned

FEBRUARY 24, 2015

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF
ALBANY, GEORGIA
GOVT. CENTER – RM 100

that the facility in Thomasville closed and asked the age of residents at facilities in Albany. Mr. Forgey stated that the maximum age is 18.

Commissioner Marietta clarified that there are foster care homes in residential areas and asked if these are illegal. Mr. Forgey explained that this amendment refers to a facility operating more like a business, adding that this was left out when the zoning ordinance was last updated.

In reply to Mayor Pro Tem Coleman, Mr. Forgey advised that there is no specific facility at this time, therefore there is no address; this action is not specific to any property.

Mr. and Mrs. Tyrone Jackson (Velletta) spoke in support of the rezoning and advised that they have a project in the works for a group home at 825 W. Gordon Avenue. This project will add quality of life to the community. It will also help empower youths between the ages 8-18 by teaching them valuable life skills. In reply to Mayor Hubbard, Ms. Jackson stated that they will house six people. Commissioner Marietta said he agrees that this is needed for the young people in the area. Mr. Jackson stated that he also supports the amendment.

There being no further comments, Mayor Hubbard closed the public hearing.

REPORT OF COMMITTEE OF THE WHOLE

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

1. Albany Bowl-A-Rama, 1200 W. Broad Ave. SM Payne/Agent; Beer and wine consumption

APPOINTMENTS

1. City and joint City/County appointments to the SW Georgia Regional Commission for one year term expiring January 2016

Commissioner Postell moved to appoint Deputy Chief Nathaniel Clark, seconded by Commissioner Marietta; the motion unanimously carried.

ORDINANCES

Commissioner Langstaff introduced

AN ORDINANCE NO. 15-105

Amending the Zoning Ordinance and Map of the City to Albany to change the status of property located at 122 Philema Rd., from C-2 to C-3

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

Commissioner Postell introduced

AN ORDINANCE NO. 15-106

Amending Title I Article 5 of the Albany/Dougherty Zoning Ordinance to define Child Care Institutions; Amending Table II. 2.01

Commissioner Postell then offered the ordinance and asked for consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Howard; the motion unanimously carried.

FEBRUARY 24, 2015

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF
ALBANY, GEORGIA
GOVT. CENTER – RM 100

In reply to Commissioner Howard, Ms. Jackson (zoning applicant) explained that anger management is one of the many services that will be offered to the youths. Commissioner Howard also commented on the closing of the Thomasville facility, adding that it may put a burden on Albany, as the hub of Southwest Georgia, to open such facilities.

Commissioner Marietta introduced

AN ORDINANCE NO. 15-107

Amending the City of Albany Pension Plan's Definitions of Annual Salary and Gross Wages adding a new subsection (d) to Section 4.01

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

Commissioner Postell introduced

AN ORDINANCE NO. 15-108

Amending Section 7.01(c) of the City of Albany's Pension Plan re: Disability Pension

Commissioner Postell then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Howard; the motion unanimously carried.

RESOLUTIONS

Commissioner Marietta moved to adopt the following resolution, seconded by Commissioner Postell.

A RESOLUTION NO. 15-R108

Approving Installation of Traffic Calming Measures on West and East Edgewater Drive around Lake Loretta

Commissioner Marietta presented a petition (copy on file) to Mayor Hubbard from Lake Loretta residents supporting this action. He briefly discussed the lake's appeal, efforts he and others engaged in to keep the area beautified and residents wanting others to also enjoy the lake.

Hearing no further comments, the motion unanimously carried.

Commissioner Postell moved to adopt the following resolution, seconded Commissioner Langstaff; the motion unanimously carried.

A RESOLUTION NO. 15-R109

Approving Sanitary Sewer Easements for Robert N. Brooks and Albany (Westover) LLC to serve Lots #1-3 of the Estate Farms Partnership Subdivision

OTHER BUSINESS

Commissioner Postell asked to have a public safety report on the next agenda.

Mr. Berry noted that there are only a few items on the agenda for next week's (3/3/15) mtg., and suggested that this meeting be cancelled. Commissioner Postell moved to cancel the March 3, 2015 work session, seconded by Commissioner Langstaff; the motion unanimously carried.

FEBRUARY 24, 2015

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF
ALBANY, GEORGIA
GOVT. CENTER – RM 100

There being no further business, the meeting adjourned at 7:12 p.m.

MAYOR

ATTEST:

CITY CLERK