

JULY 28, 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, Roger Marietta, Bob Langstaff,
Jr., and Tommie Postell
City Manager: Sharon Subadan
City Attorney: C. Nathan Davis

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

The invocation was given by Reverend Don Adams, First United Methodist Church, 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. Millage Rate – there was no one present desiring to speak
2. Zoning Case #15-023 – Trigroup Properties, LLC; Owner/Applicant request to rezone property located at 2525 & 2533 Dawson Rd., from C-1 to C-3

Using a power point presentation (copy on file), Paul Forgey, Planning Director, reviewed the application and advised that the request is to rezone from C-1 to C-3. He showed maps (surrounding zoning, aerial view of the property, etc.) and discussed the zoning history, adjacent land use, traffic considerations and future land use, advising that the Planning Commission recommends approval.

In reply to Commissioner Postell, Mr. Forgey explained the differences between C-1 and C-3 designations. Mr. Davis stated that this application is similar to a previous one from about 18 months ago regarding the Ross/Winn Dixie Shopping Center, adding that there is no change; this is more of a housekeeping item, which allows them to rebuild with the same footprint in the event of a fire, tornado, etc. Commissioner Postell stated that Mr. Davis' answer causes him to think it has more to do with insurance than with the City rezoning the property. Mr. Davis clarified the purpose of the rezoning as explained by Mr. Forgey; with Mr. Forgey adding that financial institutions require current/appropriate zoning should there be any refinancing

Commissioner Marietta mentioned his concern that the change is one of convenience in order to sell the parcel. Mr. Forgey stated that there are no indications of that as this is one of the higher performing K-Marts in the region.

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

3. Proposed Amendment – Title II Article 2, Sec. 2.05 re: Fences, Walls, Utilities and Screening

Using a power point presentation (copy on file), Mr. Forgey discussed current and proposed regulations regarding chain link fences, which will now include M-1, M-2 and AG areas, adding that it was recommended for approval by the Planning Commission.

Discussion followed with Commissioner Marietta mentioning senior citizens in Wards 6 and 3 who already have fences and asked if they will be grandfathered in. Mr. Forgey replied in the affirmative; however, this is not noted in the proposed amendment, but is in the zoning ordinance. Mr. Davis advised that language can be added if the Commission desires. Commissioner Marietta asked for something specific regarding existing fences.

In reply to Commissioner Fletcher, Mr. Forgey said this action would allow Westover Lawn to apply for a fence; they would have to demonstrate that it fits in with the surroundings.

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Commissioner Postell clarified that Mr. Forgey will make decisions on the height, etc., of fences with Mr. Forgey explaining that he, his staff and the applicant will make the decision, with any decision made being appealable to the Planning Commission and this body. Commissioner Postell discussed senior citizens who currently have fenced yards because of the neighborhoods in which they live and expressed concern about some of the prohibitive stipulations. Mr. Forgey explained that the addition is not any further restrictive than what is already in place

In reply to Commissioner Howard, Mr. Forgey clarified the language regarding chain links, hog wire/metal fencing, etc.

There being no one present to speak in opposition or support of this item, Mayor Hubbard closed the public hearing.

REPORT OF COMMITTEE OF THE WHOLE

Commissioner Langstaff moved to approve the following Alcohol License Application, seconded by Commissioner Postell; the motion carried 6-1 with Commissioner Howard voting no.

1. Hong Kong Café, 2700 Dawson Rd. Suite 1; Z. Lin/Agent; Beer/wine consumption

APPOINTMENTS

1. One appointment to the Animal Control Board for two-year term ending June, 2017

Commissioner Langstaff moved to reappoint Dr. Steve Whatley, seconded by Commissioner Howard; the motion unanimously carried.

2. Two appointments to Keep Albany/Dougherty Beautiful board to fill unexpired term ending January 2018

Commissioner Langstaff moved to appoint Melissa Sumner and Kay Brantley, seconded by Commissioner Howard; the motion unanimously carried.

3. Mayor's appointment to Housing Authority for one year term ending November, 2015

Mayor Hubbard reappointed Deborah Roberts.

4. Four appointments to Chehaw Park Authority for two-year term ending 2017

Commissioner Marietta moved to reappoint Gayle Woolard, Kirk Phillips and Mark Pickett, seconded by Commissioner Postell; the motion unanimously carried.

Commissioner Marietta moved to appoint Mary Ligon. Commissioner Postell moved to appoint Sean Hendley. Following a show of hands (Mayor Hubbard, Commissioners Fletcher, Marietta and Langstaff), Mayor Hubbard declared Mary Ligon to be duly appointed.

ORDINANCES

Commissioner Langstaff introduced

AN ORDINANCE NO. 15-121

Amending the Zoning Ordinance and Map of the City to Albany to change the status of property located at 2525 Dawson Rd., from C-1 to C-3

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Commissioner Langstaff 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.

Commissioner Marietta introduced

AN ORDINANCE NO. 15-122

Amending the City of Albany's Zoning Ordinance to provide regulations for Fences, Walls, Utilities and Screening in all Districts

Commissioner Marietta then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption, with the amendment that fences currently in existence will be grandfathered, seconded by Commissioner Howard.

Commissioner Langstaff mentioned Mr. Davis' suggested provision. Mr. Davis proposed to include that if there is restrictive covenant in the subdivision it will stay in force and not be superseded. Commissioner Marietta accepted the proposed recommendation.

Hearing no further comments, the motion unanimously carried.

Commissioner Langstaff introduced

AN ORDINANCE NO. 15-123

Assessing the Rate of Taxable Property in the City of Albany, Georgia for 2015 re: Millage Rate

Commissioner Langstaff 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 Marietta noted that this is a slight tax millage reduction.

RESOLUTIONS

Discussion followed regarding the establishing of a fund for the purpose of economic development in downtown Albany/Riverfront and surrounding areas (which was listed as an Ordinance); Commissioner Langstaff moved to adopt the following resolution, seconded by Commissioner Postell.

A RESOLUTION NO. 15-R140

Establishing a Fund for purposes of Economic Development in Downtown Albany Riverfront and surrounding areas

Mayor Hubbard asked if recommendations discussed in the briefing will be taken into consideration; there was an affirmative consensus. Commissioner Marietta expressed concern regarding the 'vague' language and said he will vote against it because he feels Commissioners have rushed their approval of this.

In reply to Mayor Hubbard regarding maps of the location, Sharlene Cannon, Interim Downtown Director, displayed a map of the master plan and the downtown area. Mayor Hubbard assured Commissioners that all projects will come to the Commission for approval as discussed.

Hearing no further comments, the motion carried 5-2 with Commissioners Howard and Marietta voting no.

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

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A RESOLUTION NO. 15-R141

Providing for the Execution of an Agreement re: funding for the Boys & Girls Club of Albany, Inc.

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

A RESOLUTION NO. 15-R142

Providing for the Execution of an Agreement concerning funding for the Albany Area Arts Council

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

A RESOLUTION NO. 15-R143

Providing for the Execution of an Agreement concerning Operating Deficit of the Flint RiverQuarium

Commissioner Langstaff stated that he will vote for this since it was approved in the budget.

Hearing no further comments, the motion unanimously carried.

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

A RESOLUTION NO. 15-R144

Providing for the Execution of an Agreement concerning Operating Deficit Albany Civil Rights Institute

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

A RESOLUTION NO. 15-R145

Authorizing Execution of Quit Claim Deed from the City of Albany to General Motors Corp re: Fire Station #3 – 501 Holly Dr.

The following resolution was removed from the agenda at the request of Albany Housing Authority.

A RESOLUTION NO.

Awarding CHDO Funds to Oaks at North Intown Development Corp, Inc.

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

A RESOLUTION NO. 15-R146

Approving Installation of Traffic Calming Measures on West/East Edgewater Drive (around Lake Loretta)

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

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A RESOLUTION NO. 15-R147

Authorizing execution of a Memorandum of Agreement for Housing Abandoned and Delinquent Animals with the Albany Humane Society for FY 2015-16

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

A RESOLUTION NO. 15-R148

Authorizing use of SPLOST VI Funds for the purchase of License Scanners and USB Cables

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

A RESOLUTION NO. 15-R149

Authorizing use of SPLOST VI funds for the purchase of two Pickup Trucks for the Albany Fire Dept.

Commissioner Langstaff asked to have the following removed from the consent agenda: Recommendation of the Committee of the Whole to convene a meeting with Dougherty County Commissioners, Congressional and State delegates to discuss Sabal Pipeline.

Discussion followed with commissioner Langstaff stating that he will not be available to attend this meeting on August 18th since he will be out of town. He mentioned a meeting of the Federal Energy Regulatory Commission (FERC) scheduled at the end of August regarding the issuance of a pre-environmental report. Since public hearings will be held later, he suggested holding off this meeting before federal officials meet in Albany.

Commissioner Marietta moved to adopt a resolution regarding the subject matter, seconded by Commissioner Howard.

Additional discussion followed with Commissioner Marietta reporting that the deadline and comment period have been extended. Commissioner Langstaff reiterated that this meeting should coincide with public hearings and have everyone (State, Congressional delegates, City/County, etc.) meet at that time. By then, the results of the report will be complete and can be taken into consideration for arguments regarding the pipeline. Commissioner Marietta countered that the County Commission also requested this meeting in order to influence FERC before they make a statement; he asked if Dinorah Hall could speak on this matter to provide additional information.

Commissioner Postell stated that he received a letter from the feds regarding moving the compressor from one site to another, adding that he agrees with Commissioner Langstaff about waiting to have this meeting when the feds are in town.

Mayor Hubbard mentioned that she had received information from John Peconom, FERC, asking for assistance in scheduling this meeting (date and location). Commissioner Postell asked that this be a coordinated effort.

Commissioner Howard agreed with Commission Marietta to have a meeting on August 18th for all who can attend since this pipeline will have an impact in our community.

Mayor Hubbard recognized Dinorah Hall.

Ms. Hall spoke on key issues regarding the pipeline as follows: 1) a deadline of August 7th for comments to be submitted to the EPD, which will be taken into consideration. She agreed that a meeting is needed to request answers to issues; 2) the August 18th meeting is crucial in reaching a consensus about impacted areas, wetlands, etc., in Albany/Dougherty County. She mentioned that EPA issued comments stating that southwest Georgia is not a good candidate for this project

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due to the irreversible damage; and 3) the fact that there can be an appeal after the permit is issued with ordinances being made part of conditions, etc.
Commissioner Howard left the meeting at 7:30 p.m.

Additional discussion followed with Commissioner Marietta commenting on changing the date of the meeting to August 25th and Ms. Hall suggesting people being conferenced in if they are unable to attend in person. She mentioned increased noise levels at the compressor station and the fact that there is no contractual agreement with the State of Georgia, etc. Commissioner Marietta said this does not have to be a formal meeting and suggested that it be held at Darton College to discuss issues. After further discussion he withdrew his motion to have an official meeting. Ms. Hall added that the Corps of Engineers has the ability to halt this project and told Commissioner Langstaff that they have hired experts in all fields.

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

Current Bid:

- | | | |
|----|-------------------------------------|-------------|
| 1. | Ford Pickups, Wade Ford, Smyrna, GA | |
| | Total Expenditure | \$50,296.00 |

Recommendation of the Committee of the Whole to approve ESRI Enterprise License Agreement.

OTHER BUSINESS

Commissioner Marietta asked the anticipated opening of the Broad Avenue Bridge; Mayor Hubbard briefly discussed the time frame given by GDOT, adding that they anticipate it being September or October. She said she is working with GDOT about following proper procedures in dedicating the bridge and will keep the Commission informed.

Discussion followed with Commissioner Marietta commenting on lighting on Westover Blvd., to Oakridge and the depletion of SPLOST funding due to being transferred to ADICA for the Northside area.

Mayor Pro Tem Coleman asked about completion of the Broad Avenue Underpass; Mayor recognized Bruce Maples, Director of Engineering, to update the status of the underpass. Mr. Maples advised that the underpass will not close again until the last stage is ready to begin (lighting, landscaping, etc.), adding that he will notify the Commission when this happens, which should last approximately two weeks. Mayor Hubbard thanked Mr. Maples and staff for their work with railroad officials in getting this project done over the last three years.

Commissioner Postell questioned remarks made by Commissioner Marietta regarding lighting on Westover Blvd., and the use of SPLOST funds. Mayor Hubbard stated that Ms. Subadan asked that she be given an opportunity to research and will bring information back.

Ms. Subadan discussed SGRITA and stated that the City will work with SGRITA officials on revising the agreement to provide services – no financial assistance, but rather intellectual capital. In reply to Commissioner Postell regarding the time frame, Ms. Subadan stated that the agreement expires on December 9th with notice given 30 days prior. She said she will bring back information to the Commission for review within 60 days. Commissioner Postell clarified that there is no cost with Ms. Subadan stating no money has been put in – only in-kind services, which are being tracked.

There being no further business, the meeting adjourned at 7:52 p.m.

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MAYOR

ATTEST:

CITY CLERK