

MAY 27, 2014

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

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: James Taylor
City Attorney: C. Nathan Davis

Mayor Hubbard called the meeting to order at 6:42 pm.

The Pledge of Allegiance followed the invocation given by Brother Jesse Jackson, US 19 Church of Christ.

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

Mayor Hubbard opened the public hearing for the following:

PUBLIC HEARING

1. Grace Ave. Closure

In reply to Commissioner Postell, Engineering Director Bruce Maples, located Grace Avenue on a map.

There being no one present desiring to speak in support of or opposition to this matter, 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 Marietta moved to approve the following Alcohol License Application, seconded by Commissioner Postell; the motion carried 6-1 with Mayor Pro Tem Howard voting no.

1. Shri Aman Nath, Inc., d/b/a Dawson Rd. Food Mart, 1200 Dawson Rd.
Q. Lumpkin/Agent; Beer Package

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

2. Newton Rd. Partners, LLC; d/b/a Brothers Convenience Store, 1104 Newton Rd.;
M. Patel/Agent; Beer package

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

3. ATL Sports Lounge, 1905 S Madison ST. #6; JS Turner/Agent; Wine
consumption/Liquor retail

Following the recommendation of the Committee of the Whole, Commissioner Marietta moved to approve the following One Day Alcohol License Applications, seconded by Commissioner Langstaff; the motion carried 6-1 with Mayor Pro Tem Howard voting no.

1. Darton College Foundation [2 applications]; L. Malinowsky/Agent; Concert
Fundraiser, Darton College, 2400 Gillionville Rd. June 28 & July 18, 2014 5:00
pm – 11:59 pm

Discussion followed with Commissioner Marietta stating that the events at Darton are concerts with Corey Smith scheduled to appear in June and Travis Tritt scheduled for July. In reply to

MAY 27, 2014

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

Commissioner Marietta, Chief License Investigator Walter Norman stated that beer and wine will be served.

Mayor Hubbard asked if the concerts were open to the public with Commissioner Marietta replying in the affirmative.

APPOINTMENT

1. One appointment to the Barrier Free Design Board for unexpired term ending March 2016 (representing handicapped persons)

Commissioner Postell moved to appoint Donna Parker and to continue advertising for the other vacancy, seconded by Commissioner Marietta; the motion unanimously carried.

ORDINANCES

Commissioner Postell introduced

AN ORDINANCE NO. 14-106

Closing a portion of Grace Avenue with certain reservations, authorizing the execution of a Quit Claim Deed

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 Marietta; the motion unanimously carried.

Commissioner Marietta introduced

AN ORDINANCE NO. 14-107

Amending Title III, Article 2 of the Zoning Ordinance of the City of Albany establishing and clarifying Parking Regulations for residential areas

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

Commissioner Langstaff clarified that this ordinance is the one with changes brought forward last time. Planning Director Paul Forgery stated that it is the one that clarifies existing parking regulations in residential areas. Commissioner Langstaff asked if Commissioner Marietta's intent was to approve the ordinance as amended; Commissioner Marietta replied in the affirmative.

Hearing no further comments, the motion carried 5-2 with Mayor Pro Tem Howard and Commissioner Coleman voting no.

Discussion ensued on the following:

AN ORDINANCE

Amending Chapter 36 of the Code of Ordinances of the City of Albany, Georgia, to establish a Process whereby Neighborhood Residents may request Regulations as to the Parking of Vehicles or Equipment at Improved Single Family Residential Lots

Commissioner Postell asked for clarification on the ordinance with Mr. Forgey explaining that the ordinance pertains to the property and whoever owns it. In reply to Commissioner Postell, he discussed parking in front yards. Additional discussion followed regarding the intent of the ordinance to not include commercial trailers with Mr. Forgey explaining that property owners - not renters - have to request that the ordinance be put in place in their neighborhood, and Mr. Taylor reading the definition of equipment in the ordinance on as noted on page three.

MAY 27, 2014

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

In reply to Mayor Hubbard, Mr. Forgey explained the process of enforcing the ordinance, i.e., property owners notifying renters, tickets being issued for violation and/or people putting up signs.

Commissioner Langstaff clarified the reason for the ordinance, i.e., citizens complain about front yard parking with there being no ordinance/law in place to prevent it. The ordinance will prevent this from happening if 60% say parking in the front yard is prohibited. At issue is the fact that in some instances, the front yard is the only place a person can park; the ordinance provides residential areas with ample parking to control whether or not to allow parking in the front. If the ordinance is not adopted, there will continue to be nothing in place to prevent front yard parking.

Commissioner Marietta stated that he agrees with the comments from Commissioner Langstaff.

Mayor Pro Tem Howard stated that he will vote no and discussed apartment areas in his ward with people not interested in complying with the ordinance. He said he thinks the ordinance will be hard, if not impossible, to enforce. Mr. Forgey explained that the ordinance only applies to single family residents and not apartment complexes/dwellers.

Commissioner Coleman asked for clarification on whether it applies to owners or residents. Mr. Forgey stated that it applies to property owners.

Commissioner Postell stated that he has renters and private owners in Ward 6; the ordinance will not serve the needs of the entire city and suggested tabling to critique. Mr. Forgey again explained that 60% of property owners must agree and that this provides citizens a tool for use in their neighborhood. Commissioner Postell stated that he cannot support the ordinance.

Commissioner Langstaff stated that he will support tabling for another month, adding that he does not have a problem in his ward, but other wards have problems.

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

RESOLUTIONS

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

A RESOLUTION NO. 14-R128

Accepting the recommendation from the Community Development Council to fund Public Service Grants through CDBG Funds

Commissioner Marietta suggested acknowledging those in attendance in support of the resolution. Mayor Hubbard asked Shelena Hawkins, Community & Economic Development Director to introduce those present. Ms. Hawkins advised that representatives from Girls Inc., Alzheimer's Assn., and StriveToThrive are present, along with Community Development Council (CDC) Members Gary Sanders, Ella Murray, Johnette LaMons and Michael Fowler.

Mayor Hubbard thanked the CDC members for their time and effort; without their help the City would be hard-pressed to address the needs and demands required for these programs.

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

MAY 27, 2014

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

A RESOLUTION NO. 14-R129

Authorizing the execution of an Intergovernmental Contract between the City of Albany, GA, acting through the Water, Gas and Light Commission of the City of Albany and the Dougherty County School System re: Master Service Agreement for Dark Fiber Licensing [Telecommunication Services]

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

A RESOLUTION NO. 14-R130

Approving the Supplemental Contract for the Gas Portfolio IV Project between the City of Albany, GA (Member), the Water, Gas and Light Commission of the City of Albany and the Municipal Gas Authority of Georgia and authorizing the execution, delivery and performance of the supplemental contract for the Gas Portfolio IV Project

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

A RESOLUTION NO. 14-R131

Authorizing execution of a contract with the GA Dept. of Natural Resources for a FY 2014 Historic Preservation Fund Grant

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

A RESOLUTION NO. 14-R132

Authorizing the filing of an application with the US Dept. of Transportation and Georgia Dept. of Transportation for a grant under Title 49 U.S.C., Section 5303

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

A RESOLUTION NO. 14-R133

Approving a voting delegate and flag bearer for the City of Albany to the Georgia Municipal Associations 2014 annual convention June 20-24, 2014

Commissioner Postell stated that he would like to appoint Commissioner Fletcher to serve as the voting delegate and flag bearer. Commissioner Fletcher stated that for personal reasons, she is hesitant to commit. Mayor Pro Tem Howard offered to substitute for Commissioner Fletcher in the event she is absent.

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

A RESOLUTION NO. 14-R134

Accepting Easements from Optimist Club of Albany, Georgia, Inc., et al re: construction of sanitary sewer lines along Philema Road as part of the of the Chehaw Sanitary Sewer Improvements

MAY 27, 2014

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

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

A RESOLUTION NO. 14-R135

Authorizing submission of application for a 2014-2015 Edward Byrne Memorial Justice Assistance Formula Grant (JAG); authorizing execution of Memorandum of Understanding agreement between the City of Albany and Dougherty County

Following the recommendation of the Committee of the Whole, Commissioner Postell moved to adopt the following resolution, seconded by Commissioner Marietta; the motion carried 6-0-1 with Commissioner Langstaff abstaining.

A RESOLUTION NO. 14-R136

Authorizing use of SPLOST VI funds for Crushed Asphalt

In reply to Commissioner Coleman, Public Works Director Phil Roberson explained that the list of alleys was approved by the Commission one year ago; he will provide the list.

CONSENT AGENDA

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

Recommendation of the Committee of the Whole to appoint Commissioner BJ Fletcher as a member of the Long Term Financial Planning Committee.

Current Bids:

- | | | |
|----|--|-------------|
| 1. | ERP Software Maintenance, Oracle USA, Inc., Palatine, IL | |
| | Annual expenditure | \$60,713.81 |
| 2. | Concrete Pipe, Hanson's Pipe & Precast, Gretna, FL | |
| | Estimated expenditure | \$96,360.00 |

OTHER BUSINESS

Mayor Pro Tem Howard asked if the tabled Solid Waste contract will be brought back for consideration. Mr. Taylor stated that he will bring it back.

Commissioner Langstaff stated that he will appoint Dr. Charles Gillespie to the APD Civilian Review Board as the Ward 5 appointee.

Commissioner Postell referred to minority businesses and the Small Business Program that was disbanded six years ago. He stated that a subcontractor for the solid waste contract was not renewed and asked for information. Mr. Taylor stated that he will make himself available to discuss after the meeting and/or in his office.

Commissioner Coleman also referred to the solid waste contract and asked Commissioner Marietta to share information regarding the increase in the current bid. Commissioner Marietta stated that bids were 20% higher than the cost of the current contract and should be included in information before deciding to rebid. Mr. Taylor stated that the Commission can reject all bids. Commissioner Marietta stated that it is difficult to discuss without knowing that there is a price increase; he said he felt everyone should know about it.

There being no further business, the meeting adjourned at 7:22 p.m.

MAY 27, 2014

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

MAYOR

ATTEST:

CITY CLERK