

NOVEMBER 25, 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, Bob Langstaff, Jr., and  
Tommie Postell  
Interim City Mgr.: Tom Berry  
City Attorney: C. Nathan Davis

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

The Pledge of Allegiance followed the invocation given by Minister Torrey Williams, Ebenezer Christian Center.

Commissioner Postell moved to excuse the absence of Commissioner Marietta, seconded by Mayor Pro Tem Howard; the motion unanimously carried.

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

#### PUBLIC HEARINGS

Mayor Hubbard opened the public hearing for the following:

1. Zoning Case #14-084 – Libby Cross Station Enterprises, LLC/Owner; Joseph W. Dent, c/o Watson Spence, LLP/Applicant; request to rezone property located at 2800 Old Dawson Rd., from C-1 and C-2 to C-3

Using a power point presentation (copy on file), Mary Teter, Planner, reviewed the rezoning application and explained the current C-2 designation restricting retail sales (25,000 sq. ft.) with the shopping center exceeding the maximum (88,144 sq. ft.) of floor space. In the event of a loss (fire, explosion, Act of God, etc.), reconstruction must comply with C-2 District requirements which is the need to rezone to C-3. She showed maps (surrounding zoning, land use and aerial) and discussed the future land use, which allows rezoning to C-3 and advised that the Planning Commission recommends approval.

Applicant Joe Dent submitted a letter to the Clerk to put on file and explained that when the property was originally built, C-2 provided unlimited retail space. There is nothing new about the property; however, through the years, zoning definitions changed; subsequently, this property was never changed after the C-2 definition changed. If this property is destroyed in a fire, the owners will be unable to rebuild back to the way it is, which has their financial people in an uproar. He explained that this is mostly a house-keeping matter because the property complies with C-3 rather than C-2 and the rezoning affixes the proper zoning to the existing use.

In reply to Mayor Hubbard, Ms. Teter explained prior zoning and the current square footage as noted, which is not in line with C-2 zoning, adding that the C-3 designation is more appropriate as it allows the owners to build back in the event there is a disaster. Mr. Davis interjected that this is not a typical rezoning request because it does not arise out of a sale or a big change with the property; the owners are requesting the change in order to comply with the new definitions. He added that since the 1980's the owners have been in compliance until now.

In response to Commissioner Postell, Mr. Dent explained that there is a loan on the building; the owners had to get a zoning certification for the bank to be assured that their collateral can be rebuilt in the event of a fire/disaster. The bank requested that the owners have the zoning corrected to protect the loan/property. Commissioner Postell asked Ms. Teter if approved, will it apply to all rezoning of this type? Ms. Teter advised that it zoning is by property; this will apply only to this piece of property.

2. Zoning Case #14-088 – Barry Taylor/Owner-Applicant; request to rezone property located at 215 S. Madison St., from R-1 to C-3

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Using a power point presentation (copy on file), Ms. Teter reviewed the application and discussed the request to allow retail sales in the residence, adding that the history of the rezoning of the property was from residential to funeral home and now back to residential. She showed maps (surrounding zoning, land use, aerial and a color photo of the residence) and, discussed additional zoning history. After a review of planning considerations, she advised that the Planning Commission recommends approval.

Ms. Henri Davidson (215 S. Madison St.) signed up to speak but declined to provide any comments.

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 Postell moved to approve the following Alcohol License Transfer of Ownership, seconded by Commissioner Fletcher; the motion carried 5-1 with Mayor Pro Tem Howard voting no.

1. EMR Investments, Inc., d/b/a Neighborhood Grocery, F. Ulhaq/Agent, 716 Johnson Rd; Beer package. Transfer from M. Nadeem (WARD 1)

Following the recommendation of the Committee of the Whole, Commissioner Postell moved to approve the following Alcohol License Application, seconded by Commissioner Fletcher; the motion carried 5-1 with Mayor Pro Tem Howard voting no.

1. The Yellow Store, R. Gray/Agent, 903 S. Madison St., Beer Package (WARD 3)

Following the recommendation of the Committee of the Whole, Commissioner Langstaff moved to approve the 2015 Annual Alcohol License Renewals, seconded by Commissioner Postell; the motion carried 5-1 with Mayor Pro Tem Howard voting no.

APPOINTMENTS

1. Two appointments to Board of Ethics for two year term expiring October, 2016, (One City appointment and one Dougherty County Bar Association)

Commissioner Postell moved to reappoint Kowana McKinney and Blake Brantley, seconded by Commissioner Langstaff; the motion unanimously carried.

ORDINANCES

Commissioner Langstaff introduced

AN ORDINANCE NO. 14-129

Amending the Zoning Ordinance and Map of the City to Albany to change the status of property located at 2800 Old Dawson Rd., from C-1 and C-2 to C-3

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 Postell introduced

AN ORDINANCE NO. 14-130

Amending the Zoning Ordinance and Map of the City to Albany to change the status of property located at 215 S. Madison St., from R-1 to C-3

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Commissioner Postell 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 Howard; the motion unanimously carried.

Commissioner Postell introduced

AN ORDINANCE NO. 14-131

Changing the Parking Regulations on certain streets in Downtown to Four Hour Parking 8 AM to 6 PM

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 Fletcher; the motion unanimously carried.

RESOLUTIONS

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

A RESOLUTION NO. 14-R177

Authorizing use of SPLOST VI Funds for the relocation of Fire Station #7

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-R178

Authorizing use of SPLOST VI Funds for the Albany Transit Compressed Natural Gas (CNG)

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-R179

Approving Right-of-Way Deed from Polestar GA Albany (Westover), LLC re: Dedication on S. Westover Blvd., and Logan Ct.

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

A RESOLUTION NO. 14-R180

Approving the proposed Substantial Amendments to FY 2013 & 2014 Action Plans and 2011-2015 Consolidated Plan

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-R181

Authorizing submission of an Application to the Georgia Dept. of Natural Resources for a Recreational Trails Grant

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Following the recommendation of the Committee of the Whole, Commissioner Postell moved to adopt the following resolution, seconded by Commissioner Langstaff; the motion carried 5-1 with Mayor Pro Tem Howard voting no.

A RESOLUTION NO. 14-R182

Providing for the execution of a Contract for Operation, Management and Maintenance Services between South Georgia Regional Information Technology Authority and the City of Albany [SGRITA]

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-R183

Authorizing the abandonment of a portion of a Drainage Easement in Westover/Gillionville Commercial Subdivision re: Waffle House Restaurant

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-R184

Authorizing use of SPLOST VI Funds for Computer Servers

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

A RESOLUTION NO. 14-R185

Authorizing the City of Albany HR Dept., to engage the services of PayScale, Inc., on a 3-Year subscription basis to build and maintain a compensation structure for the entire organization

Mayor Pro Tem Howard asked the cost with Mr. Berry explaining that PayScale is a tool, which will bring the salaries/pay of employees to 2014 levels and keep them current in the market; the City is currently paying at 2008 levels. The cost is \$149,000 over the three years, which includes the data base, back office work and professional compensation. Mayor Pro Tem Howard asked if they are in Georgia; Mr. Berry replied in the negative, adding that they are in Seattle, it is a national database.

Commissioner Coleman mentioned the first year cost of \$39,000, with a \$53,000 cost if the City decides to break the contract rather than completing the three years at \$149,000. He asked the feasibility of purchasing a cheaper data base instead of using this firm and expressed concern about the high cost.

Commissioner Postell asked how many bids were received with Mr. Berry explaining that he looked at the Archer Company and the data base company used by DCA; however this is a national data base, with good reviews and the City has the ability to use it in the future and remove the back office component after the three year term. He added that no bid was required as this is considered professional services.

Hearing no further comments, the motion carried 5-1 with Commissioner Coleman voting no.

CONSENT AGENDA

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

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Recommendation of the Committee of the Whole to add two additional Stop Signs re: Webster Ave., @ Rosebrier Ave

Current Bid:

- |    |   |              |
|----|---|--------------|
| 1. | Maintenance 800 MHZ Infrastructure, Motorola, Atlanta, GA |              |
|    | Annual cost   | \$104,226.06 |

OTHER BUSINESS

Mr. Berry reminded the Commission of the meeting on Monday, December 1<sup>st</sup> with the state delegation in room 120 at 1:15 p.m.

Commissioner Coleman mentioned the new HR Policy Manual and asked Mr. Davis if the tweaking had been completed; Mr. Davis replied in the negative. Commissioner Coleman stated that in light of the consulting firm that was just selected, employees should know what the manual states and asked for a list of those who were hired and promoted from 2013 to date.

Commissioner Postell asked that an effort be put forth to locate businesses in Ward 6/South Albany. He contended that West Albany is flooded with businesses and said he would like to see studies for Ward 6 on this endeavor.

Commissioner Fletcher asked for clarification about the meeting with the state delegates on Monday; Mr. Berry advised that any issue can be discussed. Mayor Hubbard stated that she invited GMA to attend as this is considered as part of their ‘hometown connection’. She asked Wes Smith, Asst. City Manager, about putting items on the agenda with Mr. Smith asking that items be brought to his attention. Discussion followed on whether or not everyone was invited to the noon lunch. Mayor Hubbard asked Mr. Smith to find out and let everyone know.

There being no further business, the meeting adjourned at 7:16 p.m.

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MAYOR

ATTEST:

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CITY CLERK