

OCTOBER 23, 2018
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100

PRESENT: Mayor Dorothy Hubbard
Mayor Pro Tem Bob Langstaff, Jr.
City Commissioners: Jon Howard, Matt Fuller, BJ Fletcher, and Roger Marietta
City Manager: Sharon Subadan
City Attorney: C. Nathan Davis

Mayor Hubbard called the meeting to order at 6:01 p.m., and reminded the audience of the process to address the Commission (Citizen Comments/Speaker Appearance Forms).

SPEAKER APPEARANCE

Willie Jackson – 606 S. Magnolia - distributed information (copy on file) and stated that his issue concerns the Traffic Division asking to take a portion of his property to make it wider, which he claimed is ‘under the pretense’ to install handicap ramps. Referring to his handout, he stated that during the Sept. 16, 2014 Commission work session, discussion was held regarding ADA topics, including sidewalks, handicap ramps/access and, in 2016 the problems were discussed again. He referenced the stapled page and read information regarding handicap ramps, adding that challenges still exist and advised that he was approached and asked to donate a portion of his property for handicap ramps. However, after looking around the city and seeing all of the ADA inconsistencies/violations, he wondered why his property (corner of Magnolia/Gordon) was being looked at instead of City owned properties. As noted in his handout, he mentioned S. Magnolia and other areas that have to be avoided due to being inaccessible (specifically uneven sidewalks), as well as other inconsistencies. Discussing being consistent, he asked that the following questions be considered: 1) is it legal/ethical to take property from citizens when City-owned property is not being considered for the use for which it wants to take private property; 2) is it legal/ethical for roads that do not have sidewalks and is zoned residential, to be widened to allow additional traffic and big trucks access 3) is it legal/ethical to use ADA to discriminate against individuals and for the City to be arbitrary and capricious in enforcing and carrying out mandates of ADA.

Commissioner Marietta stated that at the last meeting a sidewalk was approved from Dawson Road to W. Gordon/Magnolia and asked that Mr. Jackson’s request be accommodated as he is a good citizen and is concerned about his yard. He suggested using city right-of-way and commended Mr. Jackson for the inspirational messages that he provides to the community in his neighborhood.

APPOINTMENT

1. Mayor's appointment to Albany Housing Authority for one-year term ending November 2019

Mayor Hubbard advised that she will make the appointment in the regular meeting, which follows.

HOTEL/MOTEL CONTINUATION AGREEMENT

Mr. Davis discussed information as noted (copy on file) regarding approval for the continuation of the relationship with J. Anderson Davis of Rome, Georgia re: administration of Hotel-Motel Tax/Class

Action Lawsuit, adding that an exhibit is attached showing how much money has been collected due to this lawsuit.

Mayor Pro Tem Langstaff asked if this is multi-district litigation, with Mr. Davis stating ‘no’ and explaining that it was filed in Rome, Georgia as a class-action and the firm gets 1/3 of monies collected. In reply to Mayor Pro Tem Langstaff, Mr. Davis explained the process, time period, with the firm asking that payment go back to 2002-04, adding that there are still pending issues. Mayor Pro Tem Langstaff asked why we are looking at extending the agreement to 2020, with Mr. Davis advising that this firm has been involved in this case since 2011, a contract was not signed for a particular timeframe, which he believes is court-ruled administration, etc. He also explained the rationale to use this firm and execute the contract and in reply to Mayor Pro Tem Langstaff, he advised that at this time he cannot explain the two-year period, adding that there is a gap and possibly more money to be collected. Mayor Pro Tem Langstaff mentioned the December 2020 date, which seems peculiar to him. Mr. Davis stated that if this is tabled, he will provide more information. Discussion followed with Mr. Davis stating that there is no urgency to this item. Commissioner Marietta suggested moving forward, adding that he sees no issues with this item at this time. Additional discussion followed with Mr. Davis giving a history of the lawsuit, whether to table the item for additional information, etc. Mayor Pro Tem Langstaff stated that it seems odd that they have only paid \$75,000 since 2012, and now they want a contract that ends December 2020, questioning whether it makes sense to continue with the agreement.

CHARTER AMENDMENTS

Mr. Davis discussed information as noted (copy on file) regarding charter changes as follows: (1) providing the City Manager an increase in purchasing authority to \$100,000 and (2) providing the Utility Board, purchasing authority of up to \$200,000 for purchases, with the City Manager’s written concurrence. He advised that tonight will be the first meeting and under state law, there will be a second meeting (both which will be run in the newspaper as required by law).

Commissioner Marietta stated that the reason for the change is due to disaster response and the current amount within the City Manager’s approval is not enough to expedite decisions, i.e., lighting, etc., when we have disasters. Ms. Subadan agreed and explained the delay in the current process due to the low amount that the City Manager can approve. This change will expedite the process. Regarding the utility board, she advised that the second part of the charter change has to do with giving that board more authority so that the response time in moving forward is expedited. She used the example of replacing a lot of utility poles due to Hurricane Michael. Mayor Hubbard noted delays due to special called meetings for the Utility Board in order to make recommendations to the City Commission. Commissioner Marietta noted that Mayor Hubbard is Chair of the Utility Board and there is no fear that the process happens in a vacuum. Mayor Hubbard added that the City Manager will be sharing information and will not be spending funds without the Commission having access to information.

UPDATE RE: HURRICANE MICHAEL

Using a video/power point presentation, Ms. Subadan discussed updates regarding the recent hurricane. Following the presentation, comments were received from AFD Chief C. Scott regarding the history which began before the hurricane came through Albany, i.e., preparations/precautions, operation of

OCTOBER 23, 2018
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100

EOC, recovery efforts, shelter locations, disaster recovery locations, crisis counseling, FEMA/insurance agencies setup to assist citizens, curfew, etc.

Commissioner Marietta asked if the shelter includes transportation, with Chief Scott explaining transitional services to the shelter location and encouraging citizens to call the emergency line to discuss transportation.

Commissioner Howard asked if sirens were used during the hurricane, with Chief Scott explaining that sirens are tied to tornado warnings. Commissioner Howard asked the category of the hurricane, with Chief Scott stating that currently it is unconfirmed as a category 2; however, additional information from the National Weather Service will classify the storm's exact category based on wind speed, etc.

Phil Roberson, Asst. City Manager, discussed tree/debris removal (a map was shown of the 54 zones) and stated that this storm was larger/more widespread than last year's storms. He gave statistics regarding debris collection; working with the Corp of Engineers, which will assume the role of debris management; working with Ceres, which is assisting with tree/debris removal and advised that constant contact with citizens will be through 311 and other methods.

Commissioner Howard asked about root balls, with Mr. Roberson explaining that root ball debris will be assessed when we are at that point.

Commissioner Marietta thanked City staff, contractors and linemen for all that they have done during storm cleanup. Ms. Subadan also thanked staff for their efforts and hard work, support from the community, etc.

Mayor Hubbard also thanked everyone for all that have been done in support of disaster efforts.

PUBLIC FUNCTION MATTERS

ZONING APPLICATIONS:

The Clerk read the following:

1. Zoning Case #18-047 - Robert N. Brooks - Owner/Applicant; requests to rezone property located at 2610 Gillionville Rd. from C-5 to C-2. PC approved 5-1 WARD 4
2. Zoning Case #18-051 - SOWEGA Financial Services, LLC/Owner; Alfred A. Hosely/Applicant; requests to rezone property located at 1135 Gillionville Rd. from C-5 to C-2. PC approved 5-1. (Ward 4)
3. Zoning Case #18-054 - Pankajbhai & Jyotsnaben Patel/Owners/Applicants; request to rezone property located at 2402 Whispering Pines Circle from R-1 to C-2. PC Denied 5-1. (Ward 5)

OCTOBER 23, 2018
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100

COMMUNITY AND ECONOMIC DEVELOPMENT MATTERS

ALBANY/DOUGHERTY HOMELESS COALITION UPDATES

Shirley Ingram, Community Development Manager, introduced David Blackwell to give an update.

Mr. Blackwell, Chairman of the Albany Homeless Coalition, discussed information on what the Homeless Coalition has been doing for the last 12 months, adding that Albany is a model for the State of Georgia. He mentioned being a pilot program for DCA, use of an app for cell phones with this being a successful project/collection of data, adding that the program will go statewide in January to identify homeless people, where they are, where they sleep, etc. In closing comments, he advised that the November event at the civic center has been cancelled due to the hurricane.

Mayor Hubbard thanked Mr. Blackwell for all the Coalition does for those who are homeless.

PUBLIC ADMINISTRATION AND FINANCE MATTERS

PURCHASE:

Yvette Fields, Central Services Manager, discussed information as noted (copy on file) regarding the agreement with MetroPower, Inc., to provide/replace at its sole expense 12,500 light fixtures with LED fixtures throughout the City of Albany at a cost not to exceed \$6,500,000 and advised that the revised contract is being distributed (copy on file).

Commissioner Marietta asked if downed poles will be repaired before lights are installed. Ms. Subadan explained that an evaluation will indicate what damages may be eligible for FEMA reimbursement, which will not be part of the contract. She then discussed the process as it pertains to installation of new lights, etc. In reply to Mayor Hubbard, she advised that it could be eight weeks or longer due to hurricane Florence; communities in other areas have a lot of lights out also and the demand for light fixtures may impact Albany.

Mayor Pro Tem Langstaff stated that this type of contract illustrates the problem with our process (i.e. work session immediately followed by regular meeting without being able to discuss fully before voting); he suggested tabling this to the next meeting to give all an opportunity to review the revised contract. Discussion followed with Ms. Subadan commenting on the process and moving forward with Commissioner Fuller agreeing to have more time to review the contract. Commissioner Fletcher said she is willing to stay to discuss.

Detailed discussed followed on why it took so long to get the contract if it was discussed in August with Mayor Pro Tem Langstaff stating that he feels it should have come back in September. Ms. Subadan explained that the LED was removed from AMI because AMI is more complex; it was her decision to do this.

In reply to Mayor Hubbard, Mr. Davis explained the way he prepared the contract.

Commissioner Howard asked Ms. Subadan if this item is time sensitive with Ms. Subadan stating that it is a decision of the Commission. Commissioner Howard said he would rather bring this back. Mayor Pro Tem Langstaff stated that if it was time sensitive, it should have come back before now. Additional discussion followed on the time frame, etc.

Commissioner Marietta said he is in favor of moving forward, and wants those here specifically for the next meeting to not have to wait and suggested moving forward. Discussion followed with Mayor Pro Tem Langstaff suggesting having this particular discussion at the official meeting; Mayor Hubbard agreed.

TRANSIT SERVICE & FARE CHANGE POLICY

Tennasha Gresham, Planning & Customer Service Manager, discussed information as noted (copy on file) regarding the adoption of a Major Service Change Policy for the Albany Transit System.

Mayor Pro Tem Langstaff asked the deadline for adoption with Ms. Gresham stating November 6. Mayor Pro Tem Langstaff asked how long we have known about this, with Ms. Gresham advising that it was received before the storm. In reply to Mayor Pro Tem Langstaff, she explained the process with GDOT with Mayor Pro Tem Langstaff stating that public hearings are required. David Hamilton, Transportation Director, explained that if it is temporary it can be changed, etc., as it pertains to the public hearing process, adding that this is a written/defined policy.

Mayor Hubbard advised that the following is tabled to the next meeting:

CITY MANAGER'S UPDATE

OTHER BUSINESS/ITEMS FOR FUTURE AGENDA

There being no further business, the meeting adjourned at 7:11 p.m.

SONJA TOLBERT
CITY CLERK