

JANUARY 8, 2019
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100

PRESENT: Mayor Dorothy Hubbard
Mayor Pro Tem Bob Langstaff, Jr. (left the mtg. at 9:43 am)
City Commissioners: Jon Howard, Matt Fuller, BJ Fletcher (arrived at 9:00am), Roger
Marietta and Tommie Postell (arrived at 8:46 am)
City Manager: Sharon Subadan
City Attorney: C. Nathan Davis

Mayor Hubbard called the meeting to order at 8:30 a.m., and reminded the audience of the process to address the Commission (Citizen Comments/Speaker Appearance Forms).

APPOINTMENT

1. One appointment to Chehaw Park Authority to fill an unexpired term ending July 2019

There were no questions or comments on this item.

HOTEL-MOTEL TAX/CLASS ACTION LAWSUIT

Mr. Davis discussed information as noted (copy on file) and asked for approval to continue the relationship with Brinson, Askew, Berry, Seigler, Richardson & Davis, LLP of Rome, Georgia, re: administration of Hotel-Motel Tax/Class Action Lawsuit. There were no questions or comments on this item.

207 PINE AVE REDEVELOPMENT PLAN

Ms. Subadan discussed information as noted (copy on file) regarding the request for the City to enter into a Memorandum of Understanding ("MOU") with the Downtown Development Authority (DDA) regarding redevelopment of 207 Pine Ave. She summarized details in the MOU, adding that the Commission reserves the right to approve any development plans, and if the redevelopment does not occur in 12 months, the property reverts back to the City. She commented on the deadline to apply for grants being a primary factor.

Commissioner Marietta mentioned on possible environmental issues, with it being said in the past, it would take several millions to repair some of the property and suggested it could cost at least \$10.0 million to redevelop and if the property is given to DDA, the \$10.0 million will pass on to that entity. He asked if the City will be responsible for the environmental cleanup if the property is given to DDA and mentioned the concern regarding the Brownfield Consultant's failure to provide timely notice of grant opportunities, with only, a month's notice. He commented on the new Downtown Director reporting to work tomorrow and suggested waiting until the Director is in place and has had an opportunity to review and still meet the deadline, etc., concerns (items of this nature starting with the DDA and then being brought to the Commission for consideration/recommendation), adding that this seems like a rush item, and that it appears to be a waste of tax dollars to rush.

Ms. Subadan agreed that the cost to redevelop could be significant and that this has to go through the DDA; however, the City retains a responsibility with the property, which is why DDA will come back to the Commission for approval. This is a window of opportunity with the federal government opening Brownfield cleanup grants in December/closing in January and communities that are ready can take advantage. She mentioned other opportunities/funding to assist with redevelopment and advised that the City does not pay 100% of repair, which is part of spurring downtown redevelopment, adding that grant opportunities/deadlines are out of her control and, to wait another year will be a potential loss of opportunities. She stated that the new Downtown Director will not work on this; it is a deal that she, as City Manager, has been working on.

(Commissioner Postell arrived at 8:46 at this time).

Commissioner Marietta again suggested DDA take the lead on this and bring back recommendations to the Commission, adding that today his vote will be ‘no’ since he feels it is not being properly addressed. Ms. Subadan said the DDA will meet at 11:30 and if the Commission wants to have a Special Called meeting after that, it can be done. Commissioner Marietta countered that the next meeting will suffice, with Ms. Subadan explaining that a public hearing is required and will be scheduled accordingly as soon as a vote is taken.

Commissioner Fuller asked the negative and big issue, adding that there are 12 months to decide on the next move. Ms. Subadan stated that this is a good opportunity and that environmental issues can be a stumbling block to redevelopment, adding that remediation is necessary and the federal grant could assist with remediation. She said she does not see a downside to this.

Commissioner Howard asked the appraised cost of the building and suggested having an approx., appraisal value, with Ms. Subadan stating that this is currently being done, which is what led to having the grant for environmental cleanup. She said that grants go up to \$1.0 million and the expectation is that we will be close to that amount. Commissioner Howard expressed the concern of having an environmental assessment; Ms. Subadan said that it was already done and we’re in phase I subsequent to receiving information that environmental issues exist. She advised that she does not want to release more information on the cost at this time.

PUBLIC SAFETY MATTERS

ALCOHOL LICENSE APPLICATION

1. Lucky Break Grill & Billiard LLC, 2207 E. Oglethorpe Blvd.; S. Goodwin/Agent; Liquor, Beer & wine Consumption; WARD 1

In reply to Commissioner Howard, Chief Deputy A. Donaldson verified the location of the establishment. Commissioner Howard asked if there is an establishment in the area; Chief Deputy Donaldson replied in the affirmative and stated that this is not an issue.

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Commissioner Postell asked for clarification on checking applications; Chief Deputy Donaldson explained the transfer of ownership process as it pertains to this item.

ALCOHOL LICENSE APPLICATION - Transfer of Ownership

1. Ssyn1 LLC, d/b/a Sunrise Store; 1608 W. Broad Avenue; R. Edwards/Agent; Beer and Wine Package; Transfer of Ownership from S. Patel; WARD 3

There were no questions or comments on this matter.

PUBLIC WORKS MATTERS

STONEBRIDGE GOLF COURSE, SECTION IV SANITARY SEWER EASEMENTS

Bruce Maples, Director of Engineering, discussed information (copy on file) regarding the request to accept sanitary sewer easements re: Stonebridge Golf Course, Section IV subdivision, adding that all requirements have been met.

In reply to Commissioner Fuller, Mr. Maples stated that this area was built approximately three years ago.

There were no additional questions/comments regarding this item.

GREATER 2nd MOUNT OLIVE CHURCH REQUEST re: ALLEY CLOSING

Mr. Davis discussed information as noted (copy on file) and explained the process, adding that the applicant will pay the advertising cost, etc. In reply to Mayor Hubbard, the location of the alley was clarified. Mr. Davis explained the process of closure, retaining the right to have an easement in place, etc.

(Commissioner Fletcher arrived at this time 9:00 am)

PUBLIC FUNCTION MATTERS

ZONING APPLICATION

1. Zoning Case #18-060 - S. K. Patel/Owner/Applicant; requests to property located at 401 and 405 Johnny W. Williams Rd. from R-3 and C-1 to C-2. PC approved 5-4 (WARD VI)

In reply to Commissioner Postell, Paul Forgey, Planning Director, explained the process, adding that the Planning Commission has met on this item. Mr. Davis briefly discussed the process of the request

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to rezone the property, which entails rezoning to have a parking lot at the location. In reply to Commission Postell, Mr. Davis stated that this item was properly advertised, etc.

Mayor Hubbard stated that when the Planning Commission brings an item to the Commission, there is an obligation for the Commission to vote on it.

Commissioner Marietta questioned whether there are enough parking spaces at this location. Mr. Forgey gave a brief history of the rezoning and said additional information will be provided at the next meeting (by use of power point presentation). Commissioner Marietta asked if having a drive-thru is the reason for the rezoning request with Mr. Forgey agreeing that this is a reason.

Commissioner Postell commented on the parking situation, suggesting that it is a hazard.

APPROVAL OF SHOPPING CENTER CLASSIFICATION

Using a power point (copy on file) Mr. Forgey discussed information as noted (copy on file) regarding the request to classify the site at 2525 Dawson Road as a "shopping center" to allow for reduced parking requirements.

Commissioner Howard clarified what will be in the location, i.e., restaurant going into the shopping center.

Commissioner Fuller asked if this should have been a shopping center designation all along, with Mr. Forgey agreeing.

Mayor Hubbard asked if the zoning should be changed; Mr. Forgey advised that this is being considered and may be brought back in the future.

Commissioner Postell asked the number of feet being used, with Mr. Forgey stating that the retail portion is 125K square feet. Commissioner Postell questioned the parking and not being 'hoodwinked'.

Commissioner Marietta agreed with the request and the dividing of the property into three retail stores. He asked if the restaurant will be built in the parking lot. Mr. Forgey stated that the restaurant will be within the existing building and parking is a separate item, which requires a vote to meet current standards.

PUBLIC ADMINISTRATION AND FINANCE MATTERS

PURCHASES:

Joshua Williams, Buyer II, discussed information as noted (copy on file) regarding the following:

1. Sign Repairs - Area Wide Protective (AWP) of N. Canton, OH
Est. expenditure \$966,713.24

In reply to Commissioner Postell, Mr. Williams stated that, Mr. Blevins, representing Area Wide Protective, is present to answer questions. Mr. Blivens gave his credentials, adding that he is the contractor. Mr. Maples explained damage from the hurricane and FEMA recovery funds being used to assist with recovery, in this case signs that were damaged.

In reply to Mayor Hubbard, Mr. Blivens said they have offices in Atlanta and Savannah. Mayor Hubbard asked if signs will be repaired on state highways with Mr. Maples explaining the process as it pertains to the repair of state highways, adding that this item pertains to only City signs only.

In reply to Commissioner Howard, Mr. Maples briefly discussed state signs, adding that staff was asked by GDOT last week to assist and at this time he has no information to report. In reply to Mayor Hubbard, he stated that they are working to expedite the process, per DGOT's request.

Commissioner Marietta stated that some signs were repaired, with Mr. Maples explaining that public safety signs were repaired first (Stop/Yield signs), adding that the City will be reimbursed.

Dale Henry, Buyer II, discussed information as noted (copy on file) regarding the following:

2. Vehicle Purchases - Wade Ford, Smyrna, GA
Total expenditure \$321,518.00

Commissioner Fuller asked how many more vehicles will be purchased before the end of the year. Peter, Bednar, Fleet Director explained the process, adding that there will be a substantial amount of purchases to come (approx. 50-60 vehicles). In reply to Commissioner Fuller, Mr. Bednar discussed purchases to expect for APD (potentially Ford Explorers).

Mayor Hubbard asked what to expect when purchasing vehicles that are being discontinued, as it pertains to repairs, etc. Mr. Bednar discussed the process, i.e., standardizing of the process, adding that this is a nationwide problem. Ms. Subadan explained that Ford has massive numbers of police cars, with a law enforcement division, and there is not a problem to leave those purchases in limbo with services.

Commissioner Postell asked if FEMA will reimburse for any of these purchases. Mr. Bednar and Ms. Subadan stated that this does not apply to this purchase and explained that more vehicle purchases will be brought forward in the future. In reply to Commissioner Postell, she advised that this order is for 13 vehicles.

BOARD REQUESTED REPORTS

ALBANY/DOUGHERTY LAND BANK PROGRESS REPORT

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Using a power point presentation (copy on file), Mr. Forgey discussed information regarding the Albany/Dougherty Land Bank Authority including the history of the establishment of the Land Bank Authority, appointing of board members, developing a budget, generating a list of tax delinquent properties, property acquisitions/list (including photos), etc. In closing, he advised that a state audit will be conducted soon and will be provided to the Commission.

Commissioner Howard asked if there were any barriers, with Mr. Forgey explaining that some are very active in communities and at this time there is not a lot to report on this.

(Commissioner Langstaff left the meeting at this time 9:43).

Discussion followed with Commissioner Howard relaying his concern of areas in Ward I, specifically in the Moultrie Road area, i.e., vacant houses, litter, etc. He mentioned absentee landlords and rectifying the situation to prevent the City looking like a third world country. Mayor Hubbard asked if there is a solution, with Mr. Forgey stating that there are many components and they are working diligently with all areas, Code Enforcement, blighted properties, etc., to get things done. The consensus was that there are positive opportunities.

Commissioner Marietta stated that there are a few properties abandoned in this area and asked if tax write-off's is a consideration, with Mr. Forgey stating that this is a possibility.

Commissioner Fuller asked if people can use the property for rental. Mr. Forgey explained that ideally they want people to live on the property, but renting, etc., is an option.

CITY MANAGER UPDATE

Ms. Subadan stated that there is a Joint City/County Commission meeting on TSPLOST on January 14 in the Candy Room and gave brief updates on the following: Debris collection – over 700,000 cubic yards have been collected, with the Corps of Engineering ceasing operations after January 11; the City has a bid out to continue debris removal (bid opening on January 22). Sewer issues are ongoing, especially with recent rains; E/W inceptor projects assessments are complete. The Flint Restaurant is on schedule, being approximately 60% complete, with expectation of a spring opening. Alley paving list is prepared, with staff contacting Commissioners in the near future to discuss (per ward) and, the LED streetlight update. Detailed discussed ensued on street lights, repairs, etc., with Director of Utility Construction Jimmy Norman explaining the process, work orders, rain delays during the holiday season causing, etc.

Commissioner Howard asked that updates that are provided, i.e., Corps of Engineers shutting down debris pickup and that citizens be notified of the process, i.e., separating storm debris from regular pickups. Ms. Subadan commented on co-mingling and citizens not being in compliance at this time. She said citizens will be informed and advised that a reminder of debris separation will be announced on all media outlets. Commissioner Howard asked what constituents can be told regarding the Corps

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leaving; Ms. Subadan replied that she cannot officially comment on this as she is not contacted directly by the Corps.

OTHER BUSINESS/ITEMS FOR FUTURE AGENDA

Mayor Hubbard commented on the public hearing last month re: RR crossing closure on 3rd and 7th Ave., adding that she has been in communication with Mr. Miller (with Norfolk Southern) and we are currently in negotiations with them; the time was extended to give an opportunity for more discussions, etc., and asked Mr. Davis to expound on this. Mr. Davis stated that the extension is good news and asked the Commission to read the transcript so that a final decision can be made by Feb. 12.

Commissioner Howard asked APD Chief Persley to briefly discuss the upcoming forum scheduled for Thursday January 10. Chief Persley invited all to attend this meeting from 6-8 pm, that will be held at the Law Enforcement Center, with criminal justice representatives to discuss and answer questions/concerns.

Commissioner Fuller asked for an update on the panhandling ordinance and discussed his recent experience with a panhandler at a fast food establishment. Mr. Davis stated that he has a draft that will be put in all boxes.

A brief discussion followed with Commissioner Fletcher commenting on having store owners take photos and sending to APD, adding that pressure should be put on business owners and holding them responsible. She asked that businesses be responsible for cleanup in their areas. Commissioner Marietta agreed with Commissioner Fuller's comments and suggested the public should help in not giving monies to panhandlers. Mayor Hubbard suggested that this information should be given to the public so that they are aware. Commissioner Fletcher also commented on the dangers of fundraising activities. Mayor Hubbard asked Mr. Davis if there is something we can put in place. Mr. Davis said he is working with statistics regarding children soliciting donations at various corners where there are safety concerns. Mayor Hubbard questioned the responsibility of the property owners and whether they give permission for the fundraisers with Mr. Davis explaining the process and clarifying the role of responsibility with property owners and the City of Albany.

In reply to Commissioner Postell on the rezoning of Johnny Williams Road, Mayor Hubbard reminded him that item will be discussed at the next meeting.

There being no further business, the meeting adjourned at 10:18 am

SONJA TOLBERT
CITY CLERK