

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

PRESENT: Mayor Dorothy Hubbard  
City Commissioners: Jon Howard, Matt Fuller, BJ Fletcher, Roger Marietta and  
Bob Langstaff, Jr.  
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).

### SPEAKER APPEARANCE

1. Yaz Johnson - was not present

### APPOINTMENTS

1. One appointment to the Planning Commission to fill unexpired term ending Jan. 2020
2. One appointment to the SWGA Regional Commission for unexpired term ending Jan. 2020
3. One appointment to the Albany/Dougherty Land Bank Authority to fill unexpired term ending July 2021

There were no questions/comments on this item.

### TRAVEL

Commissioner Marietta moved to approve the following, seconded by Commissioner Howard; the motion unanimously carried.

1. Mayor D. Hubbard; 2019 GMA HUB Cities Meeting; Atlanta, GA; Sept. 29-30, 2019; \$278.18
2. City Manager, S. Subadan; 2019 CDFA Georgia Roundtable; Atlanta, GA; Oct. 9-10, 2019; \$533.04
3. City Clerk S. Tolbert; IIMC Region III Conference; Orlando, FL; Jan. 21-24, 2020; \$1,035.59
4. Asst. City Clerk S. Kelly; IIMC Region III Conference; Orlando, FL; Jan. 21-24, 2020; \$1,259.63H

## **PUBLIC SAFETY MATTERS**

### LICENSE REQUIREMENTS

Marshal Walter Norman discussed information (copy on file) regarding the amending of the

Alcohol Licensing Ordinance to define the applicant's responsibility for business construction once a license application has been approved. He explained the three components of the proposed ordinance: 1) upon approval of an alcohol license, an applicant has to purchase the license within 30 days; 2) existing establishments have 180 days to be open to the general public, if there are situations preventing this, they may make application to the City Manager for approval; 3) the Commission may approve an alcohol license for a location where the business does not yet exist if the applicant can show that they will comply with current ordinance (proximity regulation, building code, zoning, etc.). Once opened and issued a Certificate of Occupancy, the applicant has 360 days to open; failing to meet the timeline can result in forfeiture of the license. He advised that other areas (Columbus, Columbia, Cobb County, Atlanta) were reviewed, discussed the findings and asked that the ordinance be amended.

In reply to Commissioner Fuller regarding the timeline of a transfer, Mr. Norman advised that it will be 180 days and referred to the second paragraph.

Commissioner Marietta commented on the S. Madison license, which has already expired and asked if a second opportunity is given to refile an application. Marshal Norman explained that after expiration of a license, a new application can be filed; however, there is a specified timeframe before being able to make a new application.

In reply to Commissioner Fletcher regarding the reason for the update, Marshal Norman explained that the current ordinance did not specify a timeline and the amendment provides for the time to start once the application is approved.

## **PUBLIC ADMINISTRATION AND FINANCE MATTERS**

### RUNWAY 16/34 MILL AND OVERLAY

Hunter Hines, Superintendent of Operations (Albany Transit), discussed information (copy on file) regarding the acceptance of Grant Award from the Georgia Department of Transportation (GDOT), in the amount of \$2,255,390.25.

Commissioner Marietta asked if the local share will be paid from SPLOST with Mr. Hines stating that it comes from the Customer Facility Charge (CFC).

### PURCHASES:

Kimberly Allen, Buyer, discussed the following information (copy on file):

1. Westover Blvd and Oakridge Drive Traffic Signals/street improvements  
Total exp. \$367,372.00

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In reply to Commissioner Marietta regarding the type of improvements, etc., Bruce Maples, Director of Engineering, explained that the main improvements will be the mast arm poles, traffic signals, and upgrade of intersections to allow pedestrian crossing with handicap ramps to comply with ADA.

A brief discussion followed on completion of the project (Commissioner Marietta). Ms. Subadan advised that realistically, it could be longer than the 120 days that is noted, adding that GDOT has requirements on the poles, etc. She stated that completion will be 120 days after the delivery of the poles.

Kimberly Allen, Buyer, discussed the following information (copy on file):

2.	Runway16-34 Mill and Overlay	
	Total exp.	\$2,905,029.00

In reply to Commissioner Howard regarding Oxford Construction (pg. 27), the bid evaluation and the lack of a DBE goal resulting in no DBD contract or evaluation, David Hamilton, Transit Director, stated that there is no federal participation; therefore, GDOT does not require DEB.

Commissioner Marietta mentioned funding in the past in which grants for the airport came directly from the federal government (FAA) and now it appears that they come from the FAA to GDOT. Mr. Hamilton explained that there are two funding sources, with this project being a total GDOT project with no federal participation.

Mayor Hubbard recognized Derrick Thomas to speak on the following item:

3.	A & E Design Services re: Multimodal Transportation Center	
	Total exp.	\$1,209,350.00

Mr. Thomas thanked the Commission for the job that they do and mentioned their obligations to the citizens of Albany. He commented on the Save the Ritz and Harlem petitions and said that the Transportation Center is important and connected as well. He asked that the Commission and the design firm be committed and obligated to the wishes of the citizens who are asking to follow through on the preservation and revitalization the Harlem district. Those involved in this mission are asking use of the Transportation Center as a cornerstone of the revitalization and to feature the Ritz Theater and Cultural Center as part of this.

Commissioner Marietta said he received calls yesterday and asked Mr. Hamilton to comment on the Multimodal facility as it pertains to the Annex. Mr. Thomas stated that he is not against having a new bus station and leaving it where it is, adding that they support a new bus station, but want to preserve the Ritz as part of the revitalization. He asked that the design firm is committed to doing this.

Ms. Subadan stated that this discussion relates to the next agenda item, which has not yet been read into the record, adding that she met with those challenging the decision and told them that

citizens will be brought to the table once a design firm is hired. The City of Albany is committed to the revitalization of Harlem and saving as much of it as possible. She explained that the City has an agreement with GDOT and the federal government that the historic part of the Ritz is not damaged or disturbed; if it is, it must be revitalized. She advised that her understanding is that the Annex will be part of the design. This will be an open process for input from the community; however, funds for this project cannot be used to revitalize the Ritz. She stated that now is the time to move this project forward and reiterated that community input is vital.

Mayor Hubbard stated that early on there were discussions with citizens and that will continue.

Commissioner Marietta said the person calling him asked why Niles Bolden was chosen as the contractor and if they have minority participation. Mr. Hamilton stated that DBE is a requirement and Niles Bolden has DBE participation of approximately 25%.

Continuing with staff's presentation regarding design of the Multimodal Transportation Center, Ms. Allen discussed information (copy on file) regarding staff's recommendation.

Mr. Lester Love, Principle with Niles Bolden Associates, answered questions as follows:

Commissioner Marietta questioned minority participation. Mr. Love explained that GDOT requires 10%, but that Niles has 25% DBE participation, which are GDOT certified firms.

Commissioner Howard clarified that they are going above the 10% DBE requirement by GDOT. Mr. Love agreed and advised that it is inclusive of the contract. Commissioner Howard asked where they come from, with Mr. Love replying they are from the Atlanta area, but there are local firms, which are not DBE; however, there will be local DBE participation. Commissioner Howard asked that a list of the firms be provided.

Commissioner Fletcher commented on their website and noted the diverse staff that they have. Regarding a certain individual who was on the website, Mr. Love said that she is not involved in this project.

In reply to Commissioner Marietta, Mr. Love commented on areas to be saved based on their historic value; however, he advised that the Annex is a more modern addition and does not meet the criteria. He stated that the question arises 'is it an element to be saved or demolished' and advised this is being taken into consideration (the corner of Oglethorpe and Jackson), adding that they will look at all options.

Commissioner Howard referred to page 38 regarding the selection committee and their evaluation. Mr. Hamilton explained the scoring process and the reason for selecting Niles. Commissioner Howard asked if additional information can be provided before the vote. Ms. Subadan replied in the affirmative.

Mayor Hubbard recognized Michael Harper to speak on this item.

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Mr. Harper commented on the development of the Ritz Cultural Center in conjunction with the Ritz Theater, which by itself is basically unusable. He added that there has been miscommunication regarding community input and this proposal with a potential vote on this today, adding that there was no community input on this item.

Commissioner Fuller clarified that the vote will be on the firm and not the design, with Ms. Subadan agreeing.

A brief discussion followed on the procurement process with Yvette Fields, Central Services Director, explaining the process to include how and when citizen involvement is allowed, the RFQ, advertising, evaluation and recommendation by staff. She advised that public input comes *after* the selection and award of the architect.

Mayor Hubbard recognized Bruce Capps to speak on this item.

Bruce Capps commented on the proposal, specifically the Ritz Cultural Center not being mentioned in the proposal and no mention of public participation. He suggested that all this be written into the proposal, adding that at the meetings he has attended, it was more ‘wishy/washy’ type talk. He noted wording in the proposal regarding the conceptual plan design being ‘final’ with no ‘wobble room’ in the proposal. Addressing Commissioner Marietta, he stated that the annex is not historical and if the Cultural Center is torn down the theater will follow.

Discussion followed with Commissioner Marietta stating that after a review of the proposal, it did not state that the Ritz will be destroyed. Ms. Subadan agreed, adding that a vote has to be taken by the Commission saying that there will be no adverse impact to the Ritz Cultural Center; this vote was taken and as required by FTA. She reiterated that there is no effort to destroy the Ritz and from the process she expects a revitalization of the entire area. She asked that people come to the meetings when they are advertised, which will help in making the decision.

Mr. Capps countered that it is hard to know when the meetings are scheduled, adding that there are studies that have been done on the condition of the Ritz, which do not point to substantial structural issues with the buildings.

Mayor Hubbard thanked the group for their input and said that it is noted to have public input before making any decision regarding the Ritz.

Ms. Allen discussed the following information (copy on file):

4.	Well #6 Rehab and Upgrade	
	Total exp.	\$219,845.00

Commissioner Howard commented on a recent vote on other wells and the new contractor who was hired and asked if this is being piecemealed. Ms. Subadan explained the differences of sewer, storm water, lift stations, which fall under waste water, with this being a well, which manages fresh, drinking water. She advised that a future comprehensive 20-year plan will be forthcoming.

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In reply to Commissioner Howard regarding the location, Kurt Anthony, Water Production Superintendent advised that Well 6 is on 200 Dewey, between Broad and Clark Avenue.

Ms. Allen discussed the following information (copy on file):

5.	South Apron & T-Hanger Taxiways/Remarking	
	Total exp.	\$2,626,493.00

There were no questions/comments on this item.

At this time, Mayor Hubbard recognized William Wright to discuss information on Public Administration and Finance matters.

Mr. Wright distributed information, (copy not received by the Clerk) and noted pg. 3 of his information, explaining that information provided to the Commission is incorrect. The law requires any project of \$250,000 to have public engagement and DBE goal/ participation, etc. He noted page 4 and 7, adding that none of the requirements have been adhered to, i.e., calling for public engagement. He stated that he served on the Ritz Board for several years and is familiar with it. Referring to pg. 7, attribute 4, he said it was designed to ensure that the money is redirected to the people living in the community where the project is funded so that they will benefit from those funds.

Mayor Hubbard asked if the City's process allows assess to everyone, with Mr. Davis opining in the affirmative, adding that we had a consultant recently who outlined the process to follow for DBE participation.

Commissioner Fletcher agreed with Mayor Hubbard, adding that she feels there were no lawsuits by minority contractors due to non-compliance of the process.

Commissioner Marietta added that the lack of information promotes paranoia and fear and suggested having an ombudsman office to go to groups to get information out. He mentioned that a lot of people do not have internet access and asked if we could come up with another way to get correct information out.

Discussion followed regarding informing the public. Commissioner Fletcher mentioned sending information with utility bills. Mayor Hubbard agreed that something should be done to get information out, adding that staff follows the rules. She asked Mr. Davis to devise a means of making sure the letter of the law is followed and to have an open meeting/forum whereby people who want to know the process are involved.

Commissioner Marietta suggested using 311 and having a frequently asked questions; Commissioner Fletcher suggested having kiosks throughout the city with information available. Commissioner Howard asked that the City Manager take the lead on having outside resources brought in.

## **CITY MANAGER'S UPDATE**

Ms. Subadan recognized the Airport for receiving a Certificate of Designation from Community/Development GRAD, adding that Certification is another economic development tool to bring businesses to Albany; Mr. Hamilton received the Certificate in Savannah a few weeks ago. She advised that at 1:30 today, there will be a ground breaking for the student housing at Albany State University and explained that Phase 2 of resurfacing is drawing to a close and evening work has begun; phase 3 information will be forthcoming before it moves forward, adding that and T-SPLOST will be used for the first time for road resurfacing. She mentioned crushed alley improvements (39 completed of 120 alleys) is ongoing, LED street lights are being worked on (underground issues and damaged poles, etc.), speed tables on the 3000 block of Autumn are installed, Shawdowlawn sewer is 90% complete with residents being connected to sewers soon, the first section of Palmyra sidewalk is complete and, Gillionville/Westover intersection improvements are ongoing.

Mayor Hubbard asked the timeline on Palmyra completion. Mr. Maples stating that there is no timeline at this time, but he will review and advise. In reply to Mayor Hubbard, he advised that social media is used to notify citizens when lanes are closed

Commissioner Fuller asked when the phase 3 information will be provided, with Ms. Subadan explaining the timeframe.

Commissioner Marietta asked that a list of sidewalk projects be provided to the Mayor and Commission.

## **OTHER BUSINESS/ITEMS FOR FUTURE AGENDA**

Commissioner Howard mentioned concerns, i.e., Save the Ritz, etc., and the need to establish a small minority/women's procurement office, which will be a step in the right direction and help eliminate a lot of the criticism of the City's bid process

Commissioner Marietta said he hears concerns from citizens about the pay of first responders and asked to see a pay study comparing the City of Albany with other communities of like size.

There being no further discussion, the meeting adjourned at 9:49 a.m.

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SONJA TOLBERT  
CITY CLERK