

FEBRUARY 11, 2020  
COMMITTEE OF THE WHOLE  
GOVT. CTR. – RM. 100

PRESENT: Mayor Bo Dorough  
Mayor Pro Tem Jon Howard  
City Commissioners: Matt Fuller, BJ Fletcher, Chad Warbington, Bob Langstaff, Jr.,  
(arrived at 10:07) and Demetrius Young  
City Manager: Sharon Subadan  
City Attorney: C. Nathan Davis

Mayor Dorough called the meeting to order at 8:31 a.m.

SPEAKER APPEARANCES:

1. Omar Salaam welcomed and congratulated the newly elected officials and commented on their desire to make positive changes for the city. He mentioned his run for office (Mayor) and the desire to bring the community together and asked that those newly elected stick with their platform; the citizens agreed with their platforms and voted them into office. He stated that he is offering his support to assist with the platforms, adding that there were experiences in the past, i.e., misuse and abuse of power, and being biased on issues, adding that things that happened in the past must be addressed. He asked the Commission to offer citizens a minimum of two hours to discuss desires and likes/dislikes of the city, praising them when they do well and keeping them informed on what is happening within communities. He also asked that small businesses, which have internal problems with department heads, be addressed and not ignored, as well as support provided to small businesses.

Commissioner Young asked the best way to have the exchange between citizens, i.e., social media, town hall meetings, having Commission meetings within the community, etc. Mr. Salaam said his only request is to allow citizens two hours per month to have dialogue and suggested maybe having a retreat with citizens.

2. James Pratt, quoting Martin Luther King, Jr., stated that today he is asking the Commission to do right and referenced the letter he sent earlier (copy on file). He addressed racism and commented on the saggy pants ordinance, adding that when he addressed this with the prior Commission, he was met with silence, adding that his request is to move on the items as noted in his letter. All items are symbolic changes and contribute to civic life of the city and follow other proclamations and mentioned: 1) Columbus Day name change to Indigenous Peoples Day; 2) proclaim November election day as a holiday. Issues he sees needing further discourse and deeper consideration: 1) Repeal saggy pant ordinance, 2) moratorium on alcohol licenses until community partnership agreements are established; and 3) develop City plans evaluating if Albany has a history of redlining. He encouraged proactive solutions that follow the model of other cities which have been successful in creating programs/systems. that lead to the curtailment of violence and crimes, while increasing civic engagement. He asked that the following be reviewed and possibly voted on today: 1) Create ordinance for live streaming of Commission meetings; 2) establish a small business apprentice program; 3) establish a youth commission; 4) redevelop Old Harlem; 5) release, analyze and work better with crime data; 6) explore a police, first responders oversight board and, 7) recruit competitive transportation options. He stated that it is his hope that the Commission decides today to lead the way and asked that some of these items be taken up today in order to change the culture in Albany

Commissioner Young asked Mr. Pratt if he has done research on the effects of saggy pants, with Mr. Pratt stating that he has case studies, but has not done any research in Albany regarding the impact on

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black males, adding that it could be unconstitutional. Commissioner Young asked how the saggy pants law has an impact on self-esteem of young, black males and how the government relates to them. Mr. Pratt stated that this is labeling, which leads to the reinforcement of behaviors the community is trying to eliminate by creating a sub-cultural within the community.

Mayor Pro Tem Howard commented on being aware of other cities which have changed Columbus Day to Indigenous Day, with Mr. Pratt stating that he has some research of other cities and cited his reasons, adding that several states and cities have committed to this change. Mayor Pro Tem Howard mentioned institutional racism, which is a worldwide problem and asked Mr. Pratt to provide bullet points on what the City can do in working together, adding that a cross section of the population should come together to address the problem. Mr. Pratt stated that the first step is acknowledgement, which he discussed in detail.

Commissioner Fletcher stated that there may be silence when items are brought before the Commission, but discussions take place behind the scenes. She advised Mr. Pratt that live streaming will be looked at and addressed, including the saggy pants ordinance and other items that he mentioned.

Commissioner Warbington thanked Mr. Pratt for his comments and stated that he would recommend discussing saggy pants, adding that live streaming is coming. He stated that small business apprenticeship is something he is interested in pursuing, adding that he will include Mr. Pratt in conversations taking place within the community.

3. Amna Farooqi spoke on behalf of Sherrell Byrd and used a power point (copy on file) expressing the People's Platform and requests for Commission support. The power point included Food Insecurity, Economic/Housing Justice, elected Tax Commissioners, Criminal Justice, Youth and Recreation, Historical Cultural Preservation and Transparency.

Commissioner Warbington thanked Ms. Farooqi for the presentation, adding that a lot of the issues are already being discussed and more discussion will follow.

Commissioner Young asked the biggest concern in getting issues addressed and moving forward. Ms. Farooqi suggested that the community push to make them more of a priority; there has not been an urgency to make changes and racism in this community, as well as the feeling that the entire Commission does not have citizen's interest in mind. Commissioner Young commended this organization going into communities, talking to churches, etc., which will affect change.

Mayor Pro Tem Howard commented on Code Enforcement and Planning Commission regarding Dollar Tree, Dollar General type stores and the junk food that is purchased by parents for their children, adding that education is the key and looking into Dollar Stores that are numerous throughout the country. Ms. Farooqi mentioned the bad health that these type things create.

Regarding the Harlem Business District, Mayor Dorough challenged the group by asking who will commit to bring businesses in the area, adding that a lot is involved in re-creating the Harlem District Center. He commented on the Ritz Cultural Center, restoring the programming of the past, etc., and stated that he appreciates the group's involvement.

4. Bruce Capps distributed information (copy on file) and stated that he is speaking on preserving the Historic District, adding that he is proposing a solution to the slum and blight issue. In

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meeting with Commission Fuller, he said a suggestion was to have a district wide plan to track issues and, in consultation with the City Manager, he explained that he is proposing the establishing of a sub-committee of the Historic Planning Commission (HPC) to consist of HPC members and citizens to come up with a plan and action for some historic building. This will assist Code Enforcement in identifying blighted buildings and the process of moving forward to avoid indiscriminate demolitions while preserving the integrity of the historic district. He mentioned a marketing plan for properties, which could include moderate income housing and having a periodic progress report to the City Commission.

Commissioner Warbington stated that he is a real-estate developer, business owner and now a City Commissioner, which can create conflicts. He thanked Mr. Capps for trying to help form language regarding historical preservation, which is a fine line. Mr. Capps stated that tearing everything down may not be the solution to blight and justified his comments.

Commissioner Fuller thanked Mr. Capps for his diligent efforts to help solve the issues of preserving historic properties and commented on the many discussions that they have had, adding that he agrees that a plan is needed to save/restore those properties. He told Mr. Capps that he looks forward to hearing more on this.

Mayor Dorough suggested that if a study is conducted, it should be done by qualified people rather than staff and made recommendations. His concern is that we do not have that locally, we do not have the expertise.

APPOINTMENTS

Mayor Dorough advised that this item will be voted on in the regular meeting.

1. Three appointments to Citizens Transportation Committee for three-year term ending January 2023

TRAVEL

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

1. Commissioner J. Howard; NLC City Summit; San Antonio, TX; Nov. 18-24, 2019; \$3,600.30
2. Commissioner C. Warbington; Cities United Summit; Atlanta, GA; Jan. 24-27, 2020; \$1,823.90
3. Commissioner C. Warbington; Albany/Dougherty Day at Capitol; Atlanta, GA; Feb. 11-12, 2020; \$222.00
4. Commissioner D. Young; Cities United Summit; Atlanta, GA; Jan. 23-27, 2020; \$2,130.90
5. Commissioner D. Young; Albany/Dougherty Day at Capitol; Atlanta, GA; Feb. 11-12, 2020; \$484.92
6. City Clerk S. Tolbert; IIMC 2020 Annual Conference; St. Louis, MO; May 16-21, 2020; \$2,577.80

CHEHAW PARK AUTHORITY RE-AUTHORIZATION LEGISLATION

Tommy Gregors, Executive Director, reviewed information in the agenda packet (copy on file) and discussed needing to have information forwarded to the Legislation before they adjourn this year.

Commissioner Young commented on proposed appointment changes to add Lee County and Dougherty County and asked if they have committed to funding. Mr. Gregors stated that he does not have guarantees, however, he referenced an email he sent whereby Dougherty County supported SPLOST funding and Lee County expressed interest in this as well, adding that for the future he feels there will be commitments.

Commissioner Warbington asked the level of interest in being partners and coming to the table. Mr. Gregors stated that there was a partnership of Albany, Dougherty and Lee Counties when the first Authority was created; however, the City was the only funding source; therefore, Albany pulled back all appointments through subsequent legislative changes. He explained that doors were opened, which allowed Lee County citizens to be appointed and suggested that giving Dougherty County one appointment gives them a stake in the future, along with a representative/advocate. In reply to Commissioner Warbington, Mr. Gregors reviewed the proposed appointment process, which will be staggered terms. Discussion followed regarding Chehaw's lack of updating the Commission, etc., with Mr. Gregors stating that coming before the Commission(s) would not be regular, and gave examples of what would facilitate going before boards.

Commissioner Young questioned justification and if part of a master plan would show that there will be more improvements if the other counties are involved. Mr. Gregors discussed future partnerships, the need for a master plan and bringing in outside experts to develop a master plan, to include funding. Commissioner Young asked if the master plan should be done first. Mr. Gregors explained that the legislature has to be notified this session, however, Dougherty County currently contributes SPLOST funds. Lee County provides a large amount of in-kind services and has indicated that they do have funds through T-SPLOST or their SPLOST referendum, which has recreation and trail improvement. He stated that this as an opportunity to request SPLOST funds, etc. fairly quickly.

In reply to Commissioner Young, Mayor Dorough suggested asking the legislature to continue the authority for ten years, with details being worked out during that time frame. Discussion followed with Mr. Gregors commenting on the current appointment process vs. what is being proposed and the City being the primary funding source of the Park.

Commissioner Fletcher suggested tabling since Commissioner Langstaff is not present and the fact that new proposals are being discussed.

Commissioner Warbington clarified the appointment process, how the new structure will fill seats and having a quorum for meetings. Mr. Gregors explained that the new proposal will drop from nine to seven appointments, adding that there is an overall issue of getting people to serve on boards and commented on in-kind services. He cautioned against tabling because of the short time remaining with the current legislative session; timing is critical. Commissioner Warbington stated that he could support this proposal and explained his reasoning's, i.e., making appointments before requesting funds. Commissioner Young suggested having further discussions and agreed with Mayor Dorough's proposal to have additional discussion with the other entities.

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Mayor Dorough disagreed with surrendering two appointments and suggested that the City will continue to be the primary funding source, adding that he is an advocate for the park, and he wants what is best for the community. He said there is no master plan, there are financial issues and, the lack of quorums with appointed people could possibly be feelings that nothing is being done and, SLOST money is not sufficient to accomplish goals. He suggested that this is a perilous path the park is traveling at this time and spoke to losing accreditation, adding that without funding from Lee/Dougherty County, which he doesn't see as forthcoming, there will be problems managing the park. He suggested asking the legislation to extend the Authority for ten years, which allows opportunity for other issues to be addressed and commented on the proposed legislation by the Park Authority.

Mr. Gregors discussed concerns of obtaining approval by the legislation in this session, guaranteed funding (adding that the current contract with the City expires June 30, 2020) with the legislation not addressing funding and staff being committed to making the park successful. He said everyone wants the same thing, which is to have an attractive park and marketing it to work with all entities (RQ and Planetarium, etc.)

Mayor Pro Tem Howard clarified Mayor Dorough's comments to ask the legislation to approve ten years to allow time to work through issues. He asked the City's current commitment, with Ms. Subadan stating that it is \$882,000 and discussed the waning of future funding. Mayor Pro Tem Howard asked Mr. Gregors if he will support asking the legislation to approve ten years, with Mr. Gregors explaining that the main objective is to go before the General Assembly with something amenable to the City Commission and the Park Authority. If that is the wish of this Board, they can figure out how to make it work. Discussion followed regarding the legislative session being in recess at this time, which provides more time for discussion, however, he said he needs to get a resolution from the Authority, the City and all other entities that will be involved. Mayor Pro Tem Howard stated that he made a call to the Senator, who said they will push cross-over day, which will allow more time. Ms. Subadan stated that the calendar indicates the cross-over date is March 12.

Commissioner Warbington stated that we all want Chehaw to be successful and funding is imperative. He said that he feels there are differences in opinions and suggested compromises in order to have Lee/Dougherty at the table. He asked if we can keep the appointment at nine vs. seven and give Lee County/Dougherty County one seat each, with the goal of funding by them. Mayor Dorough stated that he has no problems with Lee/Dougherty Counties having a seat, if there is a contract regarding funding; regarding ticket sales, they must have improved exhibits, which will come from SPLOST allocations of all three entities.

Mayor Dorough recognized James Fitzgerald who had signed up to speak under Citizen Comments. Mr. Fitzgerald stated that along with the current Commission, he, too supports Chehaw, adding that the impact of Chehaw, which extends all over SWGA, must be recognized. There are many programs, which are valuable for children; as well as access to fishing; numerous events throughout the year; honeybee preservation and beekeepers' education.

**PUBLIC FUNCTION MATTERS**

ALBANY-DOUGHERTY LAND BANK ANNUAL PROGRESS REPORT

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Paul Forgey, Planning Director, presented a power point presentation and discussed information as noted (copy on file) regarding Albany-Dougherty Land Bank activities including establishment, purpose, accomplishments (2018-19), the budget, property acquisitions (showing photos) and homeownership opportunities.

Mayor Pro Tem Howard commented on the photo (314 Azalea) and asked federal requirements pertaining to flooding and elevation. Mr. Forgey explained that these are City regulations and discussed requirements on rebuilding vs. new construction. Additional discussion followed with Mayor Pro Tem Howard questioning the three-foot elevation of new construction; Mr. Forgey stated that this is a requirement, adding that anyone interested in the property will be provided information regarding the requirements. In reply to Mayor Pro Tem Howard regarding insurance, Mr. Forgey advised that they are required to carry flood insurance due to being in the flood plain.

Commissioner Young asked if they are looking at developers or homeowners, with Mr. Forgey explaining that it can be either, but homeowners are preferred for many reasons. Commissioner Young asked if they reach out to Habitat to Humanity, with Mr. Forgey advising that they are aware of the program and marketing is done through the website with Habitat having to express interest, etc.

Commissioner Warbington commented on discussions at the Retreat and asked if there are target areas, i.e., marketing a group rather than individual properties. Mr. Forgey advised that this is looked at and marketing is geared to have more properties looked at for development.

In reply to Mayor Dorough regarding the architect for the 314 Azalea property, Mr. Forgey stated that he is not aware, but will check. Mayor Dorough also mentioned discussions at the retreat pertaining to demolishing blighted properties and the concerns of some Commissioners salvaging the properties instead of demolishing. He asked the criteria to determine that a property can be salvaged rather than demolished. Mr. Forgey stated that several factors come into play, adding that he will provide additional information on this. Mayor Dorough commended the presentation since there were discussions on demolitions at the retreat. He asked the type consideration/factors used regarding homes requiring renovation and if the renovation exceeds the value of the property. Mr. Forgey said there are a number of factors i.e., cost, value of neighborhoods (with the intent to increase value), amount of money spent, etc. Mayor Dorough asked how many houses are in inventory; Mr. Forgey stated approximately three-four and explained why more property is not held in inventory, adding that not all are owner occupied and some are rental properties, which are rehabbed up to code.

In reply to Ms. Subadan, Mr. Forgey explained that a letter is forthcoming to the Commission regarding demolitions and property having liens, and advised that the Land Bank has the authority to extinguish the back taxes as well as liens (municipal/county). Mayor Dorough clarified the information, asking if the lien in favor of the City to demolish the property is a lien the Land Bank can extinguish; Mr. Forgey replied in the affirmative.

## **PUBLIC ADMINISTRATION AND FINANCE MATTERS**

### **FY19 AUDIT RESULTS**

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Derrick Brown, Finance Director introduced Meredith Lipson, Partner with Mauldin & Jenkins to present the report. (Commissioner Langstaff arrived at this time 10:06)

Ms. Lipson discussed in detail the audit process and highlights as noted (copy on file).

Questions included: Mayor Pro Tem Howard asking for additional clarification on pg. 9 – re: the fund balance, which Ms. Lipson explained (difference between assets [cash, investments, receivables] and liabilities. Mayor Dorough questioned debt service repayment, with Ms. Lipson explaining how payments are made at this time. Mayor Pro Tem Howard asked the reserve amount as of today. Ms. Subadan stated that we can estimate, with Mr. Brown advising that requirements are 5% of General Fund Revenue set aside for the Board's discretion; 10% requirement for working capital to be used by the City Manager; those two combined are approximately \$9.0 million, which is the minimum the City must maintain, adding that currently we have approximately \$15.0 million in reserves.

In reply to Commissioner Warbington regarding storm monies, Mr. Brown explained that the estimation expenditures for Hurricane Michael is \$24.0 million with \$16.0-18.0 million being submitted. Discussion followed on obligating funds on the books, etc., with Commissioner Warbington asking how much was committed or was booked as revenue. Mr. Brown advised that there is none this year; however, \$3.5 million last year, with approximately \$2.8 million received.

Mayor Pro Tem Howard asked if FEMA still owes money. Mr. Brown advised that they owe \$1.5 million for both storms and that \$16 million was submitted for Hurricane Michael, however, monies are slowly coming in, with the City receiving almost \$3.0 million so far.

Regarding utilities, Commissioner Young asked if there are any projections on the profit that will clear. Mr. Brown explained that net income is shown at the bottom of all graphs, which indicate bottom line income.

Mayor Dorough commented on the transfer of funds in the amount of \$17.0 million, as noted on page 7 and explained that all utilities are configured into the \$17.0 million, which is transferred from the Utility Board. Additional discussion followed, with Mr. Brown and Ms. Lipson explaining the transfers as noted on the charts and, Mr. Brown stated that he will provide more information on the transfers.

In reply to Commissioner Warbington, discussion followed on transfers and the majority coming from light fund revenues, etc., with Mr. Brown agreeing that the bulk comes from that area, with a trend of consumption being down.

Mayor Dorough asked the distinction between major/minor enterprise fund. Ms. Lipson explained that major funds are larger funds, etc. In reply to Mayor Dorough, Ms. Lipson stated that thresholds vary yearly. In reply to Mayor Dorough regarding a deficit in the stormwater fund (pg. 12), Mr. Brown explained that not all reimbursements/revenue are in place. Mayor Dorough asked if this will level off; Mr. Brown replied in the affirmative, if all expenses/obligations are covered. Mayor Dorough said his concern is making sure stormwater fees cover the cost of operations; Ms. Subadan advised that it does not, with Mayor Dorough suggesting that this should be modified. In reply to Mayor Dorough, Mr. Brown stated that a breakdown of what the General Funds owes (\$10.0 million) to the various enterprise funds will be provided in the CAFRA. Mayor Dorough mentioned that the General

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Assembly changed the law last year allowing collection of sales taxes if the merchant has a physical presence in the state of Georgi; he asked if we are collecting sales tax for internet/online purchases. Mr. Brown agreed and advised that as of January last year, there was a spike in revenues that he attributed to internet sales.

Due to having to leave early, Commissioner Fuller asked if the City Manager's update and the report by the Municipal Court can be moved to the end of the regular business meeting.

Ms. Subadan recognized the finance staff in attendance and thanked Mr. Brown for his hard work, support and leading a great team.

There being no further business, the meeting adjourned at 10:45 a.m.

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SONJA TOLBERT  
CITY CLERK