

FEBRUARY 25, 2020

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF ALBANY,  
GEORGIA  
GOVT. CENTER – RM 100

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

Mayor Dorough called the meeting to order at 9:06 p.m., followed by a moment of silence and the Pledge of Allegiance.

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

Mayor Dorough recognized Ms. Shane Frazier who had signed to speak on the saggy pants ordinance in the work session, but did not arrive on time. Addressing the City Clerk, he suggested that in the future, items not on the agenda, but are matters of concern to the community, have an informational meeting be held to allow citizens the opportunity to speak on those concerns, rather than trying to hammer out matters every meeting that are not on the agenda.

Ms. Frazier read from a prepared statement (copy on file) regarding her request to not repeal the saggy pants ordinance, which she called ‘distasteful behavior’.

#### RECOGNITION/PRESENTATION

APD Chief Michael Persley, along with Asst. Chief Darrell Smith and Mayor Dorough, recognized 2019 award recipients: Sgt. Charlie Roberts, Commander-in-Chief; Gigi Smith, and Johnny White, Civilians of the Year and Ptl. Christian Ingalls, Officer of the Year.

#### PUBLIC HEARING

1. Refunding Revenue Bonds Series 2020 ASU Projects/TEFRA Hearing  
(Tax Equity & Fiscal Responsibility Act)

Mr. Davis introduced Ms. Susan Lankford, Attorney to make comments on this item. Ms. Langford briefly discussed that the purpose of the bond hearing affords citizens an opportunity to speak about the project. She explained that two sets of bonds issued in 2010 are being refinanced with one bond being issued through ADICA for the refunding, with a savings of approximately \$17.0 million over the life of the bond

Mr. Davis asked Stan Brown, CFO, ASU Foundation, to also make comments

Mr. Brown, advised that the Foundation supports refinancing of the bonds, adding that the savings will be used to stabilize rent for students over the next 20 years.

Mayor Dorough clarified that there will be no additional indebtedness incurred; Ms. Langford agreed, and discussed amounts of the original bonds, with the current outstanding balance being \$37,995 and \$20,800,040; there will be no additional debt with both amounts being refinanced under one bond.

William Wright distributed information (copy on file) and commented on the bond regarding his concern, adding that he will be making additional comments at the next hearing scheduled for Wednesday. He asked that part of the \$17.0 million benefit ASU and not the Board of Regents and asked that the money be used to establish a School of Law and/or Pharmacy, etc., on the campuses of ASU.

In reply to Mayor Pro Tem Howard, information was given on the location of the next hearing which is March 3<sup>rd</sup> at 8:45 in Judge Marshall’s courtroom.

There being no further comments, Mayor Dorough closed this portion of the public hearing.

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2 Zoning Matter

Zoning Case # 20-003 Evangelical Faith Vision Ministry, Inc./Owner; Terrence Jones/Applicant; requests to rezone property located at 1506 S. Slappey Blvd., from R-3 to C-3

Paul Forgey, Planning Director, used a power point to discuss information (copy on file) and advised that the request will allow Evangelical Faith Vision Ministry to place an internally illuminated multi-message sign at the location. He showed a map of the location and gave planning considerations, including a land use map and aerial view of the property and advised that the Planning Commission recommended approval.

No one signed up to speak on this matter.

3. Street Closure of W. Oakridge Drive starting at 3011 W. Oakridge Drive.

Mr. Maples advised that this connects with discussions from the work session and discussed the location of property (which is at the end of a paved road), which continues onto an unpaved road going further west. He mentioned that Mr. Scott purchased all of the properties, so there is no concern about the lack of access to a public right-of-way by the closure of this drive.

Mayor Dorough stated that no one signed up to speak.

ORDINANCE

Commissioner Fletcher introduced

ORDINANCE NO. 20-100

Amending the Zoning Ordinance and Map of the City of Albany to change the status of property located 1506 S. Slappey Blvd. from R-3 to C-3

Commissioner Fletcher then offered the ordinance and asked for unanimous consent to dispense with the second reading and asked for its adoption, seconded by Commissioner Fuller and, following a roll call vote, the motion unanimously carried.

RESOLUTIONS

Commissioner Langstaff moved to adopt the following resolution, seconded by Mayor Pro Tem Howard, and, following a roll call vote, the motion unanimously carried.

RESOLUTION NO. 20-R103

Authorizing the use of SPLOST VII Funds for Engineering Services for the Sandy Bottom Circuit Utility Conversion Project

Mayor Dorough moved to adopt the following resolution, seconded by Mayor Pro Tem Howard, and, following a roll call vote, the motion carried 5-2 with Commissioners Fletcher and Young voting no.

RESOLUTION NO. 20-R104

Requesting the City's Local Delegation introduce a resolution proposing that the continuation in force and effect of the Local Constitutional Amendments described at GA. Laws 1974, P. 1654, ET. SEQ. be repealed; that such resolution provide for ratification or rejection by a majority of the qualified voters voting thereon in the City of Albany and Dougherty County (re: Tax Commissioner)

Commissioner Langstaff moved to adopt the following resolution, seconded by Commissioner Fletcher and, following a roll call vote, the motion unanimously carried.

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RESOLUTION NO. 20-105

Authorizing execution of Certificates re: TEFRA Public Hearing and ASU Refunding Bonds

Mr. Davis advised that he will be mailing certified copies of the resolution to the legislative delegation tomorrow.

Commissioner Langstaff moved to adopt the following resolution, seconded by Commissioner Fuller, and, following a roll call vote, the motion unanimously carried.

RESOLUTION NO. 20-106

Accepting Non-exclusive Easement Agreement from the Board of Regents of the University System of Georgia re: the Scene at Sand Hill

Commissioner Langstaff moved to adopt the following resolution, seconded by Mayor Pro Tem Howard, and, following a roll call vote, the motion unanimously carried.

RESOLUTION NO. 20-107

Authorizing installation of parking wells for E. Whitney & E. Highland Avenues

Mayor Pro Tem Howard moved to adopt the following resolution, seconded by Commissioner Fletcher and, following a roll call vote, the motion unanimously carried.

RESOLUTION NO. 20-108

Authorizing execution of Restrictive Covenant for property known as "Former Radiator Shop" located at 137 and 147 E. Broad Avenue

Detailed discussion ensued regarding the following:

A RESOLUTION NO. 20-R109

Authorizing the closure of Municipal Court

Mr. Davis advised that this is an amendment to paragraph 3 and, paragraph 6 eliminates the age requirement with one-year experience.

Ms. Subadan stated that upon adoption, Human Resources will begin the advertising process to fill the vacancies.

Mayor Dorough confirmed that Ms. McWhite will report to the City Manager; Commissioner Langstaff verified that all Municipal Court Employees, other than the judges, will report to the City Manager.

Ms. Subadan stated that she has not had an opportunity to review the resolution, but she will make assignments/reassignments while the court is closed, adding that she wants to be sure that Commissioners are okay with any potential changes she makes, both short-term and long-term.

Commissioner Warbington commented on required updates with the first being on March 10, which allows the Commission to be informed of the proposed changes.

Hearing no further comments, Commissioner Warbington moved to adopt the resolution with noted changes, seconded by Commissioner Langstaff and, following a roll call vote, the motion unanimously carried.

OTHER BUSINESS

Calling a point of order, Commissioner Langstaff questioned not voting on alcohol licenses at this

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meeting. Ms. Subadan advised that the license will be voted on at the March 10 meeting. Commissioner Langstaff mentioned the length of time between filing the application and approval of the license with most applicants wanting the applications returned to them ASAP, especially those for restaurants.

Commissioner Fuller questioned not voting on alcohol licenses tonight with Commissioner Langstaff also questioning the process, which is that Commission approval is required before the licensee can obtain the state license. Marshal Normal agreed that this is correct.

Following a brief discussion, Commissioner Fuller moved to vote on the alcohol license applications tonight, seconded by Commissioner Fletcher, and, following a roll call vote, the motion carried 6-1 with Mayor Pro Tem Howard voting no.

Commissioner Young asked to look at how many stores are being clustered in communities and noted areas of concerns on Radium/Oakridge, etc. Ms. Subadan stated that maps can be provided (color-coded by ward) of the information that is being requested.

Commissioner Langstaff clarified that the motion that just passed was to put the licenses back on the agenda for vote. Mayor Dorough agreed that the motion was to move the alcohol licenses for decision tonight with Mayor Pro Tem Howard voting no.

Commissioner Fuller moved to approve the following alcohol license application, seconded by Commissioner Fletcher, and, following a roll call vote, the motion carried 5-2 with Mayor Pro Tem Howard and Commissioner Young voting no.

1. Albany Food Shop; 2418 Sylvester Road; W. Harper/Agent, Beer and Wine Package

A brief discussion followed to limit the number of future permits and to consider changing the requirement governing the number of feet between establishments (Commissioner Langstaff); Ward 5 having the most licenses due to the higher number of restaurants and a request for a color-coded map of establishments with onsite consumption (Mayor Dorough). Commissioner Langstaff added that these applications are governed by current ordinances, adding that ordinances cannot be changed mid-stream. Mr. Davis interjected that denied applications entitle applicants to a public hearing.

Hearing no further comments, Commissioner Warbington moved to deny the following alcohol license application, seconded by Mayor Pro Tem Howard, and, following a roll call vote, the motion carried 6-1 with Mayor Dorough voting no.

2. Rusty Hook Bait & Tackle; 922 Radium Springs Road; D. Cannon/Agent; Beer Package

EXECUTIVE SESSION (Real Property Acquisition)

At 10:12 pm., Commissioner Langstaff moved to enter into executive session to discuss real property acquisition, seconded by Mayor Dorough; the motion unanimously carried as follows:

Ward I	yes
Ward II	yes
Ward III	yes
Ward IV	yes
Ward V	yes
Ward VI	yes
Mayor	yes

At 10:58 p.m., Commissioner Young moved to exit Executive Session, seconded by Mayor Pro Tem Howard, and following a roll call vote, the motion unanimously carried.

Ward I	yes
Ward II	yes

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Ward III	yes
Ward IV	yes
Ward V	yes
Ward VI	yes
Mayor	yes

Mayor Dorough advised that executive session pertained to the purchase of property located at 2416 S. Madison from Amanda Greene, with the City Manager authorized to execute the closing.

Commissioner Young moved to adopt the following resolution, seconded by Mayor Pro Tem Howard, and following a roll call vote, the motion carried 5-2 as follows:

Ward I	yes
Ward II	no
Ward III	no
Ward IV	yes
Ward V	no
Ward VI	yes
Mayor	yes

A RESOLUTION NO. 20-R110

Authorizing purchase of 2412 S. Madison Street from Amanda Green for \$64,465; Imposing conditions as set forth below which must be satisfied by Amanda Green; Authorizing the City Manager to sign closing statement

There being no further discussion, the meeting adjourned at 11:01 pm.

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MAYOR

ATTEST

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CITY CLERK