

MARCH 10, 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.,
and Demetrius Young
City Manager: Sharon Subadan
City Attorney: C. Nathan Davis

Mayor Dorough called the meeting to order at 8:30 a.m., and, commented on the meeting being live streamed on channel 16 and social media.

SPEAKER APPEARANCE

Dr. Charles Ruis, Dougherty County District Health Director, shared facts on the coronavirus, including current global statistics and national (including Georgia stats) confirmed cases and deaths, concerns about travel exposure and cases whereby the cause of the origin has not been determined since no travel was involved. He urged people to call ahead to their medical provider if there is a concern of having the virus and discussed the limited supply of test kits that are now in the office of every state health department. Regarding test results, he advised that many who test positive will not be seriously ill, however, the urgent need now is to identify those with the virus to include isolation and/or hospitalization for serious cases. There is no cure or vaccine for the virus, however, support is available for anyone requiring hospitalization. He commented on how the virus is spreads: through coughing, sneezing and/or physical contact. He urged avoidance of people who appear to be sick, staying home if sick, coughing into a tissue or sleeve, keep unclean hands away from the face (nose/eyes/mouth) and frequent handwashing to help fight off the virus. He briefly commented on cleaning agents to use to keep the virus from spreading and suggested that people who are elderly (over 65), and any with compromised immune systems, etc., should be extra careful in going to places where there is a large gathering. He stated that currently the State of Georgia is not recommending canceling any community events, however this can change. It not a time to panic, but rather to prepare, i.e., school, businesses, etc., and have a plan in place if the virus becomes widespread, including having people be able to stay home and recover should they catch the virus (lenient sick leave policy). Disinfecting spaces is preferable to keep the virus in check and being informed is the best way to combat this virus.

In reply to Mayor Pro Tem Howard, Dr. Ruis stated that he cannot officially speak for Phoebe Putney, but feels the local hospital is prepared at this time should there be an outbreak, adding that over the last few years, community health has been in the forefront regarding potential pandemics. He stated that the Federal Government which will bring more resources into the community and suggested that everyone get the flu shot to keep the hospital from being congested by people with the flu and/or the virus. In reply to Mayor Pro Tem Howard regarding providing information to the community, Dr. Ruis stated that knowledge is power and they are actively out in the community talking about the virus, adding that Albany has a great means of getting information out and that he actively pursues this option. He advised that there are websites that continue to update the public, including the CDC with public health partners actively involved in getting information to citizens.

In reply to Commissioner Fuller, Dr. Ruis discussed whether warmer weather will cause a change in the pattern of the virus spreading, adding that there are still unanswered questions; however, the speculation is that the virus, much like the flu, may become less active in warmer weather.

MARCH 10, 2020
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100

In reply to Commissioner Langstaff, Dr Ruis stated there are not any recommendations at this time regarding the closing of public school as was done in the Atlanta area, however, he advised that he will be participating in a conference call with his boss later today to receive updates on the closing of schools, canceling events, etc.

In reply to Commissioner Young, Dr. Ruis discussed tracking the virus within the state and advised that the virus is officially a reportable disease, with any medical facility/clinician/lab required to confirm a positive case and report to the Department of Public Health. As of now, there are six confirmed and 11 presumptive cases that are of concern statewide with all so far being north of Macon at this time, adding that this can literally change in an hour. Regarding test kits, he stated that he is not able to confirm this information due to it involving private companies not knowing the status of their stockpile, adding that the manufacturing process is ramped up and more kits are becoming available. He advised that soon private practitioners will be able to test as more kits become available.

Mayor Dorough thanked Dr. Ruis for sharing this information.

PROPOSAL RE: HOME 2 SUITES DOWNTOWN FRANCHISE

Lequrica Gaskins, Downtown Manager, discussed information regarding the proposal from Rio Partners, LLC for the establishment of an 89 room Home2Suites hotel in downtown Albany and introduced those who are present.

Rick Patton, RIO Partners (primary developer), commented on the possibility of having this hotel and discussed challenges with the location (the mule barn), adding that they have an elevation site plan to show, which will provide an overview.

Rod Ponder, architect, distributed information (copy on file) and discussed the façade, site plans of parking, the proposed layout, etc.

Commissioner Fuller asked if the brick can be repurposed, with Mr. Ponder advising that they are looking to salvage and add brick.

Mayor Pro Tem Howard asked Mr. Patton what he will need from the City with Mr. Patton advising that a Memorandum of Understanding, low interest loan and refund of monies already invested, adding that overall the loan was \$1.5 million with the cash portion to refund being over \$190,000 and excess SPLOST funds approximately \$200,000.

Ms. Gaskins stated that Attorney Dan McRae will give additional data, including discussion of the draft MOU, which is in response to the developer's request.

Mr. McRae commented on pg.11 and 17 (definition and funding), and discussed the following: there is \$293,000 left in the SPLOST that had a line item for the Mule Barn, with the proposal that those funds be invested in eligible costs of the parking deck; funds of \$185,000, which had been originally allocated for a study will be invested in the project; property tax abatement; requirement regarding demolition and the façade (which have not yet been spelled out in the schedule). He also commented on the construction of the project, which will require milestones that will be closely monitored and mentioned that the ground lease is a 50-year term rather than conveyance of title, explaining the process as it pertains to acquiring

MARCH 10, 2020
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100

property title, etc. He briefly discussed performance commitments, expectations regarding property taxes (at 50% of the normal level); hotel/motel tax; sales taxes and ground lease payments, adding that the economic impact of having the hotel at the proposed location and closing conditions are left to be satisfied.

Mayor Pro Tem Howard clarified information on the 50year ground lease; Mr. McRae explained ground leasing, which is long-term leasing, adding that some have 99-year terms, but this MOU has 50 years in place.

Commissioner Fuller asked for additional information regarding the estimated tax value to determine what 50% of it would be. Mr. McRae stated that the total estimated project cost is \$17.0 million with incentives amounting to approximately 12% of that, and he agreed with Commissioner Fuller's comment that the Mule Barn is not currently the tax roll.

In reply to Commissioner Young, Mr. McRae advised that his question is covered in the MOU and ground lease (sect. 5.9 on page 16, which provides that the Home2Suites is the initial hotel. However, should the chain decide to sell, the City and DDA would be notified prior to it changing hands.

Mayor Dorough stated that if the City had drawn up the contract, the provision could read 'subject to the consent of the City'. Mr. McRae agreed adding that the City has a right to deny a change if it would diminish what it expects to get out of the deal. He stated that he can change it to read as Mayor Dorough suggested.

In reply to Commissioner Warbington on whether this a tax or considered a V-pilot Mr. McRae explained that the land is titled to the public body, with the improvements owned by the developer, which are subject to tax, with the provision that the developer's tax is at 50% rather than 100%.. He explained that there is a provision for V-pilot payments in case of the need for an adjustment of any kind, which include the developer's interest in the ground lease. Commissioner Warbington referred to the 20-year tax abatement of 50% and asked if this can be a variable, suggesting that in the event the hotel performs really well, the incentive begins to shrink rather than a flat 20-year. Mr. McRae agreed, and explained the process. A brief discussion followed regarding the high occupancy rate, incentives, etc.

In reply to Commissioner Young regarding risk factors and success of the hotel as well as the request for public money to get this project off the ground, a brief discussion followed with Mr. Patton explaining the risks/markets that falls below the Hilton Garden Inn that is not being addressed, i.e., government per diem, which is a low rate, etc. Their studies indicate that there is a market for another hotel with a brand that falls a little below the Hilton Garden Inn, which will address this. He stated that there are rooms that the Hilton Garden is currently turning down and mentioned competing with hotels in surrounding areas, which is why they need City assistance. Commissioner Young stated that currently there is no strategic plan for downtown and his concern is whether this will fit into an overall plan and the effect on other downtown plans. Ms. Gaskins mentioned a grant the City applied for to pursue a master plan, but only two Georgia cities were awarded those funds. She advised that at the last board meeting of the DDA, members discussed having a master plan, which will be a priority this year. Regarding how hotels' impacts a downtown, she explained that they enhance the downtown area since foot traffic, visitors, etc. are added, and that the proposed hotel will be an asset to downtown.

Commissioner Warbington said that he researched Home2Suites in Tallahassee and asked if rooms will be comparable to the hotel there, i.e., meeting space, pool, etc. Mr. Patton said it will be comparable, but

MARCH 10, 2020
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100

probably no pool and not much meeting space, explaining that consistency of brand is what the hotel chain looks for. Meeting space is available at the Hilton Garden Inn, which is close to the proposed hotel. Commissioner Warbington commented on ‘extended stay’ with Mr. Patton advising that it will not be an extended stay type hotel.

Mayor Pro Tem Howard asked the completion date of the proposed project, with Ms. Subadan stating that it has a 2021 completion date and that a presentation is forthcoming for a future agenda item on this. In reply to Mayor Pro Tem Howard, Ms. Subadan explained that this item is on today’s agenda for information only, adding that ADICA, the DDA nor the County have seen the presentation and that the SPLOST funds for the Mule Barn belong to the County.

In reply to Commissioner Langstaff, Rashelle Beasley, Director of CVB, commented on meetings/conventions and the additional asset of having more rooms for larger conferences that Home2Suites will bring. She discussed the ADR (average daily rates) of local hotels, current percentages and from 2015/16 and advised that there are other properties looking at this area to build in NW Albany, however, they would like to have other hotels in downtown to create more business.

Commissioner Langstaff commented on the number of rooms at the Hilton and the proposed H2S, and the former WG&L being converted to a hotel, which will this help with convention space/breakout rooms. Ms. Beasley agreed and discussed convenience for convention attendees and opportunities in adding more hotels in the downtown area, as well as hopefully partnering with the Civic Center and the Hilton to expand the ability to offer more meeting space. She explained that there is enough meeting space downtown, however, it is not all under one roof. Commissioner Langstaff asked if the number of rooms at the Hilton limits conventions, with Ms. Beasley agreeing.

Mayor Dorough expressed concern regarding: sec. 10-4, no restriction on the right of the developer to assign the contract; Article 10 – notifying the City through the Downtown Manager which he said he feels is inappropriate; insurance and indemnification in 7.1 and 8.4, 6-8.3 the question of assignment of a sublease, etc., He asked from where the \$1.5 million will come; Ms. Subadan stated that five years ago the Commission set aside a portion of Job Development Funds for downtown redevelopment etc., explained that the funding will come from there; however, some of that funding has been committed and an increase in the amount being used to invest in downtown would have to be approved by the Commission. In reply to Mayor Dorough, Ms. Subadan agreed that those funds are the MEAG credit; the Job Investment fund is in the \$20.0 million range and there is approximately \$2.0 in the downtown funds that are unallocated. Mayor Dorough asked why a tax abatement is needed and said he feels that all the incentives being sought by the developer is excessive. Mr. McRae agreed that SPLOST funding is coming from the County and is to be used for the Mule Barn. Mayor Dorough mentioned the developer wanting to be reimbursed for the funds spent on parking. Mr. McRae explained that the money was initially provided by the developer and amounts to a ‘reprogramming’ of those funds. Ms. Subadan interject that the City is holding that funding, adding that some has been spent on parking studies and the rest is being held. Mayor Dorough stated that he does not support this agreement, however, he said he can support the City transferring the property for a nominal sum, with the developer developing the property and paying taxes like everyone else. He mentioned being on the Commission when the Hilton Garden Inn was built and the City subsidizing the project through various funding sources. The City is said to have \$1.5 million set aside, which he said he did not see in the presentation, but he can live with that. He stated that he is opposed to tax abatement, the ground lease and suggested that all incentives should be upfront and asked Mr. Davis if he has reviewed the agreement and had any concerns about the memo he sent. Mr. Davis stated that he looked at it last week, but before voicing his concerns, he looked at the

MARCH 10, 2020
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100

closing conditions and noted that there was nothing to protect the City. He explained his position regarding funding coming from SPLOST, etc., with Mayor Dorough asking that Mr. Davis provide a memo regarding concerns. Commissioner Warbington agreed that Mr. Davis should give his opinion on the ground lease, variable incentives, etc.

Mr. McRae explained that tax abatement and ground lease are independent of each other and a way to regulate is to have the ground lease 100% taxable, which is more beneficial to the City as it provides continuing control. He mentioned the variable tax incentive and if title is transferred, it is a flat 100% taxability, etc.

Commissioner Warbington stated that with a ground lease, the City owns it and no tax is collected. Mr. McRae explained that there would be no taxes on DDA's interest in the land; however, the developer is taxed on his interest in the land. He stated that Commission comments were good and negotiations can be held with the developer, etc.

Commissioner Langstaff stated that the ground lease will protect the City in the event of a default, with Mr. McRae agreeing, adding that restrictions on transfer of the ground lease, default provisions and whatever the structure is worth at the end of the 50 years will belong to the City, depending on how negotiations pan out.. He said he is an advocate for the City's best interest and wants the MOU to reflect the Commission's desires.

In reply to Commissioner Young's comments on allocated funds approved by the previous commission, Ms. Subadan stated that initially \$5.0 million was set-aside for downtown projects;, \$2.6 million has been expended at this point on the Flats, the Flint and the Microbrewery, with some funds committed to loan the hotel and if this project is approved, this will be more funding. She explained that the Art Museum's deal fell apart, but they may come back and have a different request for funding, with that deal having expired and advised that with all the previous projects and those in the works, it would be in excess of the initial \$5.0 million. She advised that the funds are being repaid and are loaned funds. Commissioner Young clarified that this relates to downtown priorities, but there are other concerns in the city, including not having but one grocery store in S. Albany, adding that he has an issue with the priorities and, the concern within the community is that their needs are not being addressed specifically poverty, crime, etc. He asked to see a master/strategic plan before pursuing.

Commissioner Langstaff commented on the master plan proposed by ATI years ago and stated that plans change when opportunities arise which are capitalized on even though it may not be in the master plan. Ms. Subadan advised that there is no updated master plan since the one that was put in place in 2016/17, adding that the DDA is looking to put together a master plan to bring before the Commission.

Commissioner Young suggested that there are competing interests and mentioned that downtown student housing was discussed at one time, etc., He asked if things are being done strategically and what will come out of all of this, adding that a survey of students from ASU was conducted with students asking for classes to be held downtown and more entertainment, etc., which is what he would rather see.

A brief discussion followed led by Mayor Pro Tem Howard regarding whether the item will be ready for vote on March 24th. Ms. Subadan advised that this is on the agenda for information only and to get Commissioners public feedback, which indicates that it may not be ready for the 24th. There was no consensus on when this item will be brought back due to continued negotiations.

MARCH 10, 2020
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100

Gregory Winey, President of Northpoint Hospitality which runs the property, stated that points are clear and valid, however, opportunity has much to do with growth, education, and commerce, which can change people lives. Building on the site that is currently dirt and stagnant with no taxes being collected on that site is an opportunity for people, providing jobs with upward mobility, etc. He commented on the cost of construction, risk, mortgage, payrolls, etc., as it pertains to the tax abatements.

Mayor Pro Tem Howard asked if the tax abatement and ground lease are crucial for this project and if Albany will lose the project without those incentives. Mr. Patton commented on high construction costs, adding that this is an expensive building with a parking deck to be built below the hotel, adding that the return on investment is also part of the reason that a tax abatement is an important part of it. In reply to Mayor Pro Tem Howard, he explained that construction cost is higher in the downtown area, and room rates are better in NW Albany, providing a built-in benefit.

Mayor Dorough asked for additional information to include who are the principles of the LLC, also, the need to specify the funding source of any allocation and a breakdown of funds that were allocated (regarding the \$5.0 million that was previously discussed), adding that he can live with a \$1.5 million loan, sell the property for a nominal sum, preserving the façade of the Mule Barn, etc., concessions, adding that he will not and cannot support tax abatement. He agreed to incentivize the project, which will create jobs; however, there is a history including the Hilton Garden being heavily subsidized. He cautioned that the Commission must be fiscally responsible and are limited with the City already being in the red with downtown development.

Commissioner Fuller commented on the ground lease being a better option vs. outright sale. Mayor Dorough stated that he did not know Mr. McRae is negotiating on behalf of the City and suggested that he should provide bullet points, etc., instead of Mr. Davis. He reiterated that the deal breaker for him is the tax abatement and the lack of guarantees that would protect the City's interest.

Mr. Winey commented on the tax abatement, which can be specified period of years and allows cash flow to cover the mortgage, etc., as a starting point for the hotel.

In reply to Mayor Pro Tem Howard, Mr. Winey discussed the type jobs that will be created (approx. 40), including starting pay (\$10-12 hr. and much higher for salaried positions).

In reply to Commissioner Fletcher regarding timeframe of construction, etc., Mr. Winey stated that he has no timeline at this point, with the earliest being in the fall, with there being an approximate 16-month process from beginning to end.

Commissioner Young stated that Hilton Garden Inn is successful and provides quality service, adding that his concern pertains to priorities community wide. He asked the possibility of working with Albany's tech community and if hospitality training can be provided through Hilton. Mr. Winey stated that they like to work with trades, colleges and providing internships, etc.

CITIZEN COMMENTS

Mayor Dorough recognized Bruce Capps, who commented on historical preservation of buildings, adding that there should have been lessons learned from the bus station project and the lack of engaging the public, which frustrates him. He said he was interested in where the parking would be located and that he

MARCH 10, 2020
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100

was frustrated that City staff could not provide information in a timely manner. He asked that this be taken into consideration especially as it pertains to DDA involvement, i.e., not publishing meetings or agendas, etc. He mentioned the SPLOST referendum and said he is convinced voters did not vote to tear down the Mule Barn, which is inappropriate as it pertains to taxpayer's money, adding that the public is interested in this as it relates to the Mule Barn.

Commissioner Young agreed regarding the culture of transparency and said he found out about this project last Friday. He said the change of culture is being looked at regarding transparency at this time and doing more in notifying citizens.

William Wright commented on the H2S in relation to reverse Robinhood regarding this project, adding that the Federal Reserve just reduced interest rates. He suggested that the Hilton chain should be able to go to a bank to get cash flow, adding that he checked on Rio Partners with there being eight different Rio Partners listed on the Georgia Secretary of State website. He gave a brief history of meeting with Earl Patton 17 years ago to discuss the building of the Hilton Garden Inn and suggested using a metric when considering projects of this nature, adding that Earl Patton was given, not a grant or loan, \$7.0 million in SPLOST 3 funds; etc. He said he also pulled information on Albany Holdings and that he will provide additional information for consideration, which includes Albany Holdings having been listed in Atlanta, but is now in Delaware.

Commissioner Young asked Mr. Wright how a metric would relate to monies that were given to the Hilton in the past and how this will work. Mr. Wright explained that the metric would show time/value/money with none of the proposals using net present value i.e. the ratio of the amount invested and the cost, would be a 'no go' for the project if the result is not a positive number. In reply to Commissioner Young, he advised that the metric will work on this project as well and suggested that anyone is welcome to build a hotel in Albany, with their own money.

Commissioner Fuller commented on the \$1.5 million loan and discussed the need for additional information (capital stack) before making a decision. Mayor Dorough stated that we do not know how this is being funded with Commissioner Fuller agreeing. Commissioner Fuller asked to have information regarding hotel/motel tax on the Hilton, etc.

Ms. Subadan commented on the process of bringing matters to the Commission first before being provided for citizen review (via social media, etc.) and feedback. She advised that the proposal was received three weeks ago and there was time to ask questions, etc., adding that the MOU is not final and is for input only. This is an attempt to make sure the Commission has all they need to make comments in public forums, etc. and that the process was to bring it to the Commission first and that it is not appropriate to put the information in the media before the Commission has an opportunity to review first. Regarding have an additional grocery store in S. Albany, she stated that they have been diligently trying to get a grocer to the table, with no positive results thus far and asked for any information that will assist in bringing another grocery store to the area, adding that this request is not being ignored.

Mayor Dorough stated that this is a bad system and discussed the faulty process and/or putting the cart before the horse; if an MOU has been drafted, the City should know how the deal will be financed, the funding source, etc.

Commissioner Young stated that it all goes back to strategically planning things; reacting to all proposals does not give the appearance of being transparent; a strategic plan when considering adding hotels

MARCH 10, 2020
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100

downtown or any project the City is considering, shows the public we are going in a specific direction. He agreed that a new system is needed as well as a strategic plan for downtown.

WORK SESSION AND REGULAR MEETINGS

Mayor Dorough discussed information regarding amending Code Sec. 2-41 to provide for work sessions on the first and third Tuesday mornings and the monthly regular meeting on the fourth Tuesday evening. He commented on his tenure as City Commissioner and the proposal is to have three meetings monthly to assist with properly handling business, adding justifications.

Commissioner Langstaff voiced support for the current structure that was changed to vote on what was discussed in the previous work session held two weeks prior, adding that there will be time sensitive matters that may need to be voted on, etc. He stated that having one voting meeting a month is problematic and gave his justifications as it pertains to expediting some items, i.e., approving alcohol applications in a timely manner.

Mayor Dorough stated that special called meetings can be held after work sessions, which is more accommodating to the Commission, which is a simple remedy.

Commissioner Langstaff mentioned a quorum for ad hoc special called meetings and agreed that special called meetings can be held before/after work session, adding that he does not think having meetings on three separate days are needed.

Mayor Dorough stated that the proposed change will be more productive and for the better.

Commissioner Warbington said he can support the Mayor's proposal. He then mentioned 1) having the headings and having a better sorting of the agenda/structure of the meeting; 2) bring the invocation back to the night meeting with the Commission taking turns to invite a preacher and, 3) consent agenda brought back.

A brief discussion followed on the format of the consent agenda and/or structure of the agenda with the Clerk giving a background of the former/present structure. Commissioner Young commented on the last meeting in which the agenda was changed to vote on alcohol license. A constituent was under the impression no vote was being taken, left the meeting and discovered later that a vote had been taken. He was upset because of not being able to voice his opinion and, to rectify these type situations, he suggested being careful in changing the agenda. He also commented on the five-minute limit for citizens and asked what determines who gets put on the clock. Mayor Dorough discussed the format, adding that presentations are not limited in time as opposed to citizen comments.

APPOINTMENTS

The Clerk read the following:

1. Mayor's appointment to the Albany Housing Authority for unexpired term ending November 2020

MARCH 10, 2020
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100

2. Ratifying Mayor Dorough's appointment to the Joint Board of Health (tenure of office)

TRAVEL:

Mayor Pro Tem Howard moved to approve the following and a brief discussion ensued.

1. City Manager S. Subadan; 2020 GCCMA Spring Conference; Augusta, GA; March 17-20, 2020; \$1426.74
2. City Manager S. Subadan; 2020 Hub Cities Spring Meeting; Columbus, GA; April 29-30, 2020; \$351.20
3. City Manager S. Subadan; 2020 GMA Annual Convention; Savannah, GA; June 28-30, 2020; \$1,666.90
4. City Clerk S. Tolbert; 2020 GMA Annual Convention; Savannah, GA; June 26-29, 2020; \$1,972.90
5. Asst. City Clerk S. Kelly; 2020 GMA Annual Convention; Savannah, GA; June 26-29, 2020; \$1,976.35
6. City Attorney N. Davis; 2020 GMA Annual Convention; Savannah, GA; June 26-28, 2020; \$792.50

Commissioner Langstaff questioned whether to continue to vote on travel in work session meetings. Mayor Dorough asked Mr. Davis to research and provide information and the Clerk gave comments regarding the structure of work session meetings/votes taken, etc. The consensus was to vote on travel in the regular meeting.

DOWNTOWN ENTERTAINMENT DISTRICT

Ms. Gaskins discussed information (copy on file) regarding the request to amend the alcohol code to establish a Downtown Entertainment District (DED). In reply to Ms. Gaskins, Mr. Davis gave comments regarding open containers during events.

Mayor Pro Tem Howard clarified that only one drink can be sold and taken outside. Ms. Gaskins explained the process of having a designated cup sold to people so that they can travel from one business to another and obtaining one type of cup so that all businesses are working together. She mentioned cameras in public areas downtown, as well as inside businesses, which will assist in the event someone violates the ordinance.

Concerns were: Mayor Pro Tem Howard, having police presence; Commissioner Fuller, preventing littering; Commissioner Fletcher clarifying only having one drink; Commissioner Langstaff stating concerns of having only one drink and suggested that there should be two drinks. Ms. Gaskins stated that this decision is at the discretion of the Commission.

Commissioner Young asked if cups will purchase souvenir type cups. Ms. Gaskins stated they will be not re-usable, adding that businesses are also involved in these type discussions.

PUBLIC SAFETY MATTERS

MARCH 10, 2020
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100

ALCOHOL LICENSE APPLICATION:

City Marshal Walter Norman discussed the following:

1. Caribe Solutions LLC, d/b/a El Caribe Restaurant; 425 W. Oglethorpe Blvd; J. Andujar/Agent; Beer Consumption; WARD 3

Commissioner Young asked the capacity of the restaurant with Marshall Norman advising that there are approximately four seats/tables.

PUBLIC ADMINISTRATION AND FINANCE MATTERS

PURCHASES:

Yvette Fields, Central Services Director, discussed information as noted (copy on file) regarding the following:

1. Consulting Services - RS&H, Savannah, GA
Total exp. \$142,005.00

In reply to Commissioner Fuller, Ms. Fields advised that the City's share/local match is \$14,200.50.

In reply to Mayor Dorough, David Hamilton, Transit Director, stated that this is a federal requirement and explained that they look at ridership, financials, maintenance, etc., which must be reviewed every five years in order to continue receiving federal funding.

Ms. Fields and Steven Carter, CIO, discussed the following information as noted (copy on file):

2. Hardware – ConvergeOne
Total exp. \$248,389.12

Mayor Dorough asked for additional clarification. Mr. Carter stated that the need is to replace existing, aged infrastructure (network switches) and discussed artificial intelligence in relation to the appliance being purchased, which allows management of the entire network.

In reply to Commissioner Warbington, Mr. Carter stated that this item applies to City and County. Ms. Fields explained that the County's share is not in the information, but she will provide that amount. Mr. Carter stated that the City makes the decision and the County pays a share, which he believes is 37%. Commissioner Warbington asked if this was a bid project or single source, with Mr. Carter explaining the vetting of the process and/or use of state contract as it pertains to security. Mr. Davis added that state contracts operate under a City ordinance which allows the City to rely on another governmental body having properly vetted the vendor. Commissioner Warbington commented on maintenance, costs, etc., with Mr. Carter advising that it is a five-year maintenance plan. SPLOST funding covers the initial maintenance cost, but the next five-year maintenance agreement would come out of the budget.

MARCH 10, 2020
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100

Commissioner Young asked if this is an overall upgrade to the existing infrastructure. Mr. Carter replied that it is part of the strategic plan to reinvent the entire network. He mentioned the aging network, which cannot be replaced simultaneously, so priorities are set and with this being the core and replaced first, adding that current switches were put in place in 2005-06. In reply to Commissioner Young, Mr. Carter stated that the work is done in-house, and there is a total of five switches.

CITY MANAGER'S UPDATE

Ms. Subadan discussed the status of Municipal Court via Karen McWhite giving a brief report, adding that additional information is in the written report.

Ms. McWhite stated that positions are being filled and training is scheduled March 24-April 24. She gave a brief summary of the types of training that will be conducted and advised that yesterday was the first day with the court not accepting cash payments. She stated that when court resumes in May defendants are being directed to appear at 8:30 a.m.

In reply to Mayor Pro Tem Howard, Ms. McWhite verified that no cash payments are accepted; money orders, cashier's checks and credit/debit cards are the only approved payment methods. She advised that the court will reopen May 4; nuisance abatement cases are still being held on the scheduled court date (last Wednesday of the month) and, other pressing issues (animal control, code enforcement cases, etc) that officers feel need to be brought to court will be given to the judge to decide to hold a hearing, with some issues being handled off-bench by him. She explained that the policy/procedure in place has a Records Clerk to count deposits each day then either herself, Clerk of Court or Deputy Clerk would do the second signing of the paperwork, with the deposit being made in Treasury the next morning. This is their check/balance process.

Mayor Pro Tem Howard asked the timeframe of when the GBI's investigation will be complete. Ms. Subadan replied that Chief Persley spoke with the GBI this morning and there is no definitive date and explained that a forensic investigation is being conducted to include more than two-years' worth of information, adding that the process is tedious, and information will be provided to the Commission once staff, GBI, State Patrol, etc., has completed the investigation. Mayor Pro Tem Howard asked how this happened, with Ms. McWhite stating that she is trying to figure this out as well.

Commissioner Warbington commented on the filling of positions with Ms. McWhite advising that it will not be a staffing issue.

Commissioner Young asked how things are working with jail court with Ms. McWhite stating that this is ongoing. Ms. Subadan added that the process at the jail is done manually and when automated at the court, the same setup will be at the jail to have consistency and accountability, as well as written procedures going forward.

Mayor Dorough stated that Attorney Phil Cannon called him to say he is willing to serve as City Solicitor on an interim basis. Ms. Subadan stated that HR is advertising this, with nine applications received with only one being an attorney. Discussion followed on the application process, amending the code/changing the charter, with Mr. Davis stating that he will prepare an agenda item to amend the code. Mayor Dorough

MARCH 10, 2020
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100

stated that APD can give information on the forensic investigation, etc., and commented on people getting tickets and having to report to court at 8:00 am. Ms. McWhite advised that tickets now state to report at 8:30 am

A brief discussion followed with Commissioner Langstaff asking if a municipal court is needed. He stated that many cities statewide (approximately 170) do not have a municipal court which generally, generate revenue for cities. He stated that when a person is arrested for said for DUI, the arresting officer has a choice to assign the ticket to city court or state court. He gave a brief history of officers being unhappy with the way they were treated in municipal court by the judges; therefore, they would not bring cases to municipal court and would send it to state court because they felt the judges were fairer to law enforcement. It is the officer's discretion on which court gets assigned a citation. He commented on the downside as it pertains to the incarceration costs vs. revenues received especially if a person is in jail for a long period of time, adding if the offense is heard in state court, the county is responsible to housing inmates, etc. He asked to evaluate the intent before moving forward, i.e., municipal court to be used for environmental issues/enforcing ordinances rather than the risk of handling of criminal matters which, the county is constitutionally charged with handling.

Mayor Dorough agreed that details should be discussed and an agenda item prepared. Commissioner Langstaff stated that the City Manager can be charged to prepare the item.

Mayor Dorough commented on people being illegally arrested, etc., information that needs to be discussed.

Mayor Pro Tem Howard asked if dress code is posted on the door for citizens, adding that when visitors go to Municipal Court, it is inappropriate for flip flops, etc., which is not a good representation of the city and asked if the dress code be enforced when court reopens

OTHER BUSINESS/ITEMS FOR FUTURE AGENDA

Commissioner Langstaff stated that due to time limits, he will table his comments to the next meeting if he can table the vote on outside counsel.

Mayor Dorough stated that he can go along with this as long as no one (Commissioner, City Manager, department head, staff, etc.,) can hire outside counsel. Discussion followed on Worker's Comp insurance as an exception.

Mayor Pro Tem Howard reminded the Commission that the census information will be going out to citizens and asked all to participate. He also asked that Dr. Ruis be invited back to give updates on the coronavirus.

Commissioner Fletcher asked to have a saggy pants discussion.

Commissioner Warbington commented on extended stay hotels and the high incidences of human trafficking taking place in them. He stated that he has created a spread sheet re: hotel/motel tax, which he feels is being abused; calls to service from APD, EMS, etc., and that he will bring recommendations to the board regarding policy and current trending standards.

MARCH 10, 2020
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100

Mayor Pro Tem Howard stated that off the record, the DA's office is working on the issue of human trafficking and has detailed information, which will be shared with the City soon.

Commissioner Young asked to add reauthorization regarding the design plan of the transportation center in relation to preserving the Ritz Cultural Center, etc., adding that he heard that it will take a vote of the Commission to ensure that commitments are carried through.

He stated that people are commenting on not being able to hear discussions during the live stream of today's meeting and asked for comments. Phyllis Banks stated that she collaborates with TAC and they are working on/tweaking the system to iron out the bugs.

Mayor Dorough commented on Homes2Suites and requested they consider having glass plates/cups as opposed to foam to save the environment, etc. He also mentioned the request to rename Carver Park and having information on the public access channel for citizen input and to consider SPLOST funds for Carver Park and/or having it re-purposed as was done with revitalizing Jackson Heights.

Mayor Pro Tem Howard stated that former Commissioner Postell is not well and asked that everyone sign the poster that is in the back of the room wishing him well.

At 11:56, Commissioner Langstaff moved to extend the meeting 30 min, seconded by Commissioner Howard; the motion unanimously carried.

There being no further business, the meeting adjourned for approximately 15 minutes at 11:57 a.m.

SONJA TOLBERT
CITY CLERK