

APRIL 28, 2020

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF ALBANY,  
GEORGIA  
GOVT. CENTER – RM 120

PRESENT: Mayor Bo Dorough  
Mayor Pro Tem Jon Howard  
City Commissioners: Matt Fuller, 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 8:17 p.m., which was followed by attendance confirmation (see work session minutes), and the Pledge of Allegiance.

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

REPORT OF THE COMMITTEE OF THE WHOLE

Commissioner Warbington moved to approve the re-institution of Invocations at Commission meetings in May, seconded by Commissioner Fuller; the motion unanimously carried.

Commissioner Langstaff asked if changes are included that Mr. Davis recommended in his last email. Mr. Davis commented on the email that he sent regarding the key is in the selection process. He briefly discussed court cases in the 11<sup>th</sup> circuit which noted use of the yellow pages and the internet, keeping up with the process, consulting the Chamber of Commerce and asked that this be adopted as part of the process. He mentioned coming up with a formal process with the key being that the court does not support elected officials having the selection and being rotated among the elected officials, but rather it should involve members of the community.

Commissioner Langstaff asked if Commissioner Warbington is making the motion with modifications/ recommendations by the City Attorney. Commissioner Warbington replied in the negative, adding that his motion was for the plan that was discussed last week.

Commissioner Langstaff said he is in favor of invocations, but wants to follow Mr. Davis opinion.

Commissioner Young said that he has similar concerns as those expressed by Commissioner Langstaff, adding that Mr. Davis described exactly what he was talking about last week. He agreed that Commissioners should not make selections on who conducts invocations.

Mayor Dorough said that he will vote for the motion even having heard the City Attorney's concern, but has the hope of working through this with some modifications and avoid 1<sup>st</sup> Amendment issues. He suggested soliciting the names of ministers interested in giving invocations and selecting from the list.

Commissioner Young made a substitute motion to bring back the invocation with the modifications that the City Attorney stated in his email, seconded by Commissioner Langstaff.

Mayor Dorough asked Commissioner Warbington if he will accept this substitution motion as a friendly amendment. Commissioner Warbington that said he spoke with Mr. Davis and the suggestion is to have Commissioners present names occasionally because that is not strictly prohibited. He said that the substitute motion is to assume that the City Clerk is the gatekeeper for submitted/volunteered names, etc., and it will meet the intent in having input, adding that anyone in the community can submit names. Commissioner Young stated that he is leaning more along the lines of what Mr. Davis said in the email to make it open to the public and having a gatekeeper helps, adding that it may be put to a legal test and it should be thought out because there will be those who will come forward to put it to a test.

Commissioner Langstaff asked if the substitute motion solves the problem. Mr. Davis stated that the City Clerk would not be a gatekeeper, but if that is the Commission's choice, the yellow pages will used and contact from that office will be made to every church that is listed to let us know if they want to do an invocation and to be in touch with the Chamber of Commerce and allowing elected officials to choose someone every third meeting. He mentioned the extensive job of providing a database, etc.

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Commissioner Fuller asked if there will be a time limit for invocation, suggesting that a time limit should be specified. Mr. Davis agreed on the database to include other entities and making an effort to contact everyone to let them know and see how much interest there is and keep up with responses.

Commissioner Warbington said that he is satisfied with the substitute motion. After a roll call vote, the substitute motion unanimously carried.

Mayor Pro Tem Howard moved to approve the following, seconded by Commissioner Warbington; the motion unanimously carried.

1. Public Works Crew Quarters - WJ Kirksey Construction, Co., Albany, GA  
Total Exp. \$788,900.00

RESOLUTIONS

Mayor Pro Tem Howard moved to adopt the following Resolution, seconded by Commissioner Warbington; the motion carried 5-0-1 with Commissioner Langstaff abstaining.

RESOLUTION NO. 20-R114

Authorizing SPLOST VII, T-SPLOST, and LMIG Funding for Resurfacing Streets - Phase III

Ms. Subadan interjected that Commissioner Fletcher is on the call.

Mayor Pro Tem Howard moved to adopt the following resolution, seconded by Commissioner Warbington.

A RESOLUTION NO. 20-R115

Accepting Transportation Alternatives Program Grant Award from the Federal Department of Transportation (TAP Grant)

Commissioner Warbington asked Downtown Manager Lequrica Gaskins about the Harlem District and if there is an overlap with the two grants. Ms. Gaskins agreed and explained why the Harlem District was not included in this grant, adding that they are working to get both grants if possible.

Hearing no further comments, and after a roll call vote, the motion unanimously carried.

There being no further discussion, the meeting adjourned at 8:39 p.m.

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MAYOR

ATTEST

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CITY CLERK