

AUGUST 4, 2020
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual Meeting)

PRESENT: Mayor Bo Dorough
Mayor Pro Tem Jon Howard
City Commissioners: Chad Warbington
City Attorney: C. Nathan Davis

Mayor Dorough called the (virtual) meeting to order at 8:39 and explained that the work session was delayed due to technical difficulties (no live stream). He reported that prior to the work session, a Special Called Meeting was held to resolve an issue that occurred in the July 28, 2020 meeting regarding the adoption of the CARES Act resolution. (See August 4, 2020 Special Called Meeting minutes for attendance confirmation.)

SPEAKER APPEARANCE

1. Nadine Harris stated that she is the wife of Joseph Harris, Jr., who was attacked by two dogs (recent topic of Commission discussion). When she learned that the dog's owner was attempting to have the dogs returned to her, she became concerned. She said that she wants Commissioners understand the seriousness and viciousness of the attack. She recalled the events of August 25, 2019 when her husband was attacked while mowing the lawn. When it became apparent that something was going on, she discovered her husband lying on his back, fighting for his life, with the two Rottweilers at his throat. Usually their special needs child would have been outside that time of the morning, but thankfully he was indoor; he would have been torn to pieces had the dogs attacked him. This even traumatized both of them. She said that what concerns her is the lack of remorse and empathy by the dog's owner. They have accumulated approximately \$10,000 in medical bills, with no assistance from the owner. She advised that Animal Control did all that they have the authority to do. In closing she said that the dogs are not afraid of humans, are vicious and dangerous to the neighborhood and no one is safe with them there. She urged the Commissioners to take this all into consideration.

Mayor Pro Tem Howard mentioned that he and the Harris' were classmates. He asked if Mr. Harris is suffering from any lingering effects of the attack; Mrs. Harris discussed Mr. Harris' lost time from work, physical therapy, wounds becoming infected; he continues to have problems with his leg and has been told that the leg may never be normal again. Mayor Pro Tem Howard asked if the owner has ever approached her to express regret about the attack. Mrs. Harris replied in the negative, adding that whenever they saw each other at the courthouse, the owner attributed the attack to her dogs' dislike of loud noises (the lawnmower) and that the female dog was pregnant. She is convinced that the owner is not concerned about the lives of humans, others have shared their experiences with her about their encounters with the dogs, she was not phased and only said 'can I have my dogs back'. Mrs. Harris stated that at one meeting she asked the owner, 'would you have been more satisfied had they killed my husband'; showing no remorse her comment was 'my dogs do not like loud noises'. She and her husband have had to deal with the financial, emotional, trauma, and her husband, physical, aftermath. She expressed the horror of watching her husband of 44 years fight for his life.

Commissioner Fuller expressed sympathy for the traumatic experience she and her husband suffered. Mentioning insurance, he clarified that the owner has not paid any of the medical bills.

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Mrs. Harris replied that they have received nothing and have paid all the medical bills, in spite of having an attorney, adding that the owner has shown no concern at all.

Commissioner Fletcher, too, expressed consolation for what the Harris' endured, she appreciates hearing their side of the story.

Commissioner Warbington stated that he echoes the sincere apology to the Harris'. He advised that there is a lot of work behind the scenes to make the ordinance stronger in an effort to prevent similar situations being drawn out as like this one. The City supports and stands behind its citizens, even though some organizations in our community, unlike the City, has chosen the dogs over citizens. He, Mr. Davis and Animal Control Officer Sherman Capers met yesterday to discuss the issue. He asked that Mr. Davis be allowed to update the Commission on the outcome of the meeting.

Mr. Davis commended Mrs. Harris for her testimony, stating that he, too, extends apologies. He explained that they are in the process of filing a petition in Superior Court asking that the Court order euthanization of the dogs; they are expecting to be in Court at 3:00 p.m., August 13, with the meeting being virtual through Zoom. He thanked Mrs. Harris for her assistance in this matter, adding that they hope for a favorable ruling next week in court.

Commissioner Warbington stated that what started out with a citizen asking the City to lower its standards, results in the City closing loopholes in the ordinance regarding dangerous dogs and hopefully, prevent this ever happening again.

Mrs. Harris thanked Mr. Davis, it was reassuring to have someone, other than herself, be concerned about her husband.

Commissioner Langstaff stated that he is sorry for what she and Mr. Harris has gone through. He thinks that Commissioner Warbington and Mr. Davis are on the right path.

Commissioner Young stated that he agrees with fellow Commissioners and prays for her husband's complete recovery. He advised that she is not alone in this, he received many calls from the Country Club neighborhood supporting both of them. However, he cautioned that Commissioners should be careful trying to adjudicate issues over which they have no authority/power. Commissioners are not a body of the court, but a body of lawmakers and need to focus on the policy of laws applying to dogs. The process needs to be clarified, especially the need to identify the entity deciding the fate of the dogs. Mrs. Harris feels that she and her husband have been denied due process; he is unsure if they have been to court, was this handled by Municipal Court.

He heard Mrs. Harris mention Mr. Beauchamp (local attorney), and assumes there is a lawsuit, and rightly so; he hopes that they get justice that way. However, hearing her story today and seemingly the case being retried, if there was a case in the first case. He worries about the Commission being the proper venue for action such as this.

Mayor Dorough referred to a document distributed by Mr. Davis this morning (copy on file). The proceeding was in front of the Animal Control Board and he requested Mr. Davis to provide

an explanation of the process. He told Mrs. Harris he is sorry her husband had to endure, and she had to witness, such an ordeal. The City aims to do a better job in the future to protect its citizens.

Mrs. Harris replied that she appreciates all the words of support but is somewhat confused by Commissioner Young's comment.

Mayor Dorough said that he is not speaking for Commissioner Young, but feels his intent was to explain that the decision to sanction to owner and have the dog put down is really not one this Commission should be making.

Commissioner Young agreed, adding that when speaking with her neighbors, all of them asked that the dogs are not returned to the owner; protecting citizens/the neighborhood is a top priority. His issue is that something of this nature is something this Commission should not consider. He appreciates all of Commissioner Warbington's efforts in this matter. But he feels the process should be followed and that this Board does not currently have the authority to take such action. Mrs. Harris stated that it seems he is trying to clarify the ordinance; Commissioner Young agreed.

2. Aaron Favors, Sr., advised that he is the president of County Club Homeowners Association. A meeting was held with a Commissioner last fall, with several homeowners declaring that the dogs were dangerous. There is a general feeling among the residents that they want the dogs and their owners out of the neighborhood. The dogs left their property, out of the control of their owners and nearly killed a member of the community. As taxpaying voters, the residents of the neighborhood should not have to take guns or some form of protection with them when they walk, take the trash out, go to the mailbox, etc. The dogs should have been put down and not returned to the owners; if they are returned, the owners should move out of the community. He likened having a pet to driving; it is a responsibility and rules must be followed; when they are not; the offender must pay the consequences. He stated that at one meeting the City Attorney and Dr. Whatley gave the owner instructions on what had to be done, but she did none of them. Instead of a chain-link fence, she had an 8' privacy fence installed to prevent anyone from seeing inside the fence; the dogs were supposed to be caged within the fence. Speaking on behalf of the Homeowner's Association, he said that they do not want the dogs back there.

Commissioner Warbington asked the number of times citizens had complained, called the police, had other safety issues about the dogs prior to Mr. Harris' attack. Mr. Favors replied that he had heard complaints about aggressive barking by the dogs and rattling the chain link fence; however, he has never heard about them escaping the fence. Commissioner Warbington mentioned five-six police incidence reports about the dogs prior to their attack of Mr. Harris, which occurred at a former residence of their owners. Commissioner Warbington asked if Mr. Favors has any knowledge of the owners' neighbor having any issue. Mr. Favor replied that one neighbor and his wife were afraid to go to out to check the mail, take out trash; one of them stood in the doorway with a gun while the other took out the trash, checked the mail, etc. He found it very disconcerting to know that such extreme measures had to be taken for them to feel safe.

Commissioner Young referred to the documents sent by Mr. Davis asking if it basically outlines the court case that went before Judge Marshall. Mr. Davis replied that it is what will go to Judge Marshall; it is a petition outlining what happened to Mr. Harris; the fact that the dog owners have already had a hearing with evidence supporting euthanization of the dogs. He advised that on August 13, they are prepared to present more evidence if Judge Marshall deems it necessary. Commissioner Young mentioned the timeline, asking if it went to Municipal Court from the origination of the case. Mr. Davis explained that there was a case in Municipal Court regarding the ordinance about dogs running at-large, etc.; however, the Dangerous Dog classification requires notice and an opportunity to be heard, which was done in front of the Animal Control Board, which determines whether or not the dog is dangerous; Municipal Court is not a part of the hearing. Commissioner Young asked if there has been an appeal process in place prior to this incident; Mr. Davis replied in the affirmative, explaining that either side can go to the Superior Court. Mr. Davis stated that the owners have been served with the petition and exhibits; they will have an opportunity to testify and present evidence. Commissioner Young asked if Mr. Davis if the City is acting on behalf of the City or victim; Mr. Davis replied that he is moving forward representing the City, with the City making the request that the dogs be found so dangerous that they are euthanized. Commissioner Young asked if it is Mr. Davis' opinion that part of this process needs to be placed under Municipal Court after the ordinance is reviewed in order for the court to have a definitive role. Mr. Davis replied in the negative, explaining that when there is a proceeding for euthanization it should be brought to Superior Court for adjudication. Commissioner Young thanked the speakers for appearing this morning. He hopes that the process is clarified with everyone knowing their responsibility; the goal is to protect citizens and their neighborhood.

TIME LIMIT ON WORK SESSIONS

Mayor Dorough stated that he had raised questions regarding the authority of the policy that meetings not to extend beyond the noon hour. He referenced minutes in which it was discussed and passed; later a motion was made to rescind it, but that did not pass. He asked Mr. Davis the authority of the policy. Mr. Davis explained that the policy was established; however, no formal rule standing rule generated in response to what happened in 2003. This Commission has the choice of establishing a standing rule or not as to whether or not there is a time limit on the work session meetings.

Mayor Pro Tem Howard supported establishing a time limit of not to extend the meeting beyond 12:00 pm.

Commissioner Warbington stated that as Commissioners, they were voted in to do a job, if it takes four hours, or eight hours to do the job, his vote will be to rescind this and take the amount of time needed to do the business of our citizens.

Commissioner Langstaff agreed with Mayor Pro Tem Howard, but also agrees with Commissioner Warbington that Commissioners take the necessary time to conduct business. He stated that there is a lot of talking that could be handled outside of the public meeting, with a lot of it about how the City is run, policies in place, etc., a lot that doesn't have to be conducted the

way it is. He feels that having a deadline provides a target to get questions asked/answered, get Commissioners pundits on record and meetings can always be extended as needed.

Commissioner Young agreed with Commissioner Warbington; he does not see the benefit of an artificial deadline. Usually when the meeting is extended, they are almost to the point of adjournment anyway; the meeting should just move on without the hiccup of making a motion and voting to extend it

Mayor Dorough reiterated that since he brought up the matter, he obviously does not agree with it. Contrary to Commissioner Langstaff, he feels that Commissioners have the prerogative to ask questions, make statements, etc. through the course of a meeting. Mr. Davis advised that he will draft a standing rule for the regular meeting.

Commissioner Langstaff stated that he is unsure of the reception of his point. He stated that the public will not sit around for four hours to listen to Commissioners talk; they are busy with their own lives. As Commissioners, we have committed to taking the time to do this and we owe it to citizens to get to the point; he suggested that they (Commissioners) become familiar with the background information before the meeting, rather than during it. If a citizen is interested in a certain topic, they are not going to stay tuned for four-five hours.

Mayor Dorough stated that it is a City Commission meeting, not a sitcom to entertain the public, we are handling the public's business. Regarding the matter of euthanizing the dogs, he does not have enough information, nor alcohol licenses and other issues; these are functions of government, and question/answers are especially beneficial for those new on the Board.

PUBLIC SAFETY MATTERS

ALCOHOL BEVERAGE REGULATIONS PRESENTATION

Marshal Norman Walter, Business License Director, reported that the presentation will be broken into two parts. One will be the alcohol presentation and the other being an overview of alcohol regulations.

He reviewed the information regarding alcohol applications (copy on file), and explained the role of the Planning Department, Building Inspectors, Environmental Health, the Albany Fire Department and the Department of Agricultural. He explained that while the application process is under review, another process, Certificate of Occupancy, is also underway. He stressed the importance of on-premise consumption establishments to be on a collector, or an arterial, street.

Mayor Pro Tem Howard referenced the denial of an alcohol license earlier this year, in which Marshal Norman mentioned a few other establishments that also pre-date the Zoning Ordinance/Codes; he asked that Marshal Norman email the name of those establishments. Marshal Norman said that he compiled a list and will get it to Commissioners. Marshal Norman noted that Zoning Codes were established in 1970; if those establishments have been continuously open, whatever requirements were set at that time is still available to them per the grandfather clause; he added that he has a list of establishments in residential neighborhoods. Mayor Pro Tem Howard

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referred to high school/college students working summer jobs at stores selling alcohol, are juveniles allowed to ring up alcohol sales. Marshal Norman explained that in off-premise consumption establishments, those who are 16 can apply to their school for a work permit and can work where alcohol is sold; however, they must be monitored. Mayor Pro Tem Howard clarified that they are allowed to ring up alcohol; Marshal Norman replied in the affirmative, adding that they also have to obtain an ABC card. Mayor Pro Tem Howard asked if the law enforcement still conduct random checks on convenience stores; Marshal Norman replied in the affirmative; he will supply that information. Mayor Pro Tem Howard mentioned Sunday sales in restaurants and bars, who monitors that their sale of food is at least 51% of sales. Marshal Norman explained that establishments authorized to sell alcohol on Sunday must fill out an affidavit each month, based on receipts, they indicate what was sold and the percentages, this also applies to hotels, with these documents being turned over to the Finance Department. In reply to Mayor Pro Tem Howard, he agreed that periodically, his department goes out and monitors those establishments.

Commissioner Fuller noted that someone planning on building a package store from the ground up, they have 360 days from obtaining the license until opening. He feels that they would want to apply for their alcohol license early to avoid purchasing land, retaining an architect, etc., only to be denied; should consideration be given to extending time on new construction. Marshal Norman reported that an evaluation on constructing new building was conducted last year and it was determined that the normal, average time to construct a new building was six-eight months. There has been no one needing more time, even if the weather was inclement or supplies were not readily available; however, he does not know how the pandemic has/will affect this issue. Commissioner Fuller countered that in new building construction it is not unusual to exceed one year and suggested a method for owners if time runs out; a new commission comes on and will not grant the license. It is a safeguard for applicants if they run into problems regarding time constraints.

Commissioner Warbington mentioned the annual blanket alcohol license renewal, asking if Marshal Norman goes through the renewals as he would for a new applicant. Marshal Norman explained that they review: the background of the agent and licensee, any incident transpiring at the location, ensure consistent operation at the location; when the review is complete a blanket renewal is created for all current licenses, which is usually submitted to the Commission at the end of October, first of November. Commissioner Warbington mentioned calls for service of the police department, asking the trigger for this. Marshal Norman advised the he, the police department and ADDU discuss the businesses with continuous incidences; if there has been no resolution, information is presented to the City Attorney, who decides if there is enough evidence to hold a revocation hearing of the alcohol license.

Commissioner Young asked if he or staff give applicants an indication, they will be automatically approved just by filling out the application form, or are they advised that this is an approval process, which must come before the City Commission. Marshal Norman explained that from the Occupational Tax position (Business license), applicants are notified that they must meet inspections by: building inspector, Fire Department, and Department of Health; however, for an alcohol license, they are aware that the Commission must approve the license prior to one being issued and are not guaranteed a license being issued; he advises them of these details. Commissioner Young asked if he sees the value of citizen input on alcohol license are coming up for consideration. Marshal Norman advised that they are required to notify the public through *The Albany Herald*; no signs are posted on-site, no notifications are sent through the mail.

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In providing an overview of alcohol beverage regulations, Mr. Davis mentioned the ‘ascertainable standards’ (page 17 – Exhibit A, Albany’s code; Exhibit B - Savannah’s code) which he explained that, per case laws, decisions must be objectively based standards to control the discretion of local government. Referring to page 16, a Cobb County supreme Court case, in which citizens voiced objections, declared that Commissioners, as local elected officials, “must exercise the authority vested in them by the General Assembly to determine whether [an applicant] is entitled to the license under the rules and regulations set out in the ordinance. They may not abdicate that responsibility to others.” He stated that a key point is to follow the Constitution, which always requires notice and an opportunity to be heard; requiring due process and objective standards of Commissioners in their decision-making process. Further, he explained that ‘the maker of a motion to deny an alcohol license, as well as those voting for denial, must state what provisions/lack of qualification he/she is relying upon’. He advised that courts are extremely strict, and Commissioners must state their reason for denial into the record.

Mayor Pro Tem Howard noted City Code § 6-75, which will need a review next year during the reapportionment process; he is certain population has declined. Mr. Davis added that another rule that will need reviewed is one bar being prohibited from being close to another bar.

Commissioner Warbington clarified that if a Commissioner makes a motion to deny, they must state the reason for denial; Mr. Davis replied in the affirmative. Commissioner Warbington asked if the motion is to approve, but some Commissioners vote no, they do not have to state their reason for denial. Mr. Davis advised that if there is a majority of votes to deny, ‘ascertainable standards’/reasons must be in the record. Commissioner Warbington mentioned recent discussion regarding a moratorium, asking how that would work with this mandate in place. Mr. Davis explained that someone with the City would outline the reasons supporting a moratorium and decide the number of days; however, someone can come forward with a case to get something done despite the moratorium.

Commissioner Young asked where in the provisions does it speak to the deleterious effect of alcohol outlets in some neighborhoods. He feels that subjective data is also valuable when making these considerations, such as an impoverished neighborhood suffering from neglect or a crime-filled neighborhood. Where in the statute do these considerations become part of the reasons for denial and the best way to indicate that. He stated that it appears the law leans toward approving alcohol licenses and Commissioners are expected to approve it carte’ blanche where are the justifications that line up with the City’s situation. Mr. Davis referred to page 17, item 9, stating that it covers his question; if there was a very-well prepared memo expressing the problems, i.e. crime stats, but would have to be supported by objective facts. Commissioner Young noted that there are many neighborhoods in Albany suffering from blight, crime, impoverishment; when a business owner goes in to promote their business, those conditions get pushed aside; however, it should be highlighted that those conditions are not conducive to repairing the problems. A moratorium is a good place to start with identifying areas with those conditions. It would serve as a warning that alcohol licenses will receive a hard look and save heartburn and business owners money before considering another alcohol outlet in those areas. He feels that location is a matter of priority in granting alcohol licenses. Mr. Davis referred to page 21, item 8, which Savannah uses as a reason to deny an alcohol license.

Mayor Dorrough stated that looking at qualifications of other cities, the City may be able to improve the ordinance and address Commissioner Youngs’ concerns.

PUBLIC FUNCTION MATTERS

2020 CENSUS UPDATE

Planning Director Paul Forgey stated that he appreciates being allowed to present the Census updates; this is very important and keeping it in front of the public will help boost numbers. Using PowerPoint, he reviewed the latest information (copy on file). Even though Albany/Dougherty County is doing well compared to some other Georgia cities, we are striving for 100%. He said that East Albany had been reported as having the most trouble but has gone up .4 since last two weeks. In discussing what is at stake, he stated that each person not counted cost the community between \$20-30,000 in lost funding over the ten-year period between this census and the next one. This results in a reduction in funding for: education, road construction, medical care, etc., issues that are critical in every community. He added that political representation is based on population, if the count is not accurate, we will not get the representation that we need and deserve. Additionally, businesses look at census data and target a certain number; while we may have the numbers, if it is not reflected in the census, they will pass us by. Unfortunately, we do not have the time we anticipated; the Census Bureau changed the final deadline for enumerators (people who knock on doors) from the end of October to the end of September. He stated that the phone tree (ten people call ten people, who call ten other people) is an excellent way to increase numbers. He reviewed the ways to participate in the census and expressed appreciation for being allowed to continue getting the message out.

Mayor Pro Tem Howard advised that he represents the area with the lowest number of participants and needs help in getting the word out and suggested a live, remote meeting to help bring up numbers or an all-out blitz. Mr. Forgey advised that they are using electronic signs on the roadway, working with businesses to put up posters, etc.; however, personal persuasion seems to be the best means of promotion.

In response to Commissioner Young, Mr. Forgey agreed that the census is being cut short by one month; he has no explanation for the reason. He said that minorities, low-income and Latinos are hard to count populations, cutting the deadline a month short will result in a lot of more of them being uncounted. Commissioner Young urge everyone watching the meeting today to participate and encourage other to do the same. In reply to Commissioner Young, Mr. Forgey stated on August 11, the enumerators will begin going door-to-door. Commissioner Young encouraged all elected officials to voice their disapproval to the administration and about this travesty and attempt to hamstring local governments, with the aim of having that decision reversed.

Mayor Dorough stated that because of the coronavirus, if anything, the time should be extended. He commended the Complete Count Committee. He mentioned the success of the phone tree in Atlanta/Fulton County, the importance of identifying ‘trusted voices’ and supporting the Complete Count Committee, which suffered a loss of volunteers after the start of the pandemic here. He asked Mr. Forgey for recommendations; he will make every effort to secure funds/manpower/etc. to improve the response rate. In reply to Mayor Dorough, Mr. Forgey stated that the next Committee meeting is scheduled for August 27 at 5 pm. Ms. Subadan added

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that everything from reimbursement funds, funds for the homeless, rapid rehousing, affordable housing, etc., all are based on the previous census numbers that are recorded; she urged everyone to get involved and help get the numbers up.

Mayor Pro Tem Howard recommended that in addition to faith-based organizations, that non-profits assist with this effort.

In response to Mayor Dorough, Ms. Subadan agreed to work with Mr. Forgey on recommendations.

PUBLIC ADMINISTRATION AND FINANCE MATTERS

2020 BYRNE JAG GRANT APPLICATION

Chief Michael Persley advised that the Albany Police Department is requesting to submit an application for the grant sponsored by the U. S Office of Justice Programs Bureau of Justice Assistance, which is administered through the US Department of Justice. He reported that the grant allocation this year is \$67,582.00 with an 80 (City)/20 (County) split.

MANUFACTURED GAS PLANT DELINEATION PLAN

Asst. City Manager Ken Stock reviewed historic information (copy on file), stating that it was presented at the last Utility Board meeting.

Keith Ziobron, P.E.- Senior Principle & Branch Manager of Cardno Company, continued with the review and discussed proposed soil boring locations and removal of remaining residual contamination based on new EPD policies; identify the total extent of contamination; develop a plan to excavate that material and passively deal with any residual impacts to groundwater. He reported that the good news is that tests show that the groundwater contamination is not moving off-site at any great pace. EPD agreed to allow surgically removing the impacted soil that remains without having to spend a great deal of time and effort to address residual groundwater contamination. Once removed, the groundwater levels will be reduced. He briefly discussed the work plan, project schedule, project budget; the project is anticipated to be completed by December 2021.

Mayor Dorough asked if this is just for information. Ms. Subadan agreed, however, the City must get back with EPD by August 14 to let them know that the City supports the directions they are giving us to move forward. She advised that the cost to remediate the problems is \$3.5 million. It is a long-term issue faced by every community that operated a manufactured gas plant in the US, all have had to clean-up their sites. She stated that it does not qualify for any grants; the Utility created the problem and is an expense the City must bear. On the positive side, the City created a fund with money saved for remediation. Mayor Dorough asked if the Utility Board approved the project budget of \$123,000; Ms. Subadan concurred.

Commissioner Fuller noted that to-date, approximately \$1.4 million has been spent; have portions of the contaminated soil been removed? Ms. Subadan replied in the affirmative, adding that soil still needs to be removed. He noted that insurance paid a portion, will it pay anymore of the cost. Ms.

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Subadan stated that staff and Mr. Davis worked with the insurance company to be sure to maximize everything up to the limit of the City's policy. Commissioner Fuller asked where the removed soil will be disposed of. Mr. Ziobron stated that it will be disposed of in accordance with State and Federal waste regulations and will be put out for bid.

Commissioner Warbington noted that it is probably impossible to guess but will this mark the last of the soil that needs to be removed. Mr. Ziobron explained that the data they reviewed, and with the understanding of how materials move, this round of investigations will determine that once and for all, with the goal to remove the residual soil, treat the groundwater, and be able to close it out by the end of the year. Commissioner Warbington asked the use of property like this once everything has been completed. Mr. Ziobron advised that the goal is to clean it up to commercial standards; it depends upon the City's intent for the property. He said that there has been discussion to build a parking lot for the river trail or a skatepark.

CITY MANAGER'S UPDATE

Ms. Subadan advised that a written report will be submitted; however, today she would like to discuss the gym projects. She recalled discussion in which Commissioners approved renovating Bill Miller and Henderson Gyms for approximately \$1.0 million, then added entryways as a requirement; an architect is working on that, which is estimated at \$250,000.00/each. It was known that the project lies within the floodplain; however, when LRA was ready to pull permits, it was discovered that the finished floor is one foot below the required 100-year flood elevation. Having to comply with the Floodplain Management ordinance requirement, the City has been working with others regarding water-potential solutions. A couple of options are: 1) applying a water-proofing solution inside/outside the building, as well as adding floodgates at the entry of the facility; 2) build a perimeter wall around the wall – the lower level of both gyms are PVS block. The City is working with the contractor (LRA) and entities who approve any mitigation process devised by the City, which would be someone from the State. She advised that the City has engaged someone to update the Carver Master Plan and that the 2006 Master Plan is under review. She asked if Commissioners want to engage the City's consultant to update the 2006 Recreation Master Plan, since Mayor Dorough is already working on this; it would provide a comprehensive update and avoid piecemealing the projects. The estimate for new gyms is \$225/per sq. foot; however, this does not include land acquisition or site preparations. A moderate size gym would be approximately 12,000 sq. feet (\$2.7 million for construction of the facility); a large gym would be almost twice that amount. She advised that \$1.0 million has already been awarded; the additions are estimated at \$500,000, \$250,000 for the water-proofing solution, which would be \$1.75 million for the two existing gyms. She stated that it was discussed to flip the orientation of Henderson; build the addition on the gain-side and add parking. The neighborhood would still have access on Willard, but rather than being vehicle-accessible, there would be a pedestrian gate. Her recommendation is to update the overall Recreation Master Plan and not just Carver.

Commissioner Fuller supported updating the overall Recreation Master Plan; Commissioner Fletcher also agreed.

Commissioner Warbington clarified that renovations, new entryways and the waterproofing solution is estimated at \$1.7 million and two new gyms are estimated at \$5.4 million, minus land acquisition. Ms. Subadan said that is about right, but again, it does not land acquisition, etc. Commissioner Warbington asked if the City has looked at acquiring available gyms built by the school system, i.e.

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the one adjacent to Carver, Albany High. Ms. Subadan replied that the City and school system have been working on Albany High, adding that Superintendent Key Dyer is a great partner and may not even require the City to purchase it. When looking at Carver, the specs included looking at surrounding School Board property no longer in use.

Commissioner Young mentioned a recreation summit with Commissioners meeting with the Recreation Director; Ms. Subadan recalled a recreation workshop during the budget process. Commissioner Young stated that there was discussion to have a big meeting with all the recreation staff, he remembers the discussion, then Albany was hit with COVID-19. He stated that he would like to look at other possibilities and solicit community input.

Mayor Dorough advised that it would be prudent to postpone both projects. He believes that Bill Miller and Henderson are in the right place but is unsure about the buildings. He is not convinced of the \$225/per sq. foot and feels it can be done for much less than that. He added that there is a possibility of constructing new gyms on the same property if the elevation is different and mentioned six acres of property adjacent to Bill Miller. He cautioned that the City is discussing spending approximately \$2.0 million on buildings that are approximately 50 years old and have reached their usefulness. He advised that this is a 40-year investment and mentioned the possibility of a substantial amount of funds in the next CARES Act. He questioned the feasibility of renovating the two existing buildings with waterproofing, floodgates, etc.; his position is to postpone the projects and search for alternatives.

OTHER BUSINESS

Mayor Pro Tem Howard asked that everyone keep the City Clerk (Sonja Tolbert) in their prayers.

Mayor Dorough encouraged Ms. Subadan to work with Mr. Forgey to help increase census numbers; with the new deadline, this is a priority.

There being no further business, the meeting adjourned at 11:07 a.m.

SISSY KELLY
ASST. CITY CLERK