

AUGUST 18, 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 8:36 a.m. and confirmed the attendance of those on the virtual conference call as follows: City Manager Sharon Subadan, Commissioners Matt Fuller, BJ Fletcher, Bob Langstaff and Demetrius Young.

Mayor Dorough announced that the following item will be discussed first:

## **COMMUNITY AND ECONOMIC DEVELOPMENT MATTERS**

### FOOD INSECURITY PROJECT

Commissioner Young briefly discussed the background of the project, which is a partnership among Albany State University, Georgia Tech and the City of Albany. The data confirms what is already known: Albany's food deserts is a dire situation, impacting the health of its citizens. He recognized Dr. Veronica Adams-Cooper, lead researcher with Albany State University Master of Public Administration Program, who has worked with the City of Albany regarding many issues faced by disadvantaged citizens.

Dr. Cooper-Adams stated that Steven Carter, City of Albany CIO, will make the first presentation.

Using a PowerPoint presentation (copy on file), Mr. Carter, Dr. Adams-Cooper and Adriana Garcia, discussed: the origin and purpose of the initiative, partners, research/resulting data/solutions. Mr. Carter recognized the Emerging Technology team and Shuronda Hawkins and commended their involvement in this vital project.

A video was shown by Sherrell Byrd, SOWEGA Rising, which underscores the plight of citizens without access to healthy food. The video also included Tommy Terrell, A Better Way Grocers, who, with a refurbished bus, operates a mobile fresh food delivery service. Ms. Byrd recognized the efforts of Mayor Dorough to bring a grocery store to the food deserts, adding that Dougherty County is in the top 1% of food deserts in the nation. Using a PowerPoint (copy on file), she reviewed the information provided by the SWGA Food Justice Coalition on the critical food insecurity in Albany/Dougherty County; presenters also included Tiffany Terrell, Dr. Joshua Nelson, and Dr. Samara Sterling.

Mayor Dorough thanked and commended today's presenters.

Mayor Pro Tem Howard recommended that faith-based organizations be approached to become partners. He agreed with the data that Albany is overrun with dollar and liquor stores.

Commissioner Fuller commended today's presenters and everyone involved in this initiative.

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Commissioner Fletcher noted that eleven Dollar General stores in Georgia have launched small farmer market-type additions that sell fresh food at reasonable prices.

Commissioner Warbington expressed appreciation to the presenters, with the information being very enlightening. He mentioned the notion of moratoriums, which needs more discussion with the City Attorney which could be beneficial in limiting/promoting certain businesses in particular areas.

Mayor Dorough asked that the video and contact information of A Better Way Grocers be posted on Channel 16. He mentioned plans to renovate Harlem, which could be a viable option in which to locate a restaurant and suggested that the City must obtain federal assistance/provide incentives to get a motel in south/east Albany and address the food deserts here.

Commissioner Young's technical difficulty resulted in his comments being indiscernible.

#### WIRELESS EQUIPMENT POLE ATTACHMENT AGREEMENT

In discussing this item (copy on file) Mr. Davis recalled past legislation related to small cell devices and advised that Verizon is requesting to place attachments on the towers and pay for them pursuant to the agreement. He stated that the agreement included an indemnity in favor of the City and noted that City Engineer Lee Daniel and the Engineering department are comfortable with the agreement.

Commissioner Fuller asked if a contract like this has been discussed with other providers and the rough figure of \$16.50 per attachment and, how many attachments are estimated. Mr. Davis stated that at this point there are only three/four with Mr. Daniel explaining that there is a possibility of five now, which may increase in the future.

In reply to Mayor Dorough, Mr. Daniel stated that the fee is \$16.50/per attachment/per pole/per year.

Director of Engineering Bruce Maples explained that initially the request was 14 poles, with the anticipation there will be requests for more. He added that they also anticipate AT&T, T-Mobile, Sprint, etc., to eventually make the same request.

#### TRANSFER OF 200 N. MOCK ROAD TO ALBANY/DOUGHERTY LAND BANK

Mr. Davis advised that this is the old fire station property; if meeting the Commission's approval, it will be donated to the Land Bank. He commended Planning Director Paul Forgey for getting property back on the tax roll, adding that there are one-two monthly closings in his office for the Land Bank.

Mayor Pro Tem Howard asked the possibility of future development; he understands there are issues with the property sinking in. Mr. Forgey replied that he is unaware of any environmental problems with the property; however, that does not mean there are not any. He advised that someone is interested in purchasing the property from the Land Bank.

Commissioner Warbington asked if the City has tried to sell the property, has it been advertised for sale; Mr. Davis stated that he is unaware of such effort. Commissioner Warbington mentioned the land having value and questioned why the City would not sell it rather than donating it to the Land Bank, which benefits from the sell. Mr. Forgey explained that often the Land Bank can move quicker than the City and get properties back into public use much sooner; it is a much smoother, less complicated process. Additionally, it helps support their budget, with less reliance on City/County funds. Commissioner Warbington noted that this property has no liens or back taxes and asked how the Land Bank can move faster to dispose of this particular property than the City. Mr. Forgey explained that the Land Bank is not limited to whom they can sell property (City would have to bid it out) and is multifaceted (can dispose of surplus property in a more efficient manner than cities/counties). Commissioner Warbington expressed concern that the City is giving away the property. He recommended the City hold the title and if there is an offer, work out the details then versus transferring the property to the Land Bank at no cost. Mr. Forgey reiterated that someone is interested in purchasing the property and there is an offer.

Commissioner Langstaff asked if the offer is enough to cover the tax lien on the property. Mr. Forgey replied that there is no tax lien, it is City-owned; there is nothing being removed from the property (demolition/tax liens). Commissioner Langstaff agreed with Commissioner Warbington; why is the City not selling it.

Ms. Subadan explained that the City must do sealed-bid sales on property it owns, which is a challenge when absentee landlords are awarded the bid just to own the property and, there is the potential for it to become more blighted property. Referring to Mayor Pro Tem Howard's concern, she advised that the building has structural issues; the reason the station was relocated. The Land Bank is designed to help redevelopment, put properties back on the tax roll and eliminate blight. Mr. Davis agreed; it is either a sealed-bid transaction or sold on the courthouse steps.

Mayor Dorough stated that a description of the property and its projected value would be helpful to the Commission when making a decision.

#### FRED TAYLOR CO. STORMWATER FACILITY MAINTENANCE AGREEMENT

Mr. Maples discussed the information (copy on file), in which any future developers must enter into the same stormwater facility maintenance agreement in which landlords annually inspect and maintains all stormwater facilities constructed as part of the development, when improvements are made.

Attorney Doug Devine advised that the property, burdened by an easement is being sold. The easement area (property to the north) is owned by Rails to Trails. The intent of the Fred Taylor Company was to acquire and pave the property; however, none of that ever transpired. The desire is to remove the encumbrance on the adjoining tract, which is covered by the easement.

There were no questions/comments on this item.

## **PUBLIC SAFETY MATTERS**

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### ALCOHOL LICENSE APPLICATIONS

Marshal Walter N. Norman, Business License Director discussed the following information (copy on file):

1. The Cool Place Albany LLC; d/b/a The Cool Place; 2602 Dawson Road; A. Slaton/Agent; Beer Consumption; Ward 5

He advised that the business will be like Dave & Buster franchises.

In response to Commissioner Young, Marshal Norman stated that the location is directly behind the Shoe Station.

Marshal Norman discussed the following information (copy on file)

2. KVB 1730 Inc.; d/b/a Slaphey Express; 2033 N. Slaphey Blvd; M. Patel/Agent; Beer and Wine Package; Ward 3

Commissioner Warbington asked if there is an age requirement for the manager. Marshal Norman explained that to sell alcohol in a convenience store, the person can be 16, but must have consent by the school system; a person must be 18 to serve alcohol in an establishment like this one.

### REDSPEED SCHOOL ZONE ENFORCEMENT

APD Chief Michael Persley discussed information as noted (copy on file) and advised that this a request for approval to move forward on the contract with RedSpeed; Greg Parks is available for any questions.

Commissioner Warbington asked when the list of proposed locations will be brought to the Commission or is this something not involving the Commission. Chief Persley mentioned the traffic study that was done adding that he can bring a list of locations where the system will be placed. He explained that as many, or as few, as the Commission wants can be placed, but the number is usually determined based on the traffic study. Commissioner Warbington noted that it is not something approved by this Board, but rather is data-driven, which recommends locations. Chief Persley agreed; however, he stated that recommendations from the Commission regarding areas of concern can also be taken into consideration.

Mayor Dorough mentioned consulting the school system; Chief Persley stated that they have been in touch with the school system, as well as DCP for school crossings outside city limits.

### DANGEROUS DOG ORDINANCE

Before presenting the information (copy on file) Commissioner Warbington discussed the massive number of pets owned in this area, adding that he is a dog owner himself and that he does not want the minute number of dangerous dogs to overshadow animals in general. As discussed in the last meeting, dogs can cause significant injuries and a clear and precise ordinance is necessary to handle cases in which an attack has occurred. Reviewing the information, he noted the definition of dangerous dog and potentially dangerous dog, advising that attacks by either classification must be

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*off* the property of the dog's owner. If an attack occurs on the owner's property, the dog is not considered dangerous, but is seen as protecting their territory. He reviewed the requirements of the current ordinance and recommendations for the proposed ordinance.

Mayor Pro Tem Howard thanked Commissioner Warbington and agreed that the Commission must take necessary action to prevent any further attacks by dangerous dogs.

Mr. Davis discussed the status of the current case involving King and Chloe, the two dog which attacked a neighbor and advised that the owner will be able to keep the two puppies, they were not a part of this ordeal.

Commissioner Fuller also thanked Commissioner Warbington for his work and commented on the liability insurance, which might need to be higher than \$100,000 since a serious attack could easily exceed damages/injuries beyond that amount.

Commissioner Langstaff also thanked Commissioner Warbington and agreed with Commissioner Fuller that the \$100,000 may not be enough. In his research he found that Commerce, Georgia requires \$1,000,000 and suggested a middle ground of \$500,000.

Commissioner Young, too, thanked Commissioner Warbington and stated that declaring a dog dangerous, takes responsibility off the owner. He recalled that dog trainer, Chris Morrell, said there is no dangerous breed, but rather, it is either a lack of training or bad training by the owner. He asked Mr. Davis if there are fines for violation of the leash law. Mr. Davis explained that there is a standard provision for violating City ordinances, but he will have to check for anything specific. Mentioning that dogs often find a way out of their yard; sometimes it may be through the owner's negligence, Commissioner Young suggested that a message needs to be sent to owners that when they are irresponsible, the price they pay will be heavy. A stiffer fine for not leashing dogs, puts the burden on the owners to ensure that their dogs are secured within their yard. He briefly discussed the role and mission of the Animal Control Board and Humane Society, the appeal process, suggesting that Municipal Court might be the first level. He stated that it is not fair to an animal with bad owners to provide only 20 days before euthanizing the animal and recommended putting the matter in the hands of a judge.

Commissioner Warbington stated that he has Municode pulled up, which states that leashes are required when dogs are outside the owner's premises, with the ordinance clearly requiring it and, having a fine set by Municipal Court could be part of the answer. He advised that the Animal Control Board does not make the determination to euthanize an animal; they only declare that the dog is dangerous. His issue is that just like King and Chloe, a dog can be classified as dangerous and be held indefinitely at the Humane Society, with the owner not complying with requirements to reclaim their dog. Additionally, a dog declared dangerous here should not be allowed to be shipped to off to where it may repeat the offense, explaining the 20-day requirement in the proposed ordinance. He stated that Mr. Davis is taking the matter to Superior Court, where the judge adjudicated the issue, should satisfy Commissioner Young's comment about letting a judge rule in these issues. He mentioned the appeal process, asking who pays for it - the citizens of Albany/Dougherty County, the Humane Society?

Commissioner Young countered that he is talking only about the process. Regarding the leash law, if it is not strongly enforced, it has no effect. Steep fines, on the front end, have a way of getting the

public's attention and may incentivize owners to take proper precautions to secure their animal on their property. Regarding due process, the Animal Control Board made a determination, then we use the City Attorney to overturn their decision.

Mayor Dorough agreed that a specific fine and graduated ceiling - first offense \$100.00 fine, second offense \$250.00 fine, third offense \$500.00 or whatever amounts are decided upon. He suggested that very few citations have been handed out based on the leash law. In reply to Mayor Dorough, Chief Persley advised that three out of the five positions in the animal control department are filled. Mayor Dorough noted that there are five positions and suggested that being more proactive should be the first step, adding that the dangerous dog threshold is after the dog has already attacked someone. To protect citizens and make the ordinance effective, potentially dangerous dogs must be identified and to do that proper staffing is required. He asked Mr. Davis to provide an understanding of the City's ordinance as it correlates to State law. He stated that he was unaware that the Superior Court is the body which makes the decision to euthanize a dog and asked Mr. Davis to confirm; Mr. Davis replied that in accordance with State law, Superior Court is the proper venue to order an animal to be euthanized. Mayor Dorough asked if the Animal Control Board has the authority to order an animal to be put down; Mr. Davis replied that it does not.

Commissioner Young asked if it was the surety bond or the other requirement that prevented Ms. James-Dailey to comply. Commissioner Warbington explained that Mr. Capers advised that the backyard fencing has not met requirements and, until obtaining insurance/surety bond the decision has not technically been made. A brief discussion ensued regarding the Humane Society prolonging the matter and the cost of doing so. Commissioner Warbington advised that the proposed dangerous dog ordinance was drafted to help provide clarity and prevent this issue in the future. Commissioner Young asked if the dogs are property of the Humane Society until the matter is settled. Commissioner Warbington agreed that under the current contract, the disposition of the dog is completely up to the Humane Society, adding that they have acted completely within their boundaries, thus the need to amend the ordinance to prevent this from happening again.

Mayor Dorough suggested increasing the insurance requirement to \$100,000, adding that the key is to protect the public and identifying potentially dangerous dog before someone had been attacked. A brief discussion ensued regarding the ordinance requiring a surety bond; the consensus was to omit requiring a surety bond.

## **PUBLIC WORKS MATTERS**

### HIGHLAND AVE. ALLEY FOR NEW TRANSIT CENTER

Mr. Maples discussed the information (copy on file), with the request to authorize advertising the closing for 30 days then bringing back comments to this Board.

Commissioner Warbington asked why not close the entire alley on that block. Mr. Maples explained that other businesses are located adjacent to the western portion, as well as having access for utilities, garbage pickup, etc.

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ROADWAY LIGHTING AGREEMENT RE: OGLETHORPE BLVD. BRIDGE PROJECT

Mr. Maples reviewed information (copy on file)

Mayor Pro Tem asked the demolition date of the bridge; Mr. Maples stated that the date has not been determined, but he would guess four years.

Mayor Dorough stated that very few citizens understand that Oglethorpe will be closed; he did not realize until recently that it would be for four years. Mr. Maples explained that it will not be closed until the construction process begins. Mayor Dorough recommended plenty of advanced notice to give the public time to plan an alternate route. Mr. Maples stated that will be part of implementing the detour and traffic control plan, which has been discussed with DOT.

## **PUBLIC FUNCTION MATTERS**

### 2020 CENSUS UPDATE

Planning Director Paul Forgey used a PowerPoint to review information (copy on file). He reported that Dougherty County (57.2) is slightly behind the State (59.3%) and is up .5% from the last meeting.

Mayor Pro Tem Howard referred to mobile signup locations and asked if next month the eastside Walmart could be a site. Mr. Forgey explained that they requested Walmart allow them to set up in the parking lot; however, Walmart refused.

Commissioners thanked Mr. Forgey for the hard work he has dedicated to this effort.

Mayor Dorough also thanked Mr. Forgey, Mayor Pro Tem Howard, Commissioners Fletcher and Young for their involvement.

Ms. Subadan advised that between now and September 30<sup>th</sup>, 17,205 households need to be reached. She discussed other efforts underway to get the numbers up.

## **RECREATION MATTERS**

### GYM RENOVATIONS – BILL MILLER AND HENDERSON RECREATION CENTERS

Mayor Dorough referred to the letter he recently sent in which he suggested considering rebuilding the facilities at Bill Miller and Henderson, especially considering that both properties are within the flood plain. Referring to Mayor Dorough's letter, Ms. Subadan suggested that if the Commission wants to have a study to evaluate both facilities and lay that across the cost of rebuilding, (which she believes can be done for under \$25,000) and utilize the usual process to

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engage someone for the work, she would then bring back a report to the Commission with options recommended by a third party.

Mayor Pro Tem Howard referred to Mayor Dorough's comment about both gyms being 50 years old and being outdated, and citizens deserve new facilities.

Commissioners Fuller and Fletcher supported the idea of looking at options.

Commissioner Warbington suggested looking at a different location since both are in the floodplain. Commissioner Langstaff agreed with Commissioner Warbington.

Commissioner Young stated that both gyms are commonly known as community anchors as places of refuge in the event residents must vacate, adding that he would have to be convinced to move them from their current locations.

Ms. Subadan advised that she will issue a purchase order so that this can be moved along.

## **PUBLIC ADMINISTRATION AND FINANCE MATTERS**

### **PURCHASES**

Central Services Director Yvette Fields discussed the following information (copy on file) regarding an RFP being put out for a Federal lobbyist. The recommendation is to engage Alcalde & Fay as the lowest and most responsible proposer. She advised that the firm has provided satisfactory service over the past three years, adding that they also went out for bid for a State regulation consultant but were not successful; there was only one proposal, which was rejected, and they are waiting on responses.

#### **1. Federal and State Regulations Consultants/Lobbyists**

Mayor Dorough mentioned the Ferguson Group was the City's consultant at one time; Ms. Fields agreed, adding that they preceded Alcalde & Fay.

Facilities Director Don Gray discussed information (copy on file) regarding the following:

#### **2. Recycling Drop-Off Sites – New Buildings**

Mayor Pro Tem Howard mentioned that a drop-off site in E. Albany was closed several years ago and asked the possibility of reestablishing a drop-off site in E. Albany. Ms. Subadan advised that KADB Exe. Director Judy Bowles controls the oversight and that she will contact Ms. Bowles to get her thoughts on adding a third drop-off.



Commissioner Fuller asked if the sites are only for employees or can citizens also use them. Mr. Gray replied that these are for employees working at the recycling and citizens using the recycling centers.

In reply to Commissioner Warbington, Public Works Director Stacey Rowe discussed the operating hours at both sites. Commissioner Warbington thanked Mayor Dorough for bringing this matter to the Commission's attention.

In response to Commissioner Langstaff, Mr. Rowe explained community service workers often help and having a drop-off site at a fire station presents many challenges.

Ms. Fields discussed information (copy on file) regarding the following:

3. ESRI Software Maintenance

Commissioner Young advised that ESRI was critical in helping map the food deserts discussed today and encouraged the Commission to have TAC demonstrate its capabilities

Ms. Fields discussed information on the following (copy on file), advising that it is an upgrade of the JD Edwards software; she deferred to Mr. Carter for additional information.

4. Professional Services (Software Upgrade)

Mr. Carter stated that the update is necessary in order to meet end of the year requirements i.e. taxes, financial data, etc.

Commissioner Warbington asked if the cost is a lump sum, firm price. He mentioned that the company was advised that the cost could not exceed a certain amount. Mr. Carter stated that it is based on the amount of work they do; the more work performed by the City reduces the actual billing and it will not exceed the stated cost.

In response to Mayor Dorough, Mr. Carter explained that the City has been using this product for many years and has been using the current 9.1 version for six years and has reached the end of life for the current module.

## GRANTS

Mr. Forgey discussed information on the following (copy on file):

1. Accept Grant for portable generators

In reply to Commissioner Young, Mr. Forgey stated that the generators will be stored until needed. Commissioner Young referred to generators that automatically switch on when the power is out and asked if it would not be best to have this capability rather than risk a sewer spill. Mr. Forgey explained that the portable generators are more practical in that fewer must be purchased and can be used at a variety of locations. The City applied for these because of the

eligibility factor. He agreed that a permanent generator at each facility is ideal; however, the cost would be substantial.

Ms. Subadan stated that originally, the City looked at permanent generators, especially at critical sites, but FEMA limited the City's request. She recommended providing the cost of on-site generation at all river stations; however, for the interim the potable generators serve the City's needs of its 38 wells and 108 lift stations.

Mayor Pro Tem Howard moved to extend the meeting to 12:30 pm, seconded by Commissioner Warbington, and following a rollcall vote, the motion unanimously carried.

## **BOARD REQUESTED REPORTS**

### PACE BUILDING RENOVATION – COMMISSION REVIEW COMMITTEE REPORT

Commissioner Fuller reported that he, along with Commissioners Fletcher, Warbington and Young and City staff attended the meeting, as well as David Maschke. Touring the building, Q&A revealed that many issues that had been raised were resolved and additional recommendations were made. After the meeting, he and Commissioner Warbington discussed the possible move of the City's server room from 207 Pine to this site. Discussing the construction of the building, which is very fortified, he suggested it would be a viable location to house the City's server.

Mayor Pro Tem Howard mentioned an email from Mr. Maschke regarding his concerns. Commissioner Fuller stated that Mr. Maschke's life-safety issues have been addressed to the satisfaction of the committee.

Commissioner Fletcher agreed with Commissioner Fuller that the project is moving along at a great pace and is looking good.

Commissioner Warbington noted the \$1 million budget, adding that it will be exceeded. He said he disagrees with Asst. City Manager Stephen Collier's categorization regarding cost; the City's labor has not been captured, which must be included for a complete, accurate cost and pushes beyond the budget, in addition to parking needs. He mentioned other issues (lack of windows, roof, etc.), but does not want the issue of the budget resulting in the project being of inferior quality. His proposal is to continue moving forward with the medical office and complete it for operations and to look at the option of moving the City's server to the Pace Building.

Commissioner Langstaff asked that Mr. Carter weigh-in on the proposal to move the server to that site and if it would limit the number of windows. Mr. Carter stated that he is excited about the opportunity to move there; he briefly discussed the benefits of the move. Regarding windows, the lack of windows provides the best environment to locate the server.

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Commissioner Young recommended leaning on staff's recommendations; they have proven that they are highly capable of performing the job.

Mayor Dorough mentioned a presentation by the group developing the Gordon Hotel which results in the question of the second floor being available for the City's use. He agreed that the Pace Building is the ideal location for the fiber hut.

Ms. Subadan recommended housing Risk Management there as well and leaving HR in the Government Center. She asked to explore other options and bring recommendations back for Commissioner's consideration.

#### CITY MANAGER'S UPDATE

Ms. Subadan reported going out for bid for solid waste collection, explaining that last year the City took a one-year extension on the current contract to look at other options. The extremely high bids, which would result in a rate increase, caused the City to go out for bids again. Concrete Enterprises, a local responder, submitted a proposal that is \$369,800 above the existing contract, an increase of \$2.69/month over the current fee; however, they have no residential solid waste collection experience. Current vendor, Transwaste, proposed an annual increase of \$1,128,645, an \$8.21/monthly increase over the existing fee; they were not recommended nor considered. She advised that the current contract with Transwaste (\$3,270,459) expires September 30. The City approached Concrete Enterprises about maintaining the current rate for a year as a trial period; if successful the City will renew annually for five years at their bid rate (\$3,640,259). They counter-offered a balloon payment at the end of the first year. Summarize if possible

Mayor Pro Tem Howard referred to their lack of experience and asked Jason Wiggins, Concrete Enterprises, how that will be addressed. Mr. Wiggins advised of: having experienced managers, one who managed a landfill; having extensive roll-off experience; and being proactive by reaching out to A-1 Brantley, which is experienced and has been a part of the current contract for over 15 years. Mayor Pro Tem Howard asked if A-1 Brantley can be guaranteed that they will be partnering with Concrete Enterprises by next Tuesday. Mr. Wiggins replied that he would have to have an executed contract before that decision can be made. He discussed the purchase of all new equipment and being ready to go October 1. He stated that a handshake agreement with Don and Ulysses James, A-1, yesterday gave him the confidence that they are agreeable and ready to start.

Mayor Pro Tem Howard moved to extend the meeting until 1:00 pm, seconded by Commissioner Fuller; the motion unanimously carried.

In response to Mayor Pro Tem Howard, Mr. Wiggins stated that the relationship between Concrete Enterprises and A-1 will be contractor/subcontractor, explaining that he, Don and Ulysses James discussed the agreement, which will generally be the same as the current one under which they operate.

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In response to Commissioner Fuller, Ms. Fields explained that Transwaste did not provide a reason for the drastic increase in their price; they have held the contract for a number of years and it seemed they were telling the City that either we pay the increase or we could ‘go on’. In response to Commissioner Fuller, Mr. Wiggins stated that the sooner he has a signed contract, the better. Commissioner Fuller recommended a special called meeting later this week.

In reply to Commissioner Warbington, Ms. Fields discussed liquidated damages, also included in the current contract, of \$500/day after three days of being behind and the clause of charging 20% of the City’s cost if the City had to undertake their responsibilities; the City never invoked either clause. Commissioner Warbington explained that his questions are based on the number of calls he constantly receives about Transwaste and their dismal performance. Based on the timeframe, he asked Ms. Subadan about contingency plans if Concrete Enterprises cannot fulfil the agreement. Ms. Subadan explained that there have been brainstorming sessions and potential possibilities. In response to Commissioner Warbington, Mr. Wiggins stated that there really is not anything the City can remove from the contract to reduce the amount. Commissioner Warbington expressed concern about eventually having to raise rates.

Commissioner Langstaff asked if a special called meeting is held Thursday and the contract executed, can Concrete Enterprise guarantee there will be no gap in service. Mr. Wiggins replied that ‘guarantee’ is a strong word, but it is very highly possible. Commissioner Langstaff asked the possibility of coming back after the first year for recommendations of ways to lower the cost of the contract.

Commissioner Young asked about the procurement process which resulted in the City facing this dilemma; was no one aware of the deadline and potential gap in services. Ms. Subadan explained that staff was taken aback when receiving the response from Transwaste yesterday based on the seven years they have contracted with the City. However, it is not realistic to expect no price increase when the cost of doing business has increased for everyone. She stated that for the record, a statement by Commissioner Langstaff is not totally accurate in that the bid goes up every year after the first year, which is not the case, the pricing is what it is.

Commissioner Young moved to extend the meeting ten minutes, seconded by Mayor Pro Tem Howard and, following a rollcall vote the motion unanimously carried.

Mayor Dorough noted: this issue should have already come before the Board, his disappointment in not being able to use natural gas, and that he supports Concrete Enterprises negotiations with A-1.

In reply to Commissioner Warbington, Ms. Subadan discussed trying to incentivize Concrete Enterprise to use compressed natural gas, which was not fruitful.

Following Mayor Dorough’s poll, a special called meeting was scheduled for Thursday, August 20 at 10:00 a.m.

ITEMS FOR FUTURE AGENDA

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Mayor Pro Tem Howard asked Ms. Subadan if she has received any further information on the BUILD grant; Ms. Subadan replied in the negative, adding that they are usually awarded in the fall.

Commissioner Warbington asked the next step on the Pace Building. Ms. Subadan said that things are on hold until a vote is taken next week.

Mayor Dorough mentioned that Governor Kemp withdrew his lawsuit against the Mayor of Atlanta, with the current executive order allowing cities to enact mandatory masks on city property. GMA circulated two proposed ordinances and he would like them to be considered. He added that he found out last week that he has been kicked off the Chehaw Park Authority for the third time, explaining that under the new legislation there is no provision for a member of the Board to be appointed. He stated that he wants to continue serving and asked to be appointed as a citizen member at the regular meeting next week.

There being no further business, the meeting adjourned at 1:14 p.m.

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SISSY KELLY  
ASST. CITY CLERK