

JULY 28, 2020

REGULAR MEETING OF THE BOARD OF COMMISSIONERS OF THE CITY OF ALBANY,
GEORGIA
GOVT. CENTER – 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 6:02 p.m.

Pastor John Schroeder, Greenbriar Church, gave the invocation, which was followed by the Pledge of Allegiance.

Mayor Dorough 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.

Commissioner Warbington moved to approve the minutes of the previous meeting, seconded by Mayor Pro Tem Howard and, following a roll call, the motion unanimously carried.

REPORT OF COMMITTEE OF THE WHOLE

PACE BUILDING RENOVATION

Mayor Dorough stated that this item will be discussed to determine whether to suspend construction, with an architect designing and put it out for bid or whether the City will proceed as construction manager on the project.

Asst. City Manager Stephen Collier explained that an assessment was conducted on the life-safety and ADA compliance issues. The report was sent out yesterday with there being two minor issues to be corrected: separating the water cooler and removing the automatic closer. He advised that the recommendation is to continue with renovations.

Mayor Pro Tem Howard asked how far we are into the project. Mr. Collier stated that the plumbing is complete, with walls under construction. Mayor Pro Tem Howard asked how much of the project has been completed. Mr. Collier discussed completion/near completion of demolition and plumbing, walls currently being framed, and the entire building being reconfigured, adding that the City is approximately 30% into the project. He mentioned concerns about using local vendors and advised that all except one trade is from Albany; all are bonded/insured and have executed the MOU. Mayor Pro Tem Howard asked the potential outcome if the City were to bid this project. Mr. Davis asked Mr. Collier if a contract has been signed with the contractors; Mr. Collier replied in the affirmative. Mr. Davis asked if there are any 'outs' in the contract; Mr. Collier stated that he will have to review the contract. A brief discussion ensued about the possibility of rebidding the project. Mr. Davis advised that dependent upon the terms of the contract, a potential claim for loss profits is possible.

Commissioner Fuller advised that the City would be liable for full payment to the trades which have already begun work, if the project is rebid and changing out the contract it already has with contractors/subcontractors already working.

Commissioner Fletcher mentioned the building lacking windows; she called LRA and was told that they are willing to do the windows at cost (\$2,980/each). Stating that jobs are scarce, she said she knows that those pulled in the middle of a job will be upset.

Commissioner Warbington stated that the work needs to stop where we are and let those who have begun to finish out. He advocated for a four-week delay, form a committee, and if the City continues to act as its own contractor, he said he would like for the person in that role (Mr. Gray/Mr. Swilley) to present the plan and budget and get approval for the overall budget from the Commission. He recommended this taking place within the next 30 days. He mentioned the report from the former State Fire Marshal that was just received, along with all the other information and suggested that the work stop, and the City regroup before moving forward.

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Commissioner Young asked the total number of issues pointed out by Mr. Maschke; Mr. Collier replied that he believes it was ten or so. Commissioner Young asked the number of violations that the company deemed were valid. Mr. Collier replied that there were two; ADA and life-safety issues with the recommendation to remove the automatic closer from the door (life-safety) and to separate the water cooler (ADA). He explained that the water cooler has a normal height and for ADA accessibility, one cooler must be lower to accommodate a wheelchair. The consultant who reviewed the issues, a former State Fire Marshal, reported that there were no real challenges; his fee was \$2,100. Commissioner Young noted that this cost was incurred for two minor, simple fixes.

Commissioner Warbington noted that most of Mr. Maschke's issues were corrected on the drawing prior to engaging the consultant; therefore, he only saw all the changes, he did not look at Mr. Maschke's issues, just those that had already been changed by the architect. What the Fire Marshal found were two additional items to the original items Mr. Maschke noted. Mr. Collier explained that after Mr. Maschke's review of the first set of drawings/plans, SP Design, the architect of record, submitted a second set of drawings and within the second set of drawings, there were minor changes. Facilities Director Don Gray agreed. Mr. Collier stated that the second drawings did not correct a lot of Mr. Maschke's life-safety concerns; a lot of those concerns were a matter of preference. Commissioner Warbington mentioned the Fire Marshal's review after corrections had already been made. Mr. Collier advised that the consultant is no longer the State Fire Marshal, he now operates his own private consulting firm. When the office of the State Fire Marshal was contacted, they pointed out that decisions and approval lie with the local jurisdiction and they have no right and cannot/will not, get involved; Carlton Russell, Albany's local authority, has the latitude of what can be waived in certain circumstances.

Mayor Dorough asked who paid the consultant; Mr. Collier replied that the City of Albany paid his fee (10.5 hours @ \$200/hr. - \$2,100).

Commissioner Young referred to Commissioner Warbington's rebuttal, stating that he wants it understood that the City went through the process, adding that he respects Mr. Maschke, but he was one of those not considered for the bid. He stated that he does not want to set precedence for those not being chosen to come back and nitpick the process, resulting in stopping and having to start a project over.

Mayor Dorough stated that Mr. Maschke's issue was not being passed over, but rather that the project was not bid. Mr. Collier agreed that the project was not bid, with the City using its Professional Services policy for the project. Mayor Dorough stated that the project should have been recalibrated because it began after new Commissioners were sworn in. He asked Mr. Collier when contracts were executed; Central Services Director Yvette Fields stated that the majority were signed during the month of June. Mayor Dorough asked if that was before Mr. Maschke expressed concern; Ms. Fields agreed and stated that work has not been suspended since this issue came before the Commission earlier this month.

Commissioner Young stated that Mr. Maschke, being an architect, had an interest in this project, with the City trying to legitimize critiques from professionals who may be unhappy that they were not selected by whatever process the City used to contract with businesses.

Mayor Dorough agreed that Mr. Maschke had some heartburn about the issue; and as substantiated by Mr. Collier, Mr. Maschke had a concern that he did not have an opportunity to bid on the project.

Mayor Pro Tem Howard asked Mr. Gray how far into the project we are. Mr. Gray stated that regarding construction, the City is on schedule and has been working within the original, allotted budget of \$1.0 million. He said he understands the possibility of changes and once a decision has been made regarding the changes, staff will come back with any associated costs.

Commissioner Warbington moved to pause the work, outside those already onsite and allow them to finish, for four weeks, form a subcommittee to work with staff and come back in a month with options and a budget; seconded by Mayor Dorough.

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Commissioner Fuller stated that he does not want to suspend work for four weeks but supports the recommendation to form a committee that will make reports to the Commission; he volunteered to serve on the committee.

Commissioner Fletcher stated that her vote will be no, she does not want to stop for four weeks. Commissioner Warbington made a substitute motion to stop work for two weeks, seconded by Commissioner Langstaff.

Commissioner Young stated that he can support two weeks; however, this entire situation arises out of a complaint regarding City policy.

Mayor Dorough countered that Mr. Maschke noted that this being a medical facility, its needs are specialized and requires someone with the expertise. Another of his concern is the issue of the, the lack of windows. He suggested that whatever work is performed on this building, it should be done correctly from start to finish and reflect City standards.

In reply to Mayor Dorough, Commissioners Fletcher, Warbington and Young volunteered to serve on the committee.

Mayor Dorough asked Commissioner Warbington to restate his motion for clarity.

Commissioner Warbington stated that the motion is to pause construction, as of tomorrow, on any and all trades that are feasible, let those in the middle of a job finish, the committee, with Commissioner Fuller as the Chair, will begin its mission to inspect the project and report back to the Commission, possibly with recommendations, in two weeks. Commissioner Warbington noted the meeting schedules, stating that it might be three weeks by the time everyone reassembles as a group.

Ms. Subadan stated that having a four-member committee of Commissioners is not advised. Mayor Dorough stated that he wants to let anyone wanting to serve do so and suggested that all that is needed is to send out a public notice. Ms. Subadan explained that it is a more involved process than that. Mayor Dorough asked if anyone wants to resign/withdraw their name. Commissioner Warbington interjected that he feels four is fine, if a 48-hour notice is posted whenever Commissioner Fuller sets up a meeting. Commissioner Fuller stated that he wants to conduct an on-site meeting. Ms. Subadan advised that an on-site, public meeting will be a challenge. Commissioner Fuller suggested that when meeting on-site, Commissioners can rotate with only three in attendance. Mayor Dorough stated that if Commissioners abide by open records, all four should attend. Ms. Subadan stated that she will figure out how to conduct the meeting with four Commissioners and broadcast it.

Commissioner Fletcher cautioned that in training she has taken, a quorum of Commissioners was always discouraged. She mentioned that it seems this Board is trying to direct daily operations, when its purpose is to set policy, adding that she sees no reason to stop the work for four weeks.

Hearing no further comments, and following a rollcall vote, the motion carried 4-3 with Commissioners Fuller, Fletcher and Langstaff voting no.

ALCOHOL LICENSE APPLICATIONS

Mayor Dorough announced that the following was removed from the agenda:

1. Radium Auto Sales LLC; d/b/a Club Frozen Bar & Lounge; 1020 Flint Ave.; K. Vamper/Agent; Liquor, Beer and Wine consumption

Marshal Walter Norman, Business License Director, discussed the following alcohol license application, advising that the establishment has not yet been constructed:

2. Westover Package LLC; d/b/a Bottoms Up; 719 N. Westover Blvd.; M. Patel/Agent; Liquor, Beer and Wine Package

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Commissioner Langstaff moved to approve, seconded by Commissioner Fletcher and, following a rollcall vote the motion carried 6-1-1 with Mayor Pro Tem Howard voting no and Commissioner Fuller abstaining.

Marshal Norman discussed the following transfer of ownership to Haresh Manek:

3. FCTG Investment LLC; d/b/a Lighthouse Liquor; 2810 Old Dawson Road; H. Manek/Agent; Liquor, Beer & Wine Package

Commissioner Warbington recalled expressing concern at the last meeting regarding this company being in Atlanta and Mr. Manek, as an agent, was also listed as residing in Atlanta; he asked if Marshal Norman confirmed that he resides in Albany. Marshal Norman replied in the affirmative, mentioning his lease agreement for 313 Philema Road, which went into effect June 8, 2020.

Commissioner Langstaff moved to approve the transfer, seconded by Commissioner Fuller, and following a rollcall vote; the motion carried 6-1 with Mayor Pro Tem Howard voting no.

APPOINTMENTS

1. Two appointments to Albany/Dougherty Land Bank for two-year term ending July 2022

Mayor Pro Tem Howard moved to reappoint Erick Williams and Jamye Cobb, seconded by Commissioner Warbington and, after a rollcall vote the motion unanimously carried.

2. One appointment to the Albany/Dougherty Planning Commission to fill unexpired term ending January 2022

Mayor Pro Tem Howard nominated Darron Harpe, seconded by Commissioner Warbington. Commissioner Young nominated Dominique Riggins, seconded by Mayor Dorough. Following rollcall votes, Mayor Dorough announced the appointment of Dominique Riggins (5-2 with Mayor Pro Tem Howard and Commissioner Warbington voting no).

3. Two appointments to the Aviation Commission for three-year term ending July 2023

Mayor Dorough nominated Dontravious Simmons, seconded by Mayor Pro Tem Howard. Commissioner Fuller moved to reappoint Dr. Gillespie, seconded by Commissioner Fletcher. Commissioner Fuller moved to reappoint Mr. Hodges, seconded by Commissioner Fletcher. Following rollcall votes, Mayor Dorough announced the unanimous reappointment of Dr. Gillespie and Mr. Hodges.

4. One appointment to the Citizens Transportation Committee to fill unexpired term ending January 2023

Mayor Pro Tem Howard nominated Bruce Capps, seconded by Commissioner Warbington. Commissioner Fletcher nominated Alma Noble, seconded by Commissioner Young. Following a rollcall vote, Mayor Dorough announced Mr. Capps appointment with a vote of 5-2 with Commissioners Fletcher and Young voting no.

5. 19 appointments to the Community Development Council for one-year term ending June 2021

Mayor Pro Tem Howard reported that he received a call from John Hawthorne requesting to be appointed.

Mayor Dorough moved to reappoint all eight presently serving members, those who submitted letters of interest/resumes and Mr. Hawthorne, seconded by Mayor Pro Tem Howard. Following a rollcall vote, Mayor Dorough announced the unanimous reappointment of Tracey Taylor, Angereen Rainey, Timothy Wooten, Clifford Porter, Delinda Bryant, Eloise Moore, Timothy Sweet-Holp and

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Sherrell Byrd and the appointment of Carol Turner, Connie Tobler-Hayes, Clara Knight, Alma Noble and John Hawthorne.

After a brief discussion, Mayor Dorough asked to be provided the present policy regarding applications.

6. Four appointments to the Historic Preservation Commission for a two-year term ending August 2022

Commissioner Young nominated Bruce Capps, seconded by Mayor Dorough. Commissioner Langstaff nominated Molly Swan, seconded by Commissioner Fletcher. Commissioner Fuller moved to reappoint Valerie Buchanan, seconded by Mayor Dorough. Commissioner Fuller moved to reappoint Rosemary Hamburger, seconded by Mayor Dorough. Commissioner Fuller moved to reappoint Deborah Riley, seconded by Commissioner Langstaff. Following a rollcall vote, Mayor Dorough announced the 4-3 appointment of Bruce Capps, with Commissioners Fuller, Fletcher and Langstaff voting no and the unanimous appointment of Molly Swan. Mss. Buchanan and Hamburger were unanimously reappointed.

7. One appointment to Keep Albany/Dougherty Beautiful to fill unexpired term ending January 2021

Mayor Pro Tem Howard moved to approve the appointment of Rachel Lawrence, seconded by Commissioner Warbington and, following a rollcall vote the motion unanimously carried.

COMMISSIONERS APPOINTMENT

1. One appointment to the Citizens Advisory Committee for term ending January 2022 (Ward V)

Commissioner Langstaff announced that he is appointing Dr. Adam Jones.

2. One appointment to the APD Civilian Review Board for term ending December 2022 (Ward II)

Commissioner Fuller announced that he is appointing Will Davis.

MAYOR BOARD APPOINTMENTS

1. One appointment to the Citizens Advisory Committee for term ending January 2022

Mayor Dorough announced that he is appointing Dr. Charles Ochie.

2. One appointment to the APD Civilian Review Committee for term ending January 2022

Mayor Dorough announced that he is appointing Alma Noble.

ORDINANCES

AN ORDINANCE

Amending Article IV, Chapter 38 of the City Code deleting subsection (a)(7) of Section 38-147 (re: Saggy Pants)

Mayor Pro Tem Howard explained that he will be voting no; this is a step in the wrong direction. Young men of all colors need to prepare for their future, they need to dress appropriately when applying for jobs. Additionally, others are offended by this style of dress, especially in restaurants.

Commissioner Young countered that the saggy pants ordinance did not help anyone get a job, did not help anyone look better in restaurants, etc., and suggested that that it is a matter of standards.

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He discussed the statistics of citations issued across racial/gender lines, adding that the law creates a practice of profiling. It is a fashion statement adopted primarily by young, black males and seen in that light; the law becomes discriminatory. Through *The Albany Herald*, he learned that discrimination of black fashion dates back to the 1940's when zoot suits were banned. However, during the hippie counter-culture era when young whites wore the minimal of clothing allowed in public, no laws were created outlawing it, instead signs were posted saying 'No shirt, no shoes, no service'. He discussed: a comfort level in the policing of black individuals; the highest political office in Georgia lacking the courage to mandate wearing masks during the coronavirus pandemic; the opinion of elders in the black community that saggy pants indicate low character and being offensive. He agreed that it is offensive; however, it is not a police matter, but rather a matter for the black community in policing their children. He mentioned his predecessor, former City Commissioner Tommie Postell, who taught school many years, mentoring young black males, teaching them to respect themselves and dressing respectfully. He played a message he received from a citizen opposing repealing the saggy pants ordinance. The message conveys the idea that saggy pants are a by-product of neighborhoods being shot up, with the caller urging stricter, consistent enforcement of the ordinance. Even though he personally opposes saggy pants, he said he cannot see criminalizing someone's fashion style, especially when the law is specifically aimed at a certain segment of the population. He is confounded that a law will not be passed to save lives by something as simple as wearing a mask, but a cry and hue results from those offended by the dress style of others they consider indecent. He then moved to repeal the ordinance, seconded by Mayor Dorough.

Hearing no further comments, the motion failed 1-6, with Mayor Dorough, Mayor Pro Tem Howard and Commissioners Fuller, Fletcher, Warbington and Langstaff voting no.

Regarding the next ordinance, Mr. Davis stated both ordinances require liability insurance of \$50,000 with one requiring a surety bond, while the other does not.

Commissioner Warbington discussed tabling this matter for 30 days, stating that he intends to recommend increasing the amount of required insurance. He mentioned numerous, other incidences the two dogs were the center of and 12 months later, the dogs have not been euthanized. Something he would like to see is giving police more power regarding this issue and putting teeth in the ordinance. When a dog causes an injury, Animal Control should provide a swift decision; if the Animal Control Board must be involved that, too, needs to be a swift turnaround (10-15 days). He stated that there must be compliance with recommendations of Animal Control (fence, pen, etc.) and if the owner does not comply, the animal needs to be euthanized; there should be no option for adopting the animal out, sending them to another state, or trying to rehabilitate them.

Mayor Pro Tem Howard stated that he is at a loss about this situation; holding an animal for over a year, the cost involved and giving the dog's owner preferential treatment is confusing.

Commission Warbington discussed visiting the Humane Society with Animal Control Officer Sherman Capers and the owner's effort to have the requirements of the ordinance lowered in an effort to have the dogs returned to them. They have had plenty of time to comply, but they have not, and he feels that the dogs should be euthanized. He mentioned that there were seven other dogs at the Humane Society that have bitten someone; the attack that occurred in Mayor Pro Tem Howard's ward, has been there since February and no one has claimed it. The City is responsible to its citizens and if it must be the bad guy in this type matter, so be it, adding that action must be swift.

Commissioner Young stated that a review of the process is necessary. It needs to be clear who has absolute discretion to declare that the dog must be euthanized. He mentioned Mr. Capers' comment from Tuesday in which it was apparent his vote was to euthanize the dogs; however, he was in the minority in that decision. He stated that he cannot understand how it can be possible that the dogs could be returned to the owner if the dogs were that much of a threat and how the Humane Society made that decision. He does not support euthanizing as an answer to a problem created by a human. It is possible for a dog to be rehabilitated and making decisions to euthanize an animal should not be in the hands of the City, unless we have a qualified expert in that area.

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Mayor Dorough mentioned that when he was a City Commissioner, the City operated a pound; however, negotiations with the Humane Society resulted in relinquishing control over what happens with dogs. He asked that Ms. Subadan provide an explanation of how the City got to this point as well as an explanation of the process from Mr. Davis.

Attorney for the Humane Society, Joe Dent, stated that the ordinances provide a process for declaring a dog dangerous, which requires the owner to register the dog; if not properly registered it is delivered to and stays with the Humane Society; State law provides for obtaining a court order to euthanize the dog if the owners do not comply. The role of the Humane Society is to house the dog and dispose of the dog whether through transport out or adopted. The Humane Society cannot just euthanize a dog, a dog owner is owed due process to have a hearing. He offered to work with Mr. Davis to draft ordinances giving the City authority within the bounds of State law.

Commissioner Warbington moved to table the following ordinance for 30 days, work with Mr. Capers and Chief Persley then come back with recommendations to change the Dangerous Dog ordinance, seconded by Mayor Dorough and, following a rollcall vote, the motion unanimously carried.

AN ORDINANCE

Establishing liability insurance and surety bond requirements re: Dangerous Dogs

Finance Director Derrick Brown discussed the following ordinance, with the request to establish the millage rate and recommending rolling the rate back of 5.668; if adopted this will be the sixth consecutive year the City has adopted a rollback rate.

AN ORDINANCE NO. 20-211

Levying and assessing the rate of taxation for City purposes on all taxable property in the City of Albany, Georgia for 2020

Commissioner Warbington moved to roll back the rate as recommended by Mr. Brown, seconded by Commissioner Fuller.

Commissioner Young mentioned the effects of the coronavirus and lower taxes being collected, asking the results of the City not rolling back the millage rate. Mr. Brown advised that the tax digest had a slight increase and if the rate is not rolled back, the digest will show that the City has more tax revenue, which the State views as a tax increase. He added that the City does not anticipate a loss of revenue at this time. In reply to Commissioner Young, Mr. Brown advised that a 15% reduction was layered in sales tax revenue in this year's fiscal year budget; that has been factored in.

Hearing no further comments, and, following a rollcall vote, the motion unanimously carried.

RESOLUTIONS

Commissioner Warbington moved to adopt resolutions numbers 1-5, seconded by Commissioner Langstaff.

Mayor Dorough requested to remove the first one, adding that he is voting no (Gas Portfolio V Project).

Hearing no further comments and, following a rollcall vote; the motion to adopt the following resolution (20-R141) carried 6-0-1 with Commissioner Fuller abstaining; resolutions 142-144 unanimously carried.

A RESOLUTION NO. 20-R141

Authorizing the use of SPLOST VII funds for 2020 Alley Paving Project

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A RESOLUTION NO. 20-R142

Approving submittal of a Letter of Intent to the Reinvestment Fund to support development of a grocery store in an underserved area in the City of Albany

A RESOLUTION NO. 20-R143

Accepting 2020 Coronavirus Emergency Supplemental Funding Program Award (hereinafter “CESF Grant”) from the Department of Justice, Bureau of Justice Assistance (hereinafter “DOJ”)

A RESOLUTION NO. 20-R144

Authorizing use of SPLOST VI and SPLOST VII funds or Watchguard integrated in-car and body worn camera systems for the Albany Police Department

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

A RESOLUTION NO. 20-R145

Approving amendment to Gas Supply Contract and Supplemental contract (Gas Portfolio V Project) each among the Gas Authority, the City of Albany, Georgia and the City of Albany Utility Board (the “City”)

Mayor Dorough explained that his objection to this resolution arises from staff not pursuing other options.

Hearing no further comments and, following a rollcall vote the motion carried 6-1 with Mayor Dorough voting no.

Chief Persley stated that the request is to authorize execution of a Memorandum of Agreement with the Albany Humane Society to house abandoned and delinquent animals for FY 2020-2021.

Commissioner Warbington moved to table the following resolution for 30 days until there is clarity on the dangerous dog in issue in the contract. He added that he spoke with the Executive Director of the Humane Society and realizes the good job that they do for stray, unwanted animals, adding that he does not want to tarnish their image; he will recommend that one or two Commissioners sit on the Humane Society Board, seconded by Commissioner Fuller.

Discussion followed on the below resolution:

A RESOLUTION NO.

Authorizing execution of a Memorandum of Agreement for housing abandoned and delinquent animals with the Albany Humane Society, Inc. for FY 2020-2021

Mayor Dorough expressed concern that compared to past numbers, the current number of animals being euthanized is significantly down, which is a positive thing; however, he cannot understand the increase in the contract based on that fact. He recalled asking for more specific information on their finances. Chief Persley advised that Mr. Dent and Ms. Kaufman are on the line to address his issue.

Mr. Dent advised that euthanizing is not the sole reason for the increase, adding that there has not been an increase in ten years, with costs greatly increasing. He mentioned that sources of revenue are grants; donations; housing dogs, such as the ones at issue; increase in labor cost and operations. To have quality staff and an executive director necessitates increasing the amount of the contract. Dougherty County just approved their contract, which was also increased.

Mayor Dorough asked if this is being tabled until the second work session in August; Commissioner Warbington replied in the affirmative.

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Hearing no further comments and, following a rollcall vote the motion unanimously carried.

AFD Chief Scott discussed the resolution that follows.

Mayor Pro Tem Howard asked if testing will be on individuals who have tested positive for COVID-19. Chief Scott replied that the makeup of a test group has not yet been developed. Mayor Pro Tem Howard mentioned Albany continuing to be a hot spot, asking if testing will be on a volunteer basis. Chief Scott explained that the number of individuals to be tested is tied to this proposal. Mayor Dorough mentioned a six-month review subsequent to the test, which will have a cost; however, this is the proposal as it stands today for the amount stated.

Commissioner Fuller asked if Chief Scott is aware of any other Georgia cities participating in the testing. Chief Scott replied that he is aware of the City of Atlanta, DeKalb County, and Columbia County involved in antibody testing.

Chief Scott mentioned Mayor Dorough's question in a previous meeting regarding the School Board's participation; Superintendent Ken Dyer advised him that no vote will be taken; he is ready to move forward on this. Mayor Dorough stated that he wants to be clear about the City and County's obligation; are we to identify individuals and schedule their appointments. Chief Scott advised that no information has been received on the study groups.

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

A RESOLUTION NO. 20-R146

Approving proposal from Augusta University Health to provide clinical antibody testing;
Authorizing execution of such proposal

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

A RESOLUTION NO. 20-R147

Accepting Easement Agreement from MD Development Company, LLC

Mayor Dorough noted that item has not been discussed; for future reference, he does not like voting on an issue that has not been discussed.

Engineering Director Bruce Maples explained that this relates to development of Scene at Sandhill by MD Development, which is an ASU off-site housing project on Radium Springs Road. He explained that the easement takes drainage from Holland Avenue and ties into a drainage pond adjacent to the stadium; the Commission accepted the easements in February. He stated that ASU anticipates housing to open before classes start and advised that this item was not presented sooner because of an issue with the installation of pipes; the storm drainage easement was not accepted until the pipes were installed and approved by staff in accordance with City requirements of storm drainage lines.

Hearing no further comments and, following a rollcall vote the motion unanimously carried.

Mayor Dorough referred to the letter he recently sent to Commissioners regarding the proposed agreement. As explained in the letter, the City will be able to pull down 30% of funding from the CARES Act, slightly over \$1.0 million, which is to compensate local governments for unbudgeted expenses associated with the pandemic, with negotiations underway for the next round of stimulus resulting from loss of revenue.

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RESOLUTION NO. 20-R148
(see August 4, 2020 Special Called Meeting minutes)

Accepting CARES Act Funding Award (hereinafter “CARES”) from the State of Georgia (hereinafter “State”); Authorizing the Mayor to execute the Grant Agreement between the City and the State of Georgia

A rollcall vote was taken, which unanimously carried.

Mayor Pro Tem Howard moved to approve the consent agenda, seconded by Commissioner Fletcher and, following a rollcall vote the motion unanimously carried.

CONSENT AGENDA

A RESOLUTION NO. 20-R149

Approving a modification in Albany Holding, LLC’s note of February 4, 2004, in favor of the City of Albany Authorizing the City Manager to execute the Modification of Promissory Note and Strict Compliance Agreement

Microsoft Software Licensing; Dell, Inc; State contract;

\$197,590.69

Rehab of Well #31; Donald Smith Co.;

Lump sum \$247,720.00

ITEMS FOR FUTURE AGENDA

Mayor Pro Tem Howard noted that Governor Kemp withdrew his lawsuit against the City of Atlanta today. Since the lawsuit was withdrawn, he asked if cities can now enforce the wearing of masks in public. Mr. Davis stated that if the City wants to pass a resolution it is possible, since the Governor caved in. Mayor Pro Tem Howard stated that citizens continue to hold gatherings in excess of the number instituted by the state. He recommended mirroring Atlanta’s action; especially since a second wave of the virus is expected. Mayor Dorough asked if he is requesting an agenda item and resolution; Mayor Pro Tem Howard replied in the affirmative.

Mayor Dorough stated that he wants to follow-up regarding his recommendation to upgrade accommodations for employees working at the Recycling Center, specifically, no restrooms and the insufferable heat, suggesting that these issues should have been addressed long ago. It has been determined that Bill Miller and Henderson Gyms are in the floodplain and, before any further funds are spent, he asked to consider the option of building new facilities. He mentioned the 2006 Recreation Master Plan, which identified the need for exercise facilities for senior citizens and suggested that modifying these facilities to accommodate afterschool programs provides an opportunity to do more for our citizens. He said that no further funding should be spent on the gyms until an estimate is obtained to build new facilities.

Ms. Subadan advised that she will bring options to the next work session. Mayor Dorough stated that an estimate is needed to build similar facilities on available City property or build new, elevated facilities at the present sites.

Commissioner Young noted that there were issues on the agenda this evening that citizens had signed up to speak to; usually, they are allowed to speak prior to votes being taken, but for whatever reason, that did not take place tonight. He said that he received messages via social media from those who had wanted to make comments tonight. Mayor Dorough asked that notice be placed on the website to avoid this in the future. Commissioner Young mentioned that in addition to the Speaker Appearance form, a Citizen Comment form is available for citizens to speak on an issue on the current agenda. Commissioner Warbington mentioned the former meeting schedule of a work session followed by the regular meeting, which were held twice a month. However, with COVID-19 and conducting on-line virtual meetings, the format has changed; senior citizens have contacted him about being unable to access and comment at meetings because they are not familiar with

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Zoom, etc. A work-around is needed to overcome challenges created by virtual meetings in order to hear from all citizens. Commissioner Young stated that he understands; however, we need something in place to give citizens the ability to speak to issues that concern them.

There being no further business, the meeting adjourned at 9:06 p.m.

MAYOR

ATTEST

ASST. CITY CLERK