

SEPTEMBER 1, 2020
COMMITTEE OF THE WHOLE
GOVT. CTR. – RM. 100 (Virtual Meeting)

PRESENT: Mayor Bo Dorough
City Commissioners: Chad Warbington
City Attorney: C. Nathan Davis

Mayor Dorough called the (virtual) meeting to order at 11:20 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 moved to excuse the absence of Mayor Pro Tem Howard, seconded by Commissioner Fuller and, following a rollcall vote the motion unanimously carried.

SPEAKER APPEARANCE

Omar Salaam stated that he is present today seeking support for property he owns downtown. He has been a business owner/operator in downtown since 1980. He mentioned being a member of the ADICA Board (Albany/Dougherty Inner-City Authority) to do his part in helping redevelop/reestablish the downtown, as well as wanting to be included. He stated that his property suffered damage two years ago and he is seeking support from this Board. He applied for City-sponsored programs (Long-term Investment, Urban Development), but was advised Friday that he did not qualify for the programs. As a downtown business owner for 40 years, he asked to be grandfathered-in and approved for a program. He stated that those who administer the programs have no business experience. The programs are not 'one size fits all' and his situation is different from most.

Commissioner Fuller asked Mr. Salaam the type of support he is requesting. Mr. Salaam stated that he wants to be included, there are programs in place for downtown with money available, but he has been told he does not qualify. He stated that he asked Asst. City Manager Stephen Collier about the long-term development program and urban development program for downtown.

Commissioner Warbington asked whether the building can be restored, and the amount of money needed to restore this building. Mr. Salaam stated that he is not sure, but he has general estimates from others that it will take approximately \$350,000 to restore the property.

Commissioner Young asked if Mr. Salaam contacted the Downtown Development Authority; Mr. Salaam stated that he is still a member of DDA, adding that he spoke with Lequrica Gaskins, Downtown Manager, about a State program for \$250,000, which is still being reviewed. His issue is the court order regarding his property, one reason he is trying to be approved for a program. In reply to Commissioner Young, he stated that basically the deadline is here now.

Mayor Dorough asked the amount of damage caused by the hurricane and how much was pre-existing. Mr. Salaam explained that pre-existing damage was approximately 5-8%; the hurricane took off his roof. He tried to get someone to cover the building with a tarp, but he was unable to do so, causing more water damage. Mayor Dorough asked about insurance or FEMA assistance. Mr. Salaam stated that he had no insurance at that time and FEMA denied him because there was no occupancy then. Mayor Dorough asked the specific action he is asking the Commission to take. Mr. Salaam said that he is asking that the programs for downtown development be revamped to

assist his situation; there is money available and he cannot understand why he does not qualify. Mayor Dorough asked Ms. Subadan to provide the information. Ms. Subadan stated that both the State and City's program are for loans, with the City's requiring a demonstrated plan for the property with the ability to repay; there are no grants for downtown redevelopment. As a member of DDA, Mr. Salaam is very familiar with all the projects coming before the DDA for approval. She advised that his property has been on the demolition list for quite some time and despite trying to leverage funding to repair, there is nothing making it eligible.

Mr. Salaam stated that he understands that these are loans and not grants, he is asking for an opportunity. He stated that he has sat on boards with loan funds that have been approved for property in worse condition than his. Ms. Subadan countered that they had a plan; the Art Park was destroyed, but the brewery brought a plan, capital, return on investment, repaying the loan, etc. She said that Mr. Salaam has not brought any of those requirements, adding that that the City has tried to assist Mr. Salaam in anyway it possibly could, especially by putting a hold on demolishing the building.

Mr. Salaam interjected that he has been in contact with the Small Business Association and a plan has been developed; with that out of the way, he said he will be working on the other requirements if given the opportunity.

APPOINTMENT

1. Mayor's appointment to Albany Housing Authority, five-year term ending June 2025

Mayor Dorough stated that Linda Coston has requested to be reappointed and he is reappointing her.

2. Tree Board appointments (by Mayor and Wards), two-year term ending August 2022

Commissioner Fuller stated that he intends to have an applicant by September 22.

Commissioners Fletcher, Warbington and Langstaff stated that they will reappoint the ones already representing their wards. Commissioner Young stated that he will be appointing Carolyn Clark. Mayor Dorough noted that Mr. Lindsey does not want to be reappointed and asked that anyone interested submit their information.

RENAMING OF CARVER PARK FOR CHARLES "COACH" DRISKELL

Commissioner Fletcher discussed information (copy on file) a request from family members in February to rename the park; a committee was established, which met August 12 and unanimously approved renaming Carver Park in honor of Coach Driskell. She noted page 11, advising that Facilities will be the department facilitating renaming the park.

Kevin Crawford stated that before he speaks about renaming the park, he would like to urge Commissioners to approve mandatory masks. He said that without Coach Charles Driskell, Deion Branch and Ricardo Lockette, would not have Super Bowl rings, adding that Coach Driskell was instrumental in the sports careers of others from Albany. He thanked Commissioner Fletcher, along with the rest of the Board, for taking this action.

Commissioner Fletcher stated that many others were also involved with this endeavor and every effort will be made to make everyone proud of Coach Charles Driskell Park.

RENAMING OF TRANSIT OPS FACILITY FOR MS. OLA MAE QUARTIMON-CLEMONS

Commissioner Fletcher stated that Frank Wilson, who proposed naming the facility after Ms. Quartimon-Clemons, apologized that he was unable to join the meeting today. She stated that, as with Coach Charles Driskell Park, Facilities will also be managing this and thanked everyone who took part in helping make this happen. Mayor Dorough thanked Commissioner Fletcher for undertaking these projects during such chaotic times.

PUBLIC SAFETY MATTERS

ALCOHOL LICENSE APPLICATIONS

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

1. E & L Sports Bar; 1009 Clark Avenue; L. Adams/Agent, Liquor and Beer Consumption; Ward 2

Commissioner Fuller mentioned that when the bar was last open in 2018 it was named Fat Daddy's and asked if there were many calls for service to the police department then. Marshal Norman replied that his report shows nine alarm calls, one disorderly conduct, and one seizure. In reply to Commissioner Fuller, Marshal Norman stated that it is a new owner.

Commissioner Warbington asked the distance between this bar and the license denied on Residence Avenue a month or two ago; Marshal Norman explained that it is approximately three-four blocks away. Commissioner Warbington asked if the building has been inspected by inspectors/Fire Marshal; Marshal Norman said that he is not sure, but there has been an Occupational Tax Certificate in circulation, and they are aware of it.

Commissioner Young asked if this is near the thread mill; Marshal Norman replied in the affirmative. Commissioner Young asked if a murder occurred there approximately three years ago; Marshal Norman stated that he does not recollect that and did not come across anything of that nature when reviewing the application. In reply to Commissioner Young's comment that it has always been a problem area, Marshal Norman discussed calls for that property. Commissioner

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Young asked that Marshal Norman go back further to see if there are other police reports at that location.

Marshal Norman discussed the following information (copy on file):

2. HRH Fashion LLC, d/b/a/ HRH Mart; 1608 S. Jefferson; G. Wallace/Agent; Beer and Wine Package; Ward 6

In reply to Commissioner Young, Marshal Norman stated that the location is the first unit in the strip mall, next to Charlie's and Pearl's.

ALCOHOL LICENSE APPLICATIONS – TRANSFER OF OWNERSHIP

Marshal Norman discussed the following information (copy on file):

1. Shri Shashi Pujan LLC, d/b/a Creekside 3; 2340 Dawson Road; V. Patel/Agent; Beer and Wine Package; Ward 5

There were no questions/comments on this matter.

ALBANY POLICE DEPARTMENT UPDATE

Using a PowerPoint Presentation (copy on file) Chief Michael Persley reviewed the report and advised that at the next meeting, a recommendation for the company performing the operational and management assessment of APD, which he sees as a roadmap for the future, will be brought to the Commission. He advised that on September 21, a meeting is scheduled with the APD Civilian Review Board and stated that he intends to hold quarterly meetings with those partnering with the City regarding mental health and substance abuse.

Commissioner Fuller mentioned the 56 attending the Academy in 2021 and asked if this is 56 signed up to go or if he has 56 positions to fill. Chief Persley stated that these are applicants, with the process underway.

Commissioner Warbington commended Chief Persley for implementing policies (ban chokeholds/strangleholds, warning prior to shooting, etc.) prior to recent national events. He referred to the company assessing APD and asked if their scope of work will involve Municipal Court; Chief Persley replied in the negative. Commissioner Warbington asked if it is possible to include Municipal Court. Chief Persley said that he would have to defer to Yvette (Fields, Central Services Director), adding that he recommends a separate RFP specifically for assessing Municipal Court and not holding up the process for the assessment of APD.

MEMORANDUM OF UNDERSTANDING RE: APD AND ALBANY TECHNICAL COLLEGE

MEMORANDUM OF UNDERSTANDING RE: APD AND TURNER JOB CORPS

Chief Persley discussed the two above items and advised that Albany Tech established its own police department a couple of years ago and that the MOU shows that APD is mutually supportive should an incident occur on campus. He added that this MOU and the one with Turner Job Corps are basically the same; there is no cost other than manpower.

Commissioner Young mentioned ASU's police force in conjunction with Job Corps; he thought that Albany Tech had started using ASU's police force to patrol their campus. Chief Persley agreed that a previous arrangement had been in place, however, Albany Tech has had their own police force for approximately two years. Commissioner Young clarified that APD will be called when either entity encounters incidences they cannot control; Chief Persley agreed.

Mayor Dorough asked the number of officers at Albany Tech; Chief Persley said no more than four. Mayor Dorough asked if APD has jurisdiction at Albany Tech and Albany State. Chief Persley explained that it does not at Albany State and typically they do not at Albany Tech; however, if an incident arose, they would welcome APD. In reply to Mayor Dorough, Chief Persley said that other than supporting the Federal Marshal's office, APD has no jurisdiction to enforce any laws on federal property within the city limits and that Turner Job Corps has no police department, just security staff. Mayor Dorough referred to page 42, noting that it does not have a place to notify the City of Albany and asked Mr. Davis to look into that.

Speaking to Commissioner Young, Chief Persley stated that he may be thinking of the triple murder at Applejax on Broad approximately nine years ago; it was the last homicide in that area, with no violent activity like that in years.

PUBLIC WORKS MATTERS

STREETS/ALLEY IMPROVEMENTS

Asst. City Manager Ken Stocks recalled that there have been many questions recently regarding the City's traffic calming program and advised that Engineering Director Bruce Maples will review the presentation.

Using PowerPoint (copy on file), Mr. Maples stated that the City adopted the program in 2009, which was amended in 2015. He noted that the City does not stick entirely to speed humps as there are other viable options; however, it is the most requested option. He discussed the process for streets to be considered for traffic calming measures.

Commissioner Fuller asked if Albany's procedures are like other Georgia cities regarding where speed tables are set. Mr. Maples discussed a seminar his staff attended before a policy was drafted along with the comprehensive research conducted, adding that almost every city researched, their policy was very similar to Albany's; they even researched California, Wisconsin, New Jersey, Virginia and found that we are in line with what other municipalities are doing. Commissioner Fuller advised that there have been several requests, with the process starting but getting bogged down with a lack of the required number of homeowners signing the petition and asked if there is

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anything to overcome this. Mr. Maples stated that City Commissioners can change the policy regarding a certain percentage of signatures on the petitions, adding that not garnering enough signatures may signify that most residents do not want traffic calming measures; the petitions are used as justification for the traffic calming measure. Commissioner Fuller suggested the possibility of installing them in areas where the speeding is excessively exceeded regardless of the petition.

Commissioner Fletcher stated that she has this problem in her ward of getting petitions signed. She mentioned drivers who speed, and disregard stop signs and suggested that it may be necessary to change that part of the policy.

Commissioner Warbington agreed with Commissioner Fuller that the Commission may need to look at the policy, adding that he receives a lot of complaints about stop signs, with the policy not really addressing that issue. He asked if there is a technical measure that would indicate the need for a stop sign. Mr. Maples as the Traffic Engineer, can make recommendations for safety measures, which supersedes any traffic calming policy. Regarding the policy, he explained that once a request is made, a proposal might help streamline the process which will let residents know what is being proposed for their street before signatures are needed.

Commissioner Langstaff asked if E. Doublegate Drive is deemed a collector street; Mr. Maples agreed. Commissioner Langstaff asked if that is the reason speed humps have not been installed; Mr. Maples advised that it is the reason according to the current traffic calming policy; it does not meet criteria. Commissioner Langstaff asked can we/should we change the local policy, adding that for over 20 years, he has been trying to get the speed reduced on E. Doublegate. Speed humps had always been considered too great a liability, but in 2009 they were authorized. His constituents cannot understand why speed humps are all over the city, some are in his ward, but they cannot be put where they are needed most. If it takes changing the policy, he will support that to have them where they are needed. He asked that research be conducted on Chastain Park Avenue, which has speed humps, high traffic volume and is not considered a collector street. Mr. Maples advised that a few years ago, he contacted the Traffic Engineer for that road and was told it was classified as a local road, but he can call again to see if anything changed.

In response to Commissioner Young, Mr. Maples advised that it must be the actual property owner to sign the petition, renters' opinions matter; however, they do not sign petitions. Commissioner Young stated that is an issue in his ward; renters make up approximately 60% with homeowners making up 40%. He named streets he would like to know their classifications; Mr. Maples said that he will provide that information.

Mayor Dorough mentioned the booklet he was provided and that he did not see where collector streets are excluded. He asked is it part of the policy or is it a state/federal regulation prohibiting speed bumps on a collector street. Mr. Maples advised that the policy was developed using guidelines of the Federal Highway Administration and the Institute of Transportation Engineers; everything they have found restricts traffic calming measures to local roads. Mayor Dorough mentioned that he understands the requirement regarding homeowner's signatures; however, there is an area in E. Albany in which a gentleman trying to get the petitions together advised him that

tenants in that area are long-term renters. He asked that this be looked at as it is discriminatory against renters.

PUBLIC FUNCTION MATTERS

ALBANY/DOUGHERTY LAND BANK AUTHORITY PROCEDURES

Mayor Dorough referred to a potential sale of property at Brookhollow, asking Planning Director Paul Forgery if the sale went through; Mr. Forgery replied in the affirmative and, in reply to Mayor Dorough, explained that 63 lots were sold. Three were sold separately to property owners who already live there with the remainder purchased by the Land Bank, adding that the parcels could have been sold in one consolidated lot. The Land Bank was prepared to buy all of them, but being a public auction, they were outbid. Since the Land Bank pays the taxes, if anyone is bidding, they do not bid. He stated that the Land Bank purchased 60 of the 63 lots. Mayor Dorough noted that since this type sale goes through the Tax Office, County Attorney Spencer Lee does the closing; Mr. Forgery stated that he does the judicial tax sale, with the Tax Director choosing the attorney they use, who happens to be Spencer Lee. Mayor Dorough asked if the Tax Director allows any other attorney an opportunity to do this work. Mr. Forgery said that he does not know, but he knows the rates Mr. Lee charges are less than what other Land Banks are paying in other parts of the state. Mayor Dorough asked if the rate is more/less than what other attorneys here charge for closings. Mr. Forgery said that he does not know, but he knows that initially other attorneys were contacted; however, Spencer Lee knows a lot about Land Banks and having a competitive fee is the reason he was chosen. Mayor Dorough asked the amount he will be paid for the 60 lots; Mr. Forgery explained that he receives \$650.00 per lot and in response to Mayor Dorough, he stated that he is partially correct, past tax liabilities are avoided, however, the State set up this mechanism to put tax delinquent property back on the tax rolls. Sometimes the tax liability is much greater than the worth of the property, resulting in the property not being sold. Land Banks were established to be able to extinguish the back taxes; he reiterated that this allows tax delinquent property to be put back on the tax rolls. Mayor Dorough noted that the \$39,000.00 being paid to Mr. Lee would otherwise be going to the Land Bank; Mr. Forgery agreed that it is partially correct and explained that while Mr. Lee receives the full amount, part of it is for him to pay court and advertising fees, so all of it does not go to him personally. He added that there is no way to conduct these transactions without an attorney, they would still have to pay a good portion of that for fees that are unavoidable. Mayor Dorough asked why was it not possible to have one closing with this transaction, why 60 different lots? Mr. Forgery explained that it is not a closing, but rather a judicial tax foreclosure process and requires going to court to obtain permission to take this action; the property is advertised for anyone interested in the property, followed by the property being auctioned off and there is no way to legally sell it as a single parcel. He explained that the fee was less than what Mr. Lee normally charges and, with there being three other bidders he had to separate the lots, requiring additional work. Mayor Dorough asked why the 60 lots the Land Bank purchased could not have been considered one transaction; the property was owned by one person, with the property being contiguous. Mr. Forgery agreed that most of it is contiguous.

Commissioner Fuller asked if the current owner has 60 days to get the taxes current and reclaim the property. Mr. Forgey agreed, adding that in addition to the time before the auction when the owner is notified, he has another 60-day right of redemption to pay the taxes and continue to own the property.

Commissioner Warbington stated his concern is whenever dealing with three, four, five parcels at one time, involving one owner, it is in the best interest of the City to be involved. He mentioned the issue of contiguous property with the potential to change the dynamics of the street. The City should have the right to weigh-in, especially regarding future zoning issues, which he thinks should be considered. The second issue is that the Land Bank appears to be heavily attorney-driven; he mentioned independent agencies i.e. Chehaw, Thronateeska, using an attorney who may be involved in a lawsuit against the City, adding that he would question the same legal counsel being in a position of giving other legal advice, while getting paid from funds that may not be directly from the City, but would have some involvement, such as the Land Bank. He recommended bidding this responsibility out, adding that it may be necessary to cut ties with the individual involved in a lawsuit against the City.

Mr. Davis asked Mr. Forgey if there will be one deed for the 60 lots; Mr. Forgey said that he does not know.

Commissioner Warbington referred to the Brookhollow purchase and asked if there is a way that the City Manager can weigh-in on behalf of the City regarding the lot purchase. Mr. Forgey stated that the Land Bank is always open to input; it wants what is best for the community and is open to hearing concerns. The Board has already voted on Brookhollow, but should anything change they could vote on it, however, at this time the sale is complete.

2020 CENSUS UPDATE

Mr. Forgey stated that he has a brief PowerPoint (copy on file) to provide the status of the census collection. He stated that the numbers do not include people counted by enumerators and cannot obtain that figure for the county. He said that with September 30 fast approaching, enumerators are being depended on to get the numbers up. The promotion has helped increase numbers; even with four-hour events and only six people participate, it is well worth it because of how it will impact the community for the next ten years.

There were no questions/comments on this matter.

COMMUNITY AND ECONOMIC DEVELOPMENT MATTERS

ENTERPRISE NEIGHBORHOOD REVITALIZATION STRATEGY AREA PLAN

Community and Economic Development Director Shelena Hawkins discussed information as noted (copy on file), advising that they have engaged Mosaic Community Planning, which is out of Atlanta and has worked on CED's plans in the past. She stated that HUD typically requires the

plan to be updated every five-ten years, adding that one meeting was held last July and on March 4 this year, with Mosaic holding a virtual meeting in June.

Jeremy Gray, Mosaic Community Planning principal, stated that the company has worked with CED for many years on plans/strategies related to federal grant funds the City receives from HUD. He explained that HUD designates what a city/county must do to establish a Neighborhood Revitalization Strategy Area (NRSA) and advised that this Enterprise plan meets HUD requirements for designating a NRSA as well as meeting separate requirements set by the Georgia Department of Community Affairs for an urban redevelopment plan. He briefly reviewed the target area, in which approximately 60% of residents in the area are in poverty and slightly over 78% are low-moderate income and reported that presentations were made to the Downtown Development Authority and ADICA since the downtown area is a major component of the Enterprise area. He advised that his colleague, Jessica Fish, is also present and will provide further information.

Using PowerPoint (copy on file), Ms. Fish, continued with the presentation regarding opportunities in an enterprise neighborhood (economic development housing, public facilities, work force development, lighting, sidewalks, etc.). She stated that residents and stakeholders emphasized the need for an increase in fresh food access, community health, paid job training programs, home rehabilitation, more moderate priced housing, etc. She briefly discussed additional assistance during the COVID-19 pandemic.

Commissioner Langstaff reported that Commissioner Fuller had to leave the work session to attend another meeting.

In response to Mayor Dorough, Ms. Hawkins agreed that this is the final report for Commission review and approval. Mayor Dorough commented that the plans required by HUD tend to be put on a shelf and asked that Ms. Hawkins provide an update in October/November on the E. Albany and S. Albany plan to see what, if anything, has been accomplished.

UPDATE ON THE SMALL BUSINESS RELIEF GRANT ASSISTANCE PROGRAM

Deputy Director Phyllis Brown reviewed information (copy on file) which shows the performance outcome of the program designed to help small businesses during the COVID-19 pandemic. In reviewing denied applicants, she discussed the efforts of CED to help them gain approval (emails sent to explain additional information that was needed to make the application complete; provided applicants five different days to respond; sent reminders). For applicants who did respond, but did not provide all additional information, they were called to provide clarity and specific instructions in order to complete the application. She reviewed the assistance provided by Albany Utilities and, in closing, she acknowledged the TAC Department for its help in developing and implementing the grant; specifically, Rodrick Smith, who was instrumental in making the program a success. A video was shown of businesses that were awarded funds, in which they shared their experiences/successes as participants in the program.

Commissioner Warbington mentioned hearing many positive comments about this program, which was highly successful and expressed appreciation for the program and CED going above and beyond to help applicants.

Commissioner Young commended CED, Ms. Brown, SOWEGA Rising, and Commissioner Warbington for being involved and providing assistance to business owners to keep going.

Mayor Dorough echoed the sentiments of Commissioner Young, adding that it was an achievement for the City in that it provided help to those who did not have access to funds under federal programs.

PUBLIC ADMINISTRATION AND FINANCE MATTERS

FEDERAL CONSULTANT REPORT

Using PowerPoint (copy on file), Marion Turner, Alcalde & Fay, discussed his background in politics; the 12 year association of Alcalde & Fay and the City of Albany, in which they were able to secure over \$36.0 million in federal funds as well as infrastructure assistance, preserved the downtown post office and renewed expiring HUD-EDI grant; Albany's 2020 federal priorities; and CARES Act in response to COVID-19.

Commissioner Young asked if he is saying there will be no decision on money that may come from the CARES Act for local funding before elections. Mr. Turner explained that the CARES Act is already in place. Commissioner Young interjected that he meant the next stimulus. Mr. Turner stated that there is a possibility; negotiations are underway now, not only for additional stimulus, but for the normal, annual funding of the government as well. The hope is that they will do a continuing resolution to keep the government open and avoid a shutdown; package together a resolution to keep the government running, and an additional stimulus package to provide state/local funding, but that is to be determined. Commissioner Young's connection was lost at this time. Mr. Turner stated that he thinks Commissioner Young was asking the likelihood of this happening and suggested that if the White House could meet in the middle at \$2.0 trillion, he thinks they can get a deal. He mentioned the pushback from Republicans on giving additional funding to state/local, 'if they keep giving people to stay home and not work, they will not go back to work'. He added that he does not see Senate Democrats going below the \$2.0 trillion and they will draw that line in the sand and let voters decide how they feel about that.

Mayor Dorough thanked Mr. Turner for the updates; he had complained about never hearing from the federal consultant and Ms. Subadan advised him that about three times a week Commissioners receive an email. He stated that Congressman Bishop said that in the early 1990s he assisted Columbus in securing federal funding to separate their stormwater and sewage system, a challenge the City is confronting here and hopefully, he can help Albany with that. He mentioned that in a teleconference of the National Conference of Mayors in which there was discussion about 'Stimulus 4', which will be the next round of funding for COVID, one priority of cities with less than 500,000 was funding for loss of income as opposed to CARES Act which provided for lost

revenue. Mr. Turner agreed that it is a big priority and they were talking ‘Stimulus 4’ for all the stimulus’ out there, but none of them have been passed, adding that we have only had Stimulus 1, which was CARES. He stated that he will absolutely help with the stormwater; Albany is not alone in that endeavor and added that he is always available via call/email to discuss whatever the Commission wants to discuss.

ITEMS FOR FUTURE AGENDA

Commissioner Warbington asked the County’s plan regarding the mask ordinance; Ms. Subadan stated that she will follow up. Commissioner Warbington asked Ms. Subadan to provide a number regarding funds committed to advertising masks, adding that he would like the billboards quantified in order to see what is spent. He also asked if there are any limitations or other areas of promoting/advertising to get the word out about masks and asked for a summary of what the City has done from a mask promotion standpoint.

Commissioner Langstaff stated that regarding the mask ordinance, he did not hear if there will be a second reading and vote on it again; if so, a special called meeting is needed. Mr. Davis advised that Rusi Patel, attorney with GMA, called and reviewed Section 18 of the City Charter regarding a second reading; his opinion is that a second reading is necessary because he viewed the waiver of the second reading to be a separate event from the vote that was taken.

Mayor Dorough stated that from now on, a separate vote will be needed that there is unanimous consent to dispense with the second reading. Commissioner Warbington stated that a person who votes no, could be okay with there being no second reading. Mayor Dorough replied that if that is the case, it will be needed on the record that the Commission is dispensing with the second reading so that there is no uncertainty; otherwise, someone could come back and say that the ordinance was not properly enacted. Commissioner Langstaff stated that the people who spoke today should be given the opportunity to speak again and should, at least, be on standby. Commissioner Young asked for clarity on revisiting the issue again because Commissioner Fletcher did not waive her rights to a second reading. Mayor Dorough explained that Commissioner Warbington’s issue is if there is no unanimous vote, then you do not dispense with the second reading, adding that it has always been his interpretation that when ‘I offer the ordinance.....to dispense with the second reading’ unless someone at that point raises an objection, when the vote is taken, that right is being waived. Commissioner Young asked if this is from a legal perspective or a traditional sense, adding that he has heard that it has been done in the past with the person making the motion having to declare that they are waiving the requirement otherwise if the vote has been taken it is final. Mayor Dorough explained that is the reason he recommends that in the future, the Chair needs to have it clear ‘do all members dispense with the second reading’ as a separate issue. Action is being taken on two issues 1) decide whether or not to waive the second reading; 2) then address the motion.

Commissioner Young discussed the need to make certain that voting is safe and fair for all and said he wants additional ballot drop boxes throughout the city in time for early voting and would like to have it for discussion at the next meeting.

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Mayor Dorough reported that he traveled the Trail this weekend and that gates have been placed across the trail. He said he is uncertain if staff was authorized to do that, adding that he understands that gates have also been installed around Oakland. If that is the City's trail, we do not need to let people sue us to put up a fence across the trail; this also applies to Oakland. He stated that actually, they are trespassing on City property. They had to be authorized to take such action and if Ms. Subadan says that we need a vote to rescind permission, he wants it on the agenda and voted on. He opposes the fences across city right-of-way and the fences need to be removed at both locations. He wants to know who authorized Rails-to-Trails and/or Oakland to construct the fences, which need to come down and if three votes agree with him, action is needed. Ms. Subadan stated that she will look into it.

Commissioner Warbington advised that Commissioner Fletcher will not be available until Monday for the Special Called Meeting; a brief discussion ensued regarding the need for a policy for obtaining approval to speak at the meeting. Commissioner Langstaff discussed the two separate forms for citizens to speak at a meeting; if a citizen wants to speak, they should be allowed to do so; he does not believe that there is a policy that they have to sign up 24 hours in advance. Mayor Dorough countered that as explained by Mr. Hicks that is our policy. He stated that it is hard enough to coordinate the meetings from where he is seated, and certainly we cannot have everyone from Dougherty County calling in to speak. Therefore, with meetings being virtual, 24-hour notice is necessary by those desiring to speak, especially under the circumstances. Commissioner Langstaff stated that he does not support having 24-hour notice, but he will deal with it.

There being no further business, the meeting adjourned at 2:28 p.m.

SISSY KELLY
ASST. CITY CLERK